

Memorandum

To : File

Date : May 11, 1989

From : **FAIR POLITICAL PRACTICES COMMISSION**
John G. McLean

Subject: Advice No. T-89-282

Kathy and I discussed this mailer submitted by Bob Leidigh. We concluded that it fit within the exception for standard letterhead forms or envelopes. Because of the need for a quick response, Bob said he only needed telephone advice.

Law Offices of
OLSON, CONNELLY, HAGEL & FONG

May 9, 1989

HAND DELIVERED

Kathryn E. Donovan
General Counsel
Fair Political Practices Commission
428 "J" Street, Suite 800
Sacramento, California 95814

RE: SUBMISSION OF EXHIBIT FOR TELEPHONE ADVICE REQUEST

Dear Ms. Donovan:

Pursuant to our telephone discussion of last Friday, I am submitting for your review a mock-up of a self-mailer. You stated that you would be unable to provide me with telephone advice without being able to look at the document.

The name of the elected officer will appear in only the two places shown and will not appear (nor will any photograph or other reference) anywhere else in the document. We do not seek advice regarding the text of the document (which is signified by the blank lines).

My request on behalf of my client the Senate Rules Committee relates solely to the issue of whether such a self-mailer is permissible as opposed to a four-sided, two-sheet memorandum stuffed into an envelope which bears the same letterhead and the same return address. (I pointed out that postcards had been approved in the Stirling Advice Letter, No. A-89-132.)

Both you and John McLean agreed that the latter was permissible under Regulation 18901, assuming that "standard" stationery and envelopes are used. However, you were reluctant to conclude that the self-mailer would be permissible without seeing it. Therefore, I am providing it to you.

My client is very anxious to receive a telephonic response to this request. Pending your response, use of the self-mailer format is being held up and the separate

LANCE H. OLSON
BRUCE J. HAGEL
LEROY Y. FONG
ROBERT E. LEIDIGH

OF COUNSEL
LLOYD G. CONNELLY, *Member*
California State Legislature

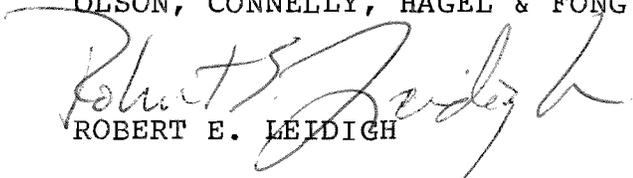
Kathryn Donovan
May 9, 1989
Page two

sheet method is being used. This increases the cost of the mailings by approximately 45% over the cost of printing and addressing the self-mailer format.

I await your early response.

Very truly yours,

OLSON, CONNELLY, HAGEL & FONG



ROBERT E. LEIDIGH

cc: Senate Rules Committee



California Fair Political Practices Commission

May 11, 1989

Robert E. Leidigh
Olson, Connelly, Hagel & Fong
300 Capitol Mall, Suite 350
Sacramento, CA 95814

Re: Letter No. 89-282

Dear Mr. Leidigh:

Your letter requesting advice under the Political Reform Act was received on May 9, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
General Counsel

KED:plh

