

April 18, 1978

78-04-105

Assemblyman Victor Calvo
11th and L Building, Suite 925
Sacramento, CA 95814

Dear Assemblyman Calvo:

This letter is in response to your inquiry of April 3, 1978 asking whether it is permissible for you to send out a mailing at public expense of more than 200 nearly identical pieces in response to a returned questionnaire. The proposed mailing would be sent to those individuals who included a return address on the completed questionnaire. You also mention that a press release containing the results of the questionnaire will be distributed to the media.

Although Government Code Section 89001 prohibits mass mailings sent at public expense by an elected state officer after a declaration of candidacy has been filed, the Fair Political Practices Commission has adopted an administrative regulation, 2 Cal. Adm. Code Section 18901 (a copy of which is enclosed) clarifying that section. The regulation excludes certain types of mailings from the definition of "legislative newsletter or other mass mailing." Among those excluded mailings are ones "sent in response to written correspondence, petitions, oral inquiries, or specific requests, including requests contained in coupons." Also excluded from the definition of "mass mailing" are press releases sent to the media. Your proposed mailing to questionnaire respondents is deemed to be a "response to written correspondence" and is therefore not prohibited under Government Code Section 89001 and may be sent at public expense. Also, the press release is not prohibited and may be sent at public expense.

I hope this answers your questions. Please let me know if I may be of additional assistance.

Sincerely,

Regina Siciliano-Kutchins
Technical Assistance Program Coordinator
Technical Assistance and Analysis Division

Enclosure
RSK:vh

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F. P. C.
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Assembly California Legislature

CHAIRMAN

RESOURCES, LAND USE
AND ENERGY COMMITTEE
AIR QUALITY SUBCOMMITTEE

MEMBER

FINANCE, INSURANCE AND
COMMERCE COMMITTEE
TRANSPORTATION COMMITTEE

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VICTOR CALVO
ASSEMBLYMAN, TWENTY-FIRST DISTRICT

April 3, 1978

Regina Kutchins
Fair Political Practices Commission
1100 "K" Street
Sacramento, C A 95814

Dear Ms. Kutchins:

I would appreciate a written ruling on whether or not under Government Code Section 89001, or any other applicable provision, it is permissible for me to send out a response mailing of more than 200 nearly identical pieces of mail stating the results of a newsletter questionnaire. The recipients of this mailing would be those individuals who responded by returning the completed questionnaire and exercised the option of including their return address. A press release containing similar information will also be distributed to the media.

I am enclosing a copy of the questionnaire. To date, we have received 4072 responses and they are still coming in at the average of 20 per day.

Looking forward to your response at your earliest convenience on the question of permissibility and any relevant guidelines for the mailing.

Sincerely,



VICTOR CALVO
Assemblyman
21st District

VC:kmf

Enclosure

Legislative Report



CHAIRMAN

Resources, Land Use & Energy Committee
Air Quality Subcommittee

MEMBER

Transportation Committee
Finance, Insurance & Commerce Committee

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As you are undoubtedly aware, in January the Governor called a special property tax session which is taking place concurrently with the regular session. The urgently-needed tax relief is top priority, and I am optimistic that because of the increased public pressures and the stimulus of the Jarvis-Gann initiative, we will be successful.

Many other important challenges lie ahead . . . As Chairman of the Assembly Resources, Land Use, & Energy Committee, I will have an unusual opportunity to play a leadership role in areas of major concern with regard to the environment and energy. The response generated by the solar energy hearings held in Palo Alto in December was excellent — I'm glad so many of you were able to attend. The day was extremely informative for both myself and my colleagues, and provided a strong foundation for the solar bills I am now preparing for introduction.

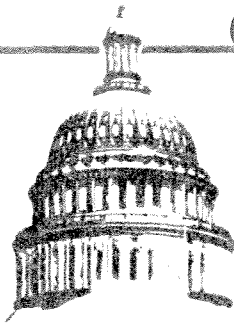
I've been successful in gaining Assembly approval of AB 1900, my bill to preserve California's prime agricultural lands. As the principal Assembly measure to protect the State's farmland, the bill is expected to continue to generate considerable legislative attention. Last session I was able to successfully amend the Williamson Act to emphasize the preservation of prime agricultural land near the urban areas. AB 1900 is the logical next step and should have a strong impact on the future of California's vital farmlands.

In addition to my chairmanship of the Resources Committee, I am also continuing to chair the Assembly Transportation Committee Subcommittee on Air Quality. Among my recently enacted bills are measures which increased the number of Santa Clara County members on the Bay Area Air Pollution Control District Board and created a state-wide advisory commission on air quality.

As always, your communications are welcomed and encouraged. This newsletter includes a questionnaire. I hope you will take a few minutes to answer the questions. I look forward to hearing from you on these as well as any other matters of interest to you in 1978.

Sincerely,

VICTOR CALVO
Assemblyman, 21st District



CAPITOL HIGHLIGHTS

The 1978 Session is now in full swing with many key bills under consideration. Below is an update on the major concern — property tax relief — as well as a brief summary of the bills I am working on.

