

State of California



Fair Political Practices Commission

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

Technical Assistance/Administration	•••	Executive/Legal	•••	Enforcement	•••	Conflict of Interest
(916) 322-5660		322-5901		322-6441		322-6444

January 26, 1978

A-78-262

Mr. Ed Stokes, Director
 California Public Broadcasting
 Commission
 921 11th St., Suite 1200
 Sacramento, California 95814

Dear Mr. Stokes:

This is in response to your letter of December 28, 1977. You have asked whether the Political Reform Act imposes any restrictions upon the acceptance of gifts by the Executive Secretary of the Public Broadcasting Commission from members of that Commission.

Neither the Political Reform Act nor the regulations of the Fair Political Practices Commission impose any restrictions upon the acceptance of gifts by the Executive Secretary of the Public Broadcasting Commission from a member of that Commission. However, although the Executive Secretary is not prohibited under the Act or regulations from accepting gifts from a member of the Commission, he may be required to disclose the fact that he received them under the disclosure requirements of the Conflict of Interest Code of the Public Broadcasting Commission. The Executive Secretary is a "designated employee" under the Code, and as a designated employee he is required to disclose income, including gifts of \$25 or more in value, when the income or gift is from a source which falls under any one of the following categories:

- (a) Broadcasting stations (commercial and private);
- (b) Video and audio production entities;
- (c) Broadcasting or production consulting entities;
- (d) Equipment manufacturers for audio, video, transmittal, production or related materials and apparatus.

Ed Stokes
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Thus, if a Commissioner is acting on behalf of one of the above enumerated entities, and the gift or gifts total \$25 or more in value during the period covered by the Statement of Economic Interests, then the Executive Secretary is required to disclose receipt of the gifts. If these conditions are not satisfied, the Executive Secretary has no reporting obligations under the Code with respect to his acceptance of the gifts.

Please let us know if you have further questions.

Sincerely,

Ted Prim
Ted Prim, Chief
Conflicts of Interest Division

TP:gb

CALIFORNIA PUBLIC BROADCASTING COMMISSION
921 - 11th Street, Suite 1200
Sacramento, California 95814
(916) 322-3727

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Copy to
Gene Baker

December 28, 1977

Ted Prim, Chief
Conflict of Interest Section
Fair Political Practices Commission
1100 K Street
Sacramento, CA 95814

Dear Mr. Prim:

Would you please give us a written opinion as to what restrictions, if any, are imposed by the Fair Political Practices Act or your regulations upon the acceptance by the Executive Secretary of the California Public Broadcasting Commission of gifts from members of that Commission?

Your prompt reply to this request would be appreciated.

Sincerely,

Ed Stokes
Director

ES:pf