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8/13/77

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

July 5, 1977

77-07-187

Constantien P. Matthews
Attorney at Law
Blackstone Building
366 North Arrowhead Avenue
San Bernardino, California 92401

Dear Mr. Matthews:

This letter is to confirm your inquiry as to whether or not it is a proper expenditure of campaign funds to pay legal fees to opposing counsel or to counsel of Assemblyman Terry Goggin. The Political Reform Act contains no restrictions on the use of campaign money and thus campaign funds may be used for any expenditure.

While I am not aware of any statutes governing the use of campaign funds, it appears clear that campaign funds must be used for the purposes of furthering the candidacy of the candidate. Thus if a campaign used the funds for a purpose totally unrelated to the campaign or candidate (e.g., a trip to Hawaii) then it is entirely possible that campaign contributors would have a cause of action against the campaign for improper use of funds. However, I am aware of no such lawsuits brought by campaign contributors.

Please feel free to call on me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "RMS" followed by a stylized flourish.

Robert M. Stern
General Counsel

RMS:nc

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C. P. "TINO" MATTHEWS
ATTORNEY AT LAW
BLACKSTONE BUILDING
368 NORTH ARROWHEAD AVENUE
SAN BERNARDINO, CALIF. 92401
PHONES 714/888-6813 - 714/888-6814

June 14, 1977

Robert M. Stern, Esq.,
General Counsel,
Fair Political Practices Commission,
State of California
P.O. Box 807,
Sacramento, California

Re: Our conversation of May 25, 1977.

Dear Mr. Stern:

I would like to thank you for your courtesy in seeing me on the morning of May 25, 1977 and discussing the law suit in which Assemblyman Terry Goggin is being sued pursuant to the provisions of Government Code Sections 3600 to 3760. Our conversation was most enlightening and helpful.

The second purpose of this letter is to confirm your opinion that it would be a proper expenditure of campaign funds, on the part of any committee to elect or reelect Terry Goggin to the assembly or other political office, to pay legal fees to opposing counsel or Mr. Goggins counsel for time spent and in settlement of a law suit brought pursuant to Government Code Section 3600 to 3760.

I am wondering if you would be so kind as to forward to me a short note again confirming the propriety of this type of expenditure.

Thank you very much for your kind consideration in the matter and your able assistance.

Sincerely yours,

CONSTANTIEN P. MATTHEWS
CPM:bb

84200, et seq.
84307

State of California



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