PROPERTY TAX RELIEF REPORT

The Legislature's inability to pass a property tax relief measure was the major disappointment of the 1977 Session. Several efforts to arrive at a suitable compromise failed in the Senate. A later attempt by some of us for a special interim session also met with defeat. I believe our legislative efforts will finally be successful with the concurrent special session called by Governor Brown. There are several advantages to a special session approach. First, certain waiting periods, including a mandatory 30 days between the time a bill is introduced and its first policy committee hearing, may be waived. Even more important in this case, the measure may take effect 90 days after adjournment of the special session. The only way to get enactment that quickly during a regular session is to declare the measure an "urgency" bill — a move which requires a

two-thirds vote of both houses, and in the case of achieving a consensus on property tax, would certainly make it more difficult.

If this legislative strategy is successful, the tax reform bill could be adopted within a few months. Ninety days later, the measure would become law and county assessors would officially begin making adjustments for the fall 1978, property tax bills.

Along with property tax reform, the removal of California's business inventory tax is long overdue. As a co-author of last year's bill to phase-out this tax, I will be pushing hard for the passage of such a measure in this year's tax relief package. Identical bills have now been introduced in both the regular and special sessions to remove this tax.

CALVO LEGISLATION

SOLAR ENERGY

Our Palo Alto solar energy hearing was a valuable source of information for the preparation of bills dealing with this subject. I am presently working on legislation to increase the availability of low-cost financing to homeowners and businesses for solar equipment and to provide financial assistance to small businesses producing alternative energy systems.

Many of you have contacted my office regarding the solar energy tax credit which became law January 1. This legislation provides homeowners and businesses with 55 percent credit worth up to \$3,000 for the installation of solar energy devices. Forms for the credit are now available in my office. If you have questions regarding eligibility you may also call the Energy Commission at (800) 852-7516 or the Franchise Tax Board at (800) 852-7050, both toll free.

COGENERATION

Cogeneration technology enables industries and utilities to use waste thermal heat and steam to produce electricity and thus can conserve energy and reduce our dependence on imported fuels. I have introduced legislation, AB 2046, to reduce present legal and administrative obstacles to cogeneration and make it easier for industries and utilities to take advantage of this process. This bill has been approved by the Assembly and is now pending in the Senate.

REFORESTATION

Many recent reports have indicated that the prospect for future timber availability in California is not what it should be. This fact, coupled with the large acreages of land presently being underutilized, has pointed up the need to reexamine the State's forest policy. According to preliminary findings, over 5 million acres of California forest land are badly in need of replanting and improved forest practices. More than likely, there will be considerable legislative attention directed at expanding the State's role in reforestation, and I expect to carry a major bill in this area. Reforestation has beneficial effects not only for future wood supplies, but also for energy, recreation, and jobs.

AGRICULTURAL LAND PRESERVATION

Following an active debate on the Assembly floor, AB 1900, my legislation to preserve California's prime farmland, was approved by the full Assembly. The bill now faces an uphill fight in the Senate. Nevertheless, I sincerely hope we will be able to enact this legislation this year. The latest Field Poll indicates that 84% of Californians are strongly in favor of protecting our farmlands. Each acre of cropland which we now remove from production is truly lost — it is simply not replaceable.

QUESTIONNAIRE

As your representative, I serve you best if we continue our frequent and open communications. Thus, I would appreciate it if you would take a few minutes to complete and return this questionnaire. Your viewpoints on these issues will be valuable to me when considering legislative proposals this session. I hope to publish the results in the press and in a subsequent newsletter.

There is a space for two members of the household to respond to each question. Additional household members may use the margin for marking their responses.

1. Should the State of California contribute substantial funding for the development of alternative energy sources, such as solar, geothermal, wind and biomass? I II

YES

NO

2. If the California Energy Commission's recent findings that there is presently no demonstrated technology for the permanent storage and disposal of hazardous nuclear wastes proves accurate, do you favor the construction of additional nuclear power plants?

YES

NO

3. Which of the following do you believe would have the most impact in reducing crime? Rank three in order of importance to you.

Increased law enforcement for neighborhood patrolling	<input type="checkbox"/> <input type="checkbox"/>
Improved rehabilitation programs for prisoners and parolees	<input type="checkbox"/> <input type="checkbox"/>
Expanded job opportunities and vocational training	<input type="checkbox"/> <input type="checkbox"/>
Stiffer, fixed sentences	<input type="checkbox"/> <input type="checkbox"/>
Other _____	<input type="checkbox"/> <input type="checkbox"/>

4. Should the State assume a greater portion of the costs of welfare and education now borne by property taxpayers, even if it might mean increasing other taxes?

YES

NO

5. Many governmental services are funded largely out of the revenues from property taxes. Of the following locally funded services, which are most important to you? Rank three in order of importance to you.

Education	<input type="checkbox"/> <input type="checkbox"/>
Health	<input type="checkbox"/> <input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/> <input type="checkbox"/>
Police and Fire Protection	<input type="checkbox"/> <input type="checkbox"/>
Public Works	<input type="checkbox"/> <input type="checkbox"/>
Transportation	<input type="checkbox"/> <input type="checkbox"/>
Welfare	<input type="checkbox"/> <input type="checkbox"/>
Other _____	<input type="checkbox"/> <input type="checkbox"/>

6. Do you favor a State-sponsored skilled apprenticeship program to expand job opportunities for the unemployed?

I II
YES
NO

7. If you are an older adult, which of the following poses the greatest threat or inconvenience to your personal security? Rank three in order of importance to you.

Health care costs
Utility expenses
Housing
Taxation
Crime
Transportation

8. In the past few years, the Legislature has rejected "deposit" bills aimed at reducing the use of throw-away beverage containers. Do you favor a law to eliminate the sale of no-deposit, no-return bottles?

YES
NO

FALL NEWSLETTER RESPONSE

In my Fall newsletter I asked you to share your thoughts on the issues. To date the concerns most frequently mentioned were, in order — (1) taxes, (2) energy, (3) agricultural land preservation, (4) transportation, (5) crime. There were many additional responses on a number of topics, ranging from container recycling to desalinization of ocean water to milk prices.

I have personally read and responded to each of your replies and find them to be very thoughtful and quite valuable in my legislative work. Thank you for writing.

please fold in thirds, staple, place stamp and mail

place
13¢ stamp
here

ASSEMBLYMAN VICTOR CALVO
2570 El Camino Real West
Room 210
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Glossary of New and Developing Energy Sources

New ways of creating energy are rapidly being developed, many of them unfamiliar to most of us. Some new energy sources involve complex technical systems based on the most up-to-date advances in our scientific understanding. Others, including many forms of solar energy, are based on simple, common sense concepts like using the sun's natural heat, and conserving and getting the most out of the energy we do produce.

Here is a glossary of some of the most often-mentioned terms associated with new energy sources.

BIOMASS

The approach to biomass involves using wood, agricultural wastes, or even municipal garbage to create gases or liquid fuels which can be burned just like oil or natural gas. Some experimental biomass projects would involve growing special "energy crops" which would be converted to fuels after harvesting.

In Mountain View, there is a project at the city landfill site, which will capture the methane gases naturally produced by decomposing garbage and then mixing it with other natural gas in an amount to heat an estimated 1,000 area homes.

COAL GASIFICATION

Coal gasification is a technology for changing an abundant, dirty, solid fuel into a clean, gaseous fuel, by means of a reaction between the coal and steam with either air or oxygen. Using the gas which is created, rather than directly burning the coal, results in much less air pollution. Because the United States has abundant coal reserves, this technique may help us to reduce our dependence on foreign oil and still maintain a clean, healthy environment.

COGENERATION

Cogeneration is a technique for using industrial waste heat to generate electricity. By using exhaust steam or waste heat which would normally be discarded, an industry can use cogeneration to get more energy from the same amount of fuel, which in turn increases overall supplies of electricity.

West German industries have long profited by this efficient method of utilizing industrial energy and produces 20 percent of their nation's electrical energy needs through cogeneration.

FUSION

Nuclear fusion is a potential energy source based on a controlled high temperature reaction in which the nuclei of light atoms collide, forming new, more stable nuclei, and releasing energy. While still in experimental stages, this technology has potential advantages with its essentially unlimited source of fuel and more limited waste disposal.



Assemblyman Calvo studying solar photovoltaic research being done at Varian Associates in Palo Alto.

GEOHERMAL ENERGY

Geothermal energy results from escaping heat released by hot and molten rocks beneath the earth's crust, which occasionally escapes to the surface in the form of steam and hot air at hot springs and boiling lakes. Geothermal heat can be captured and used to create electricity, as is already being done in power plants at the Geysers in Sonoma County.

In Susanville and Calistoga, homes and green houses are already being heated by geothermal energy. In Mammoth Lakes Village, near Mammoth Mountain, the State is currently involved in a snow melting and space heating project for a local hardware store, and much promise exists for major geothermal energy sources near the Imperial Valley.

PHOTOVOLTAICS

Photovoltaics is the use of sunlight to generate electricity instead of using it directly to heat. This is done through a process in which a solar cell composed of semiconductor material is exposed to sunlight, thereby creating an electric current. Mirrors to reflect this light can also be used to increase the amount of electricity generated.

SOLAR — Active

Active solar systems use mechanical devices such as collectors and heat pumps to trap the sun's energy for heating and cooling. Solar water heating can already be cost competitive with electricity, and space heating and cooling (heating and cooling the rooms in your house) will soon be economical, also.

SOLAR — Passive

Passive solar refers to designing buildings to take full advantage of the natural warmth of the sun (such as having south-facing windows). The layout and design of buildings can realize opportunities for collecting and storing sunlight for heating, and natural ventilation for cooling. Passive solar designs are, today, a cost effective investment for the builder of a new home.