



FAIR POLITICAL PRACTICES COMMISSION

128 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

April 14, 2010

Ms. LeeAnn Fitzgerald, Treasurer
California Voter Guide

REDACTED

Ms. Yolanda Miranda, Treasurer
Citizens for Good Government

REDACTED

Ms. Vona L. Copp, Treasurer
✓ Official Non-Partisan Voter Guide of California

REDACTED

Re: Advisory Letter
FPPC Case No. 08/799 (Citizens for a Better San Diego County, et al.)

Dear Ms. Fitzgerald, Ms. Miranda, and Ms. Copp:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act").¹ In November 2008, the Enforcement Division of the FPPC received a complaint involving payments made to your slate mailer organizations, prior to the June 2008 election, by the Citizens for a Better San Diego County committee (the "committee") on behalf of various candidates. The committee reported many of these payments as independent expenditures, but the complaint alleged that your slate mailers denoted that the appearance of some of the candidates in the slate mailers was paid for and authorized by each candidate.

At the time in question, the Act provided and still provides that no slate mailer organization shall send a slate mailer unless at the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer,

¹ The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement (see Section 84305.5, subd. (a)(2)):

NOTICE TO VOTERS

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.

Additionally, each candidate that has paid to appear in the slate mailer must be designated by an *. Any candidate that has not paid to appear in the slate mailer must not be designated by an *. (See Section 84305.5, subds. (a)(4) and (b).)

Although we have decided not to pursue an enforcement action in this matter, you are advised that your failure to comply with the provisions of the Act in the future could result in an enforcement action. Please refer to the Commission website at www.fppc.ca.gov for current information. In addition, our Legal Division and Technical Assistance Division can provide advice and assistance for issues which may arise in the future. You may contact either division by calling our toll-free number: 1-866-ASK-FPPC (1-866-275-3772).

If you have any questions regarding this matter, please feel free to contact me at (916) 322-5660.

Very truly yours,

REDACTED —

Neal P. Bucknell
Senior Commission Counsel
Enforcement Division

cc: Dr. Mary Rose Consiglio
Dr. Thomas J. Sherman