

# Memorandum

To : File (86108(b), 86109(c))

Date : February 28, 1979

From : FAIR POLITICAL PRACTICES COMMISSION  
Lee C. Rosenthal

Subject:

On February 27, 1979, Tony Kline and Allen Sumner from the Governor's Office called regarding reporting of payments made by individuals or corporations to pay the cost of videotaping testimony of a witness presented to a legislative committee and of a telephone hook-up to allow the witness to answer questions posed after his videotaped presentation. The testimony and phone hook-up were arranged by the Governor's Office and if individuals or corporations pay the costs involved, that, too, will be arranged by the Governor's Office.

I told Sumner in a later phone conversation that if the individuals or corporations pay the costs, only the portion each pays is counted in determining whether the \$250 threshold of Section 86108(b) is met and in what must be reported pursuant to Section 86109(c). This result is dictated by the Sloan opinion, 2 FPPC Opinions 105 (No. 75-179, July 6, 1976). In that opinion the Commission held that members of an association should only include a pro rata share of the payments made by the association to influence legislative or administrative action in calculating the Section 86108(b) threshold or in reporting pursuant to Section 86109(c).

LCR:plh

~~SEP 28 1979~~  
79-088



RALPH D. STERN, Schools Attorney

BEN ECHEVERRIA, Assistant  
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

September 3, 1976

Ms. Natalie E. West  
Staff Counsel  
Fair Political Practices Commission  
Post Office Box 807  
Sacramento, California 95804

Re: Big 5 Association of Public School Districts

Dear Ms. West:

In response to your letter of May 26, 1976 please be advised that the Big 5 Association of Public School Districts filed a lobbyist authorization Form 61A, on behalf of Mr. Kenneth Hall, on September 5, 1975. Furthermore, the Association has filed an employer's form with respect to Mr. Hall each month since October, 1975.

The purpose of this letter is merely to ensure that the Commission has current information. If you have any questions, please do not hesitate to contact me.

Sincerely,

RALPH D. STERN  
Legal Counsel to  
The Big 5 Association of  
Public School Districts

RDS:jma

September 8, 1976

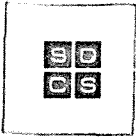
Ralph D. Stern  
Legal Counsel  
San Diego City Schools  
Education Center  
4100 Normal Street  
San Diego, Calif. 92102

Dear Mr. Stern:

Thank you for your letter of September 3, 1976, following up on your earlier correspondence with Natalie West. We appreciate your keeping us advised.

Sincerely,

Jeanne Pritchard  
Administrative Assistant



RALPH D. STERN, Schools Attorney

BEN ECHIVERRIA, Assistant  
GLORIA M. BEUTLER, Deputy

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Sincerely,

RALPH D. STERN  
Legal Counsel to  
The Big 5 Association of  
Public School Districts

RDS:jma

# 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

Dear Mr. Stern:

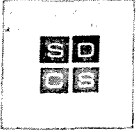
Your letter of May 5, 1976, to Michael Bennett has been referred to me for a response. On the basis of our recent telephone conversation, I understand that the Big Five Association of Public School Districts has retained a consultant who is already a registered lobbyist. This change in your procedure 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  
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