



# California Fair Political Practices Commission

March 31, 1992

Kirk Alan Pessner  
Paralegal Administrator  
Political Reports Unit  
Nielsen, Merksamer, Parrinello,  
Mueller & Naylor  
591 Redwood Highway, #4000  
Mill Valley, CA 94941

Re: Your Request For Informal Assistance  
Our File No. I-92-80

Dear Mr. Pessner:

You have requested assistance under the lobbying provisions of the Political Reform Act.<sup>1/</sup> Because your inquiry is general in nature, we treat your letter as a request for informal assistance.<sup>2/</sup>

## QUESTION

Does the registration requirement in Section 86103(d)(2) apply to an individual who qualifies as a lobbyist on the basis of providing one day of public testimony before the Legislature?

## CONCLUSION

In order to complete the lobbyist certification process, the individual must attend one of the lobbyist courses referred to in Section 86103.

---

<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

<sup>2/</sup> Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

### FACTS

For the past couple of years, your client has travelled to Sacramento from the East Coast on the day of a committee hearing, and has filed a lobbying firm registration statement, a lobbyist certification, a lobbyist disclosure report, and a lobbyist termination form on the day the testimony is provided. The individual does not engage in any further lobbying activities during that legislative session. If the hearing on the bill is put over to the next legislative session, as has occurred during past legislative sessions, your client will again travel to Sacramento to provide testimony and, on that day, file all of the lobbyist forms mentioned above.

### ANALYSIS

Section 86103 provides that an individual who, at the time of filing the lobbyist certification form, has not completed the course described in Government Code Section 8956(b) within the previous 24 months, must complete the course within a reasonable time after filing the certification papers. The lobbyist certification is considered "conditional" until the individual has attended the course. As long as the individual intends to engage in lobbying activity in the future, it is necessary that the individual attend the lobbyist orientation course, and that his or her lobbyist certification be amended to indicate that the lobbyist orientation course was completed.

Please call Ann Bailey, Chief Counsel for the Senate Committee on Legislative Ethics, at (916) 324-6929, for information concerning the lobbyist orientation course.

If you have any questions, please call our office at (916) 322-5662.

Sincerely,

Scott Hallabrin  
Acting General Counsel

*Carla Wardlow*

By: Carla Wardlow  
Acting Division Chief  
Technical Assistance and  
Analysis Division