

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 •• Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

August 22, 1980

Assemblyman Don Rogers
State Capitol, Rm. 4160
Sacramento, CA 95814

A-80-08-046

Dear Assemblyman Rogers:

This is in response to a request from your office that we confirm in writing the advice which we provided over the telephone shortly after receiving your letter to Tom Houston dated March 27, 1980.

In that letter you asked whether you incurred any reporting obligation by virtue of accepting air transportation from the Salyer Land Company to a testimonial dinner for Assemblywoman Carol Hallett. Salyer reported the cost of flying you and several other legislators to the dinner as an in-kind contribution to the Committee to Re-Elect Assemblywoman Hallett, and the Committee reported the receipt of an in-kind contribution in that amount on their campaign report.

Because the event which you attended was a political one, and because the Salyer Land Company did not include a vacation or otherwise provide you with any benefits which were not incidental to your attendance at the political event, the payment by Salyer was correctly characterized as a contribution, reportable pursuant to Chapter 4 of the Political Reform Act, rather than a gift which would have been reportable on your Statement of Economic Interests pursuant to Chapter 7 of the Act. See Government Code Section 82028(b)(4) and the Cory Opinion, 1 FPFC Ops. 137 (No. 75-094-C, 1975).

Furthermore, we agree that the contribution was made to the Committee to Re-Elect Assemblywoman Hallett rather than to the individual legislators who were flown to the

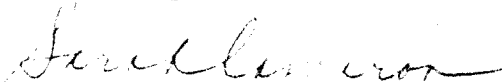
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dinner. To the extent you received any payment by accepting something of value, i.e., the transportation, you provided adequate consideration by your attendance at the event. Cory, supra, at 139. You therefore incurred no reporting obligation under Chapter 4 either.

If you have any further questions concerning this matter, please do not hesitate to call me.

Sincerely,



Sarah Cameron
Deputy Chief for
Conflicts of Interest
Legal Division

STC:kp

Assembly

California Legislature

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SAKERSFIELD, CA 93301
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DON ROGERS
ASSEMBLYMAN, THIRTY-THIRD DISTRICT

March 27, 1980

Mr. Thomas Houston
Chairman
Fair Political Practices Commission
P. O. Box 807
Sacramento, California 95804

Dear Mr. Houston:

The enclosed copy of a letter I received from Assemblywoman Carol Hallett which came to my attention after I had filed my Statement of Economic Interest report raises a question.

As the letter from Mrs. Hallett states, several people including myself flew in a Salyer Land Company plane round trip Sacramento to Santa Maria to attend a testimonial dinner February 14, 1979.

The Salyer people reported the use of their company plane as a \$700 in-kind contribution to the Committee to Reelect Assemblywoman Hallett. No reference was made to any other legislator in the Salyer Statement of Economic Interest report.

My question to you is: Should I also show this contribution on my report?

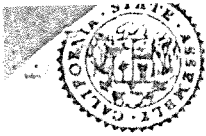
Please let me know at your earliest convenience so that I will be able to act one way or the other and settle the matter.

Yours truly,

DON ROGERS

DR:BC

ECL.



Assembly

California Legislature

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