



California Fair Political Practices Commission

September 19, 1989

Rodney J. Blonien
Whitman & Ransom
1121 L Street
Sacramento, CA 95814

Re: Your Request For Informal
Assistance
Our File No. I-89-490

Dear Mr. Blonien:

You have requested assistance concerning the lobbying provisions of the Political Reform Act.^{1/} Because you have not identified the person who has duties under the Act, on whose behalf you are requesting assistance, we treat your letter as a request for informal assistance rather than formal advice.^{2/}

QUESTION

In determining the pro-rata value of a dinner provided to public officials, is it necessary to include the fee paid to a speaker at the event?

CONCLUSION

In determining the pro-rata value of a dinner, all costs in connection with the dinner must be included. Payments for entertainment, including speakers, are costs in connection with the dinner and, therefore, must be included in determining the amount of the gift each guest has received.

1/ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

2/ Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

Rodney J. Bonien
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ANALYSIS

Elected and appointed officials are required to disclose on their statements of economic interests "gifts" received. (Section 87207.) Lobbyists, lobbyist employers and lobbying firms are required to disclose gifts they have made to elected state officers, candidates for elective state office and certain state agency officials. (Sections 86111, 86113, 86114 and 86116.) Section 82028 defines the term "gift" to include anything of value for which an official has not provided consideration of equal or greater value.

In connection with a reception, dinner or other event at which officials are guests, the cost of entertainment must included in determining the pro-rata value to each guest. (In re Gutierrez, (1977) 3 FPPC Ops. 44; Eichman Advice Letter, No. A-84-098, copies enclosed.)

If you have any questions about this letter, please call me.

Sincerely,

Kathryn E. Donovan
General Counsel



By: Jeanne Pritchard
Division Chief
Technical Assistance and
Analysis Division

FPFC WHITMAN & RANSOM

Aug 17 9 05 AM '89 1121 L STREET

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415-323-6600

August 16, 1989

Fair Political Practices Commission
Attn: Kathryn E. Donovan
P. O. Box 807
Sacramento, CA 95804-0807

Dear Ms. Donovan:

I would appreciate receiving a response to the following set of circumstances and questions. One of my clients is giving thought to sponsoring a dinner which will feature a nationally known speaker who would be of interest to public officials.

We recognize that the client and the official may have to report the actual costs of the meal, however, we wonder to what extent the fee paid by the corporate client to the speaker must be included in the cost of the meal. For example, corporation X were to decide to have a dinner and invite numerous State department heads to attend the dinner and listen to a speech by former President Jimmy Carter, and he were to paid a speaker's fee of \$35,000, would the fee paid to the speaker have to be divided amongst those attending the dinner and be reflected as part of the cost of the dinner, or would it suffice to report the cost of the meal itself without taking into account the \$35,000 speakers fee which would be paid to President Carter? Thank you in advance for your assistance.

Most cordially,


Rodney J. Blonien of
Whitman & Ransom

RJB:dg

89-440

FPPC WHITMAN & RANSOM

Aug 17 9 05 AM '89

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August 16, 1989

Fair Political Practices Commission
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Most cordially,

Rodney J. Blonien of
Whitman & Ransom

RJB:dg



California Fair Political Practices Commission

August 21, 1989

Rodney J. Blonien
Whitman & Ransom
1121 L Street
Sacramento, CA 95814

Re: Letter No. 89-490

Dear Mr. Blonien:

Your letter requesting advice under the Political Reform Act was received on August 17, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

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

Very truly yours,


Jeanne Pritchard
Chief Technical Assistance
and Analysis Division

JP:plh