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Reinecke to Resign On Sentencing Day

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SACRAMENTO, Aug. 1—

California Lt. Gov. Ed Reinecke, convicted last week of perjury for his part in the ITT scandal, said today he would step down from his office the day he is sentenced.

That date could come Aug. 30, when he is scheduled to be sentenced in Washington, D.C. by U.S. District Court Judge Barrington D. Parker. Reinecke's decision came in the wake of an opinion rendered earlier today by state Attorney General Evelle Younger, who said the lieutenant governor could stay in office until judgment is passed in his case.

Younger, however, coupled publication of the opinion with a personal letter to Reinecke that was viewed by many here as an unsubtle invitation to step down immediately.

"Every official act you may perform in the meantime may be challenged in the court by persons who disagree with a legal conclusion or who may be politically motivated," Younger wrote.

At a news conference in his Sacramento office, Younger, who is running for re-election

in November, added that "If the lieutenant governor cuts a ribbon, nobody is going to sue."

Reinecke, however, also serves as a member of several boards and commissions, including the state Lands Commission and the University of California Board of Regents. And, said Younger, "If he makes a decision on the state Land Commission, for instance, it's going to be attacked. There's going to be lengthy, expensive litigation."

In addition, Gov. Ronald Reagan, in the words of his press secretary, Clyde Walthall, is now "reconsidering" an out-of-state trip on Aug. 11 which would leave Reinecke in charge.

There also appears to be a growing feeling in the state Republican Party that the longer Reinecke stays in office, the more embarrassing he will be to a party already well behind in the polls.

Reinecke was found guilty last Saturday by a federal jury in Washington of lying under oath to the Senate Judiciary Committee in a 1972 hearing involving the International Telephone and Telegraph Corp. and the ill-fated Republican National Convention in Sa Diego.

He came back to Sacramento Wednesday, determined to fill out his term and still protesting his innocence.

But in his statement today he said:

"I would like to state publicly that the office of lieutenant governor will never have to be vacated through legal action by the state. I will voluntarily resign prior to such an action being necessary."

He added that "I am absolutely not guilty of the charge made against me and have instructed my attorneys to take every possible legal step to get the decision reversed."

In Washington today Reinecke's lawyers moved to delay the sentencing, and the lieutenant governor later issued a statement here raising questions about exactly when he would resign. He said he "will resign if my judgment is ever entered."

Reinecke is the second high-ranking official in California's recent history to be forced out of office because of conviction for a crime. The other was William G. G. Bonelli, chairman of the state Board of equalization, who in 1954 fled to Mexico after being indicted in three counties for soliciting bribes in exchange for liquor licenses.