

Memorandum

To : OPINION REQUEST MEETING PARTICIPANTS

Date : May 4, 1978

From : FAIR POLITICAL PRACTICES COMMISSION
Alan Herndon

Subject: Definition of a Lobbyist

An employer of lobbyists plans to invite a state legislator to spend a weekend at a mountain retreat. Accompanying the official on the trip will be an employee of the lobbyist employer who is not a lobbyist, but who is familiar with the legislative concerns of the employer.

ISSUES:

1. Would the time of the employee at the mountain retreat be considered time spent influencing legislative or administrative action for purposes of regulation 18239?
2. What portion of the employee's time, if any, would be considered time spent in direct communication with an official for purposes of regulation 18239?

RESOLUTION

1. ALL OF THE TIME SPENT WOULD BE CONSIDERED INFLUENCING LEGISLATIVE OR ADMINISTRATIVE ACTION.
2. IN ACCORDANCE WITH A LETTER DATED 6/25/76 TO MARK DUBOIS OF FRIENDS OF THE RIVER, THE HOURS SPENT IN DIRECT COMMUNICATION ARE THOSE HOURS AVAILABLE AND FEASIBLE TO COMMUNICATE.

A. Herndon
6/1/78

Memorandum

To : File

Date : May 9, 1978

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78-162

From : FAIR POLITICAL PRACTICES COMMISSION
Alan Herndon *Alan*

Subject: Definition of a Lobbyist

On May 8, 1978 the participants of the opinion request meeting discussed the issues presented in my attached memo of May 4, 1978. In accordance with advice given to Mark Dubois of the Friends of the River on June 25, 1976, the issues were resolved as follows:

1. The entire time spent at the mountain retreat by the employee will be time spent "influencing legislative or administrative action."
2. The number of hours available and feasible to communicate with the official will be time spent in "direct communication."

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