

*Glenn*  
82030.

# Memorandum

To : Opinion Request Meeting Participants

Date : 6-24-77

*77-06-136*

From : FAIR POLITICAL PRACTICES COMMISSION  
Ted Prim

Subject: Conclusion of Opinion Request Meeting of June 20, 1977.

A judge asked whether travel expenses received in connection with three types of events need be reported pursuant to Section 82030 or whether they were excluded pursuant to Section 82030(b)(2) and Regulation 18728. First, appellate court judges were invited to attend a roundtable discussion with appellate court attorneys. The discussions took place over a three-day period and the judges' wives were invited.

Second, the judge is an American Bar Association section governor who makes recommendations on ABA policy.

Third, he sits on a nine-member commission which advises a nonprofit foundation on issues concerning justice in America.

The first situation would appear to be in the nature of a speech, seminar, panel or similar activity pursuant to Section 18728. However, the second and third situations may represent activities different from those which the regulation was intended to cover. Does the phrase "educational, academic or charitable organization" as used in Section 82030(b)(2) refer to organizations which receive tax-exempt status as educational, academic or charitable organizations?

## CONCLUSIONS:

1. The event is a panel or seminar within the meaning of 18728 and therefore the expenses may be excluded from the judge's income if they constitute food or beverages received at the event, intrastate travel or necessary accommodations. However, the spouse's presence on the trip is something which is shared by the official and hence is reportable by the official pursuant to the Cory Opinion, 1 FPPC Opinions 48.

2. The terms "seminar or panel" for purposes of 18728 are to be interpreted broadly, but the terms "bona fide educational, academic or charitable institution" as used in Section 82030(b)(2) are to be interpreted narrowly in the tax sense pursuant to Section 501(c) of the Internal Revenue Code. Accordingly, the expenses may be excluded from the judge's income pursuant to 18728 but not pursuant to 82030(b)(2).

3. Same as answer 2 except the travel in this case was interstate

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