

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance •• Administration •• Executive/Legal •• Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

August 16, 1985

Judge Gordon Cologne
Dale and Lloyd
9404 Genesee Ave., Suite 300
La Jolla, CA 92037

Re: FPPC Advice No. A-85-181

Dear Judge Cologne:

This is to confirm our telephone conversation regarding your status as a state employee. You indicated that you are under contract with the State of California to provide consulting services to the Governor's office. Specifically, you have worked on the development and revision of the the Governor's toxic waste plan, and will present the plan to the Legislature for its consideration. Your involvement in this project includes independent decision making.

You have asked whether you must register as a lobbyist because of the activity you will engage in with regard to presenting the plan to the Legislature.

Gov. Code Section 86300 exempts from the lobbying provisions of the Act:

... any employee of the State of California acting within the scope of his employment; provided that, an employee of the State of California, other than a legislative official, who attempts to influence legislative action and who would be required to register as a lobbyist, except for the provisions of this subdivision shall not make gifts of more than ten dollars (\$10) in a calendar month to an elected state officer or legislative official.

Therefore, you are not required to register as a lobbyist by virtue of your activities in connection with the Governor's toxic waste plan.

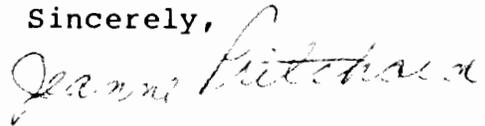
However, as a state employee who engages in decision making, you are required to file a Statement of Economic Interests pursuant to Chapter 7 of the Political Reform Act.

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Your position as a consultant is designated in the Conflict of Interest Code of the Governor's Office. Your Statement of Economic Interests (Form 730) should be filed with the filing officer for the Governor's Office.

Thank you for your inquiry. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne Pritchard".

Jeanne Pritchard
Technical Assistance and Analysis

JP:kt

cc: Vance Raye
Governor's Office