

Memorandum

To : File

Date : Feb. 3, 1977

77-02-110

cc Dawn

From : FAIR POLITICAL PRACTICES COMMISSION
Ken Finney

Subject: Telephone conversation with Justice Raymond Sullivan.

Justice Sullivan called today and asked a series of questions related to the completion of his Statement of Economic Interests (Form 721). The following represent the questions and my responses:

- 1) He asked whether the interest on bonds issued by water districts, school districts or the East Bay Municipal Utilities District is income and, hence, reportable. I responded that the interest was not income pursuant to Section 82030(b)(7) because the entities which he named are government agencies. Accordingly, the interest is not reportable.
- 2) He asked whether his contributions to the judges' retirement plan constituted a reportable investment. I responded that it did not constitute a reportable investment because the retirement plan was not a business entity within the meaning of the Act. Section 82005.
- 3) He asked whether income received by his spouse which was her separate property is reportable. I responded that such income is not reportable since only income of his spouse in which he has a community property interest creates a reporting obligation. Section 82030(a).
- 4) He asked a series of questions about the reporting of gifts.
 - a. He inquired whether he would have to report the amount of a dinner which he received as a gift. The dinner was a large dinner for approximately 60 distinguished members of the Bar and apparently was paid for by 10 other members of the Bar. He indicated that he could provide information relative to the date on which the dinner took place and that he assumed the dinner was worth more than \$25, but he did not know the precise value. I responded that under these circumstances it was not necessary to report the precise value. He could insert a note into his Statement indicating that he did not know the precise value but knew that it exceeded \$25 and therefore was reporting the gift.
 - b. He received a gift from 56 members of the Bar. The gift was a watch and is valued in excess of \$25. He wondered how to report the donors. I indicated that when the number of

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donors is so large, it is permissible to describe them by some appropriate appellation. In other words, it would be sufficient if he described the donors as 56 past and present members of the Bar.

c. He receives complimentary books from publishing companies such as West's which are his personal property but are used in connection with his work. I stated that I thought such books constituted informational material within the meaning of Section 82028 and hence ~~was~~ not reportable as a gift. He indicated that he might report it anyway and I stated that to err on the side of caution is, of course, permissible.

d. He and his wife received tickets to an event, and each ticket was valued at \$20. He wondered whether this created any reporting obligation. I stated that the ticket received by his wife was her separate property since gifts are separate property and that, accordingly, no reporting obligation ensued because the gift received by him was only ~~for~~ \$20.

amount

KF:jo