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# State of California



# Fair Political Practices Commission

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

May 26, 1976

Ralph D. Stern  
Schools Attorney  
San Diego City Schools  
Education Center  
4100 Normal Street  
San Diego, CA 92103

A-76-567

Dear Mr. Stern:

Your letter of May 5, 1976, to Michael Bennett has been referred to me for a response. On the basis of our recent telephone conversation, I understand that the Big Five Association of Public School Districts has retained a consultant who is already a registered lobbyist. This change in your procedure will affect your filing obligations under the Political Reform Act in a number of ways. In previous months the Association was required to file reports only when it spent \$250 or more to influence legislative or administrative action in any one month. Government Code Section 86108(b). However, the Association is now the employer of a lobbyist and must file statements regularly, even if the lobbyist does nothing to influence legislative or administrative action in a given month. Government Code Section 86108(a). The schedule for filing lobbyist employer reports is set forth in Government Code Section 86110, although some employers choose to file every month even when the legislature is not in session. Moreover, the Association must file a lobbyist authorization form, Form 61A, authorizing the lobbyist to act in its behalf. A copy of that form is enclosed.

I hope this information will be of assistance. If you have any questions, please contact me at (916) 322-5901.

Sincerely,

*Natalie E. West*  
Natalie E. West  
Staff Counsel

NEW:plh  
Enclosure

RALPH D. STERN, Schools Attorney

BEN ECHEVERRIA, Senior Deputy  
GLORIA M. BEUTLER, Deputy

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**SAN DIEGO CITY SCHOOLS**

EDUCATION CENTER

4100 Normal Street, San Diego, California 92103

Telephone (714) 298-4681

May 5, 1976

Mr. Michael Bennett  
Executive Director  
Fair Political Practices Commission  
1100 K Street  
Sacramento, California 95814

Dear Mr. Bennett:

On February 6, 1975 the Big Five Association of Public School Districts requested an opinion from the Commission concerning its status as a lobbyist. On July 2, 1975 Opinion 75-040 was issued.

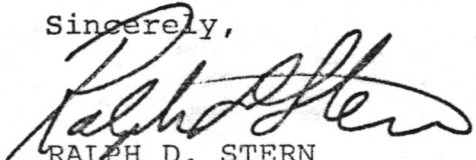
In the letter requesting the opinion I indicated:

"All of the Association's work is accomplished through elected officials, employees of, or consultants employed by its member public school districts. It has no employees of its own."

Since making that representation, the Association has decided to, on occasion, employ a consultant as an independent contractor. To the extent that a consultant has been involved in lobbying activities, these activities have been reported. It would, therefore, appear that Opinion 75-040 is still applicable.

If you have any questions, please do not hesitate to contact me.

Sincerely,



RALPH D. STERN  
Legal Counsel to  
The Big Five Association of  
Public School Districts

RDS:jma