

SACRAMENTO REPORT

By Greg McConnell

California Lobbying Laws

In light of the controversy in the Nation's Capital about the antics of lobbyists and allegations of large scale illegal influence peddling, many people have asked me to comment on lobbying laws in California. Some people seem to think that a lobbyist is a bag man running around with a suitcase full of money that he doles out to legislators who do what he wants done. With the guilty plea of Abramoff, that view of lobbyists seems to have a lot of currency right now. But in truth, while there may be some bad guys in the profession, as there are in all professions, most lobbyists do their work on a day to day basis in an honest and forthright manner.

California lobbyists are tightly regulated. Every session, lobbyists must complete an ethics training class sponsored by the California Assembly and Senate. They must register with the Secretary of State and list the clients for whom they lobby. As well, they must fill out a quarterly report that shows, among other things, whether they lobbied the Governor, the Legislature, or any administrative agencies, and they must indicate the subject matter. The quarterly report also requires full disclosure of payments made to the lobbyists by their clients and any contributions their clients may have made to California's elected officials.

California lobbyists may not give campaign contributions to candidates for statewide office. They cannot give gifts in excess of \$10 to members of the legislature or their staff. Permitted gifts of \$10 or less must be reported to the Secretary of State. Lobbyists cannot arrange contributions or gifts to elected officials.

The overwhelming majority of lobbyists comply with the laws and regulations and play by the rules, mostly because they are honest and ethical professionals. (Okay, I hear the snickering.) The other reason is that, in the long run, most crooks get caught.

The Abramoff scandal is a classic example. The US Justice Department saw a pattern of abuse and questionable activities that implicated Republicans and Democrats alike. After months and months of investigation, they had to consider a crucial question: "do we go after Abramoff and get him to snitch on members of Congress, or do we go after members of Congress and get them to snitch on Abramoff?"

All they had to determine was which crook was most vulnerable, the bribed official or the crooked lobbyist. Apparently, they decided that person was Abramoff. They went to him and threatened to put him in jail for a zillion years and he began to sing.

In a political environment where today's best friend is tomorrow's worst enemy, it is foolish to think that the privacy of illegal agreements will be honored. Still every once in a while a big scandal comes along and it reminds us that the laws are there for a reason. They keep all of the good guys clean and despite the hassles of filling out forms and disclosing information, most lobbyists agree that if there were no restrictions, the system would fall apart. *For more information about regulations on California lobbyists please visit the Secretary of State's website at <http://www.ss.ca.gov/>.*

Money Issues in the Capital

Usually, February is a slow month in the Capital. The deadline for submission of bills is the 24th and, until that passes, we really don't know the full measure of what we will have to address. This, however, is an election year and ballot measures are floating about that require immediate legislative attention.

The Legislature seems poised to put major infrastructure bonds before the voters. The