



# California Fair Political Practices Commission

July 19, 1989

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

Re: Your Request For Advice  
Our File No. A-89-383

Dear Mr. Leidigh:

You have requested confirmation of telephone advice I provided you concerning the campaign provisions of the Political Reform Act. You have requested advice on behalf of the Senate Rules Committee.

Your letter dated June 28, 1989, correctly summarizes my advice that it is permissible for senators to make payments for use of their car phones to the Senate Rules Committee, rather than directly to the telephone company. Such payments are not considered prohibited reimbursements under the Act.

Please call me at (916) 322-5662 if you have additional questions.

Sincerely,

Kathryn E. Donovan  
General Counsel

By: Jeanne Pritchard  
Division Chief  
Technical Assistance and  
Analysis Division

Law Offices of  
OLSON, CONNELLY, HAGEL & FONG

June 28, 1989

HAND DELIVERED

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Jeanne Pritchard, Chief  
Technical Assistance & Analysis Div.  
FAIR POLITICAL PRACTICES COMMISSION  
428 "J" Street, Ste. 800  
Sacramento, CA 95814

**RE: WRITTEN CONFIRMATION OF TELEPHONE ADVICE OF JUNE 22**

Dear Ms. Pritchard:

This letter seeks formal written advice confirming telephone advice rendered to me by you on June 22, 1989. I am writing in my capacity as Special Counsel to Senate Rules Committee.

**FACTS**

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The Senate Rules Committee, as the administrative agent for the California State Senate, provides each member with an allowance for a leased vehicle for use on Senate business. Each vehicle may be equipped with a cellular car phone.

If a Senator wishes to add to the vehicle lease allowance, in order to obtain a more expensive vehicle, he or she may supplement the allowance. However, since the lease is handled by the Senate Rules Committee, reimbursement has always been made to the Senate Rules Committee, rather than to the vendor directly.

Likewise, if a Senator makes occasional campaign or other use of the cellular car phone, payment to offset such usage has always been made to the Senate Rules Committee, rather than to the telephone company directly.

In the case of the supplement to the vehicle lease allowance, many Senators have paid this out of campaign funds, since the vehicle is used for "legislative or governmental purposes." In the case of campaign-related telephone calls from the cellular phone, campaign funds have also been used to make this payment.

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

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

Jeanne Pritchard  
June 28, 1989  
Page two

**QUESTION**

After Proposition 73 became operative, a question arose as to whether payment for such matters could be made to the Senate Rules Committee or whether these payments must be made directly to the vendor in order to not be considered a campaign "reimbursement."

I posed to you the question of whether it is permissible for a Senator to make such payments to the Senate Rules Committee in order to facilitate the bookkeeping rather than making the checks out directly to the vendors.

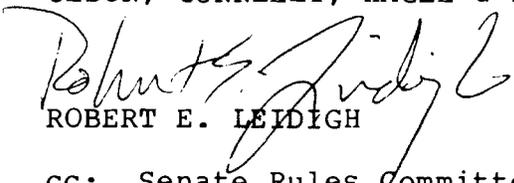
**CONCLUSION**

You advised that it is still permissible to make such payments to the Senate Rules Committee. Such payments will be reported on the Senator's campaign statements as a payment for services, not as a reimbursement.

Please confirm this advice. If this letter is in any way inaccurate, please advise me at once.

Very truly yours,

OLSON, CONNELLY, HAGEL & FONG

  
ROBERT E. LEIDIGH

cc: Senate Rules Committee

*Law Offices of*  
**OLSON, CONNELLY, HAGEL & FONG**

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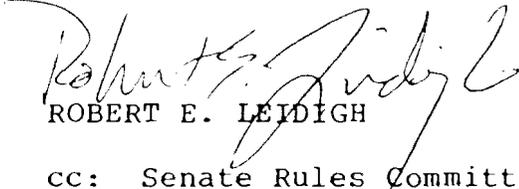
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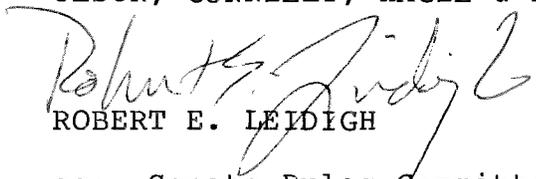
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cc: Senate Rules Committee



# California Fair Political Practices Commission

July 6, 1989

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

Re: Letter No. 89-383

Dear Mr. Leidigh:

We received your letter requesting confirmation of advice under the Political Reform Act on June 28, 1989. Your letter has been assigned to our Technical Assistance and Analysis Division for response. If you have any questions, you may contact that division directly at (916) 322-5662.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

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

Sincerely,

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

Kathryn E. Donovan  
General Counsel

KED:plh:confadv1