

92038

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) 322-5662		322-5660		322-5901		322-6441		322-6444

January 15, 1980

Robert P. Houston
 Kaiser Steel Corporation
 California Government
 Relations Office
 1500 Seventh Street, Ste. 13M
 Sacramento, CA 95814

A-80-01-001

Dear Mr. Houston:

Thank you for your letter of December 18, 1979, regarding whether you must report rides to work which you provide to Mr. Nelson Whitely who is employed in the Senate Mail Room.

As a lobbyist, the Act requires you to report payments to influence legislative or administrative action, including payments to legislative officials. Government Code Section 82038 defines "legislative official" as "any employee or consultant of the Legislature whose duties are not solely secretarial, clerical or manual." Mr. Whitely's duties, as described to me, consist solely of sorting mail and framing bills, and do not entail the making of government decisions. Therefore, his duties appear to be covered in the exception in Section 82038. This conclusion is bolstered by the fact that Mr. Whitely is not covered by the Legislature's conflict of interest code which is intended to cover all members of the legislative staff who make or participate in the making of governmental decisions.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Thomas M. Sobel
 Chief
 Legal Division

TMS:nrw