

Memorandum

To : Peter J. McBrien
Constituent Affairs
Governor's Office

Date : February 20, 1987

From : Gregory W. Baugher
Executive Director
FAIR POLITICAL PRACTICES COMMISSION

Subject : Reporting Investments Which Have Been Partially Acquired
or Disposed of During the Reporting Period
Our File No. A-87-058

This is to confirm the advice I provided to you regarding the requirement to report on a Statement of Economic Interests certain information concerning investments which have been partially acquired or disposed of during the reporting period.

The Commission's staff has been asked this question before. Its long-standing advice has been that when an official owns publicly traded stock in a business entity during the entire reporting period, and a portion of the stock has been acquired or disposed of during the reporting period, the official is not required to indicate on Schedule A of the Statement of Economic Interests that the stock was "acquired" or "disposed" during the period.

This advice applies only to publicly traded stock, a portion of which was held during the entire reporting period, and does not apply to privately traded stock, other investment interests, or interests in real property.

Please feel free to give me a call if any of this is unclear or if you have additional questions.

QUESTION

What is the SEI disclosure value of a parking pass given to Senator Ed Davis by the Burbank airport?

ANSWER

"Actual use" by the Senator, or on his behalf by his staff, is reportable "at fair market value" (see 18726.3).

Background facts as reported: A parking pass is given to Senator Davis (and other officials) by the Burbank airport. The pass is clearly marked "nontransferable" and is intended by the airport to be used for the recipient's official business. However, the airport does not monitor the use of the pass and it could be used for private purposes. Parking fees at Burbank airport range from \$2 - \$16 per day and there are no special period rates such as weekly, monthly or yearly.

Senator Davis generally does not drive a vehicle to the airport and park but he is taken to the airport and is picked up from it by staff members. The parking pass is used only in connection with Senator Davis' air transportation and is not transferable for any other person's use.

NOTES: Transferring the use of the pass to others, including staff, could greatly magnify the potential value which would have to be reported. The pass does not have the narrowness of purpose, nor supporting documentation, as was the case in Thomas (76-085).