



California Fair Political Practices Commission

March 23, 1995

Gloria White-Brown
Deputy District Counsel
South Coast Air Quality Mgmt Dist.
P.O. Box 4940
Diamond Bar, CA 91765-0940

Re: Your Request for Informal Assistance
Our File No. I-94-395

Dear Ms. White-Brown:

This is in response to your request for assistance under the newly-enacted revolving door provisions of the Political Reform Act.^{1/} Since you are writing to confirm previous telephone advice and are not seeking advice on behalf of any specific official, your letter is considered a request for informal assistance.^{2/}

QUESTION

Is Section 87406.1 applicable to former board members of the South Coast Air Quality Management District who left office prior to the statute's January 1, 1995 operative date?

CONCLUSION

Section 87406.1 applies only to persons who become former board members on or after the operative date of the statute.

DISCUSSION

Section 87406.1, Stats. 1994, Ch. 747 is a new "revolving door" provision of the Act. This provision essentially prohibits any member or former member of an air quality management district

^{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, Sections 18000-18954. 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. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

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from lobbying the district for a period of one year after leaving office. Subparagraph (d) of that provision states: "[t]his section applies to members and former members of district hearing boards."

We interpret the language "former board members" to mean members who left service after the operative date of the statute (January 1, 1995.)

I trust this response adequately answers your question. If you have further questions, or wish to discuss this, please feel free to call the Commission's Legal Division at (916) 322-5901.

Sincerely,

Steven G. Churchwell
General Counsel

A handwritten signature in cursive script, appearing to read "Jeanette E. Turvill".

By: Jeanette E. Turvill
Political Reform Consultant
Legal Division

JET/jt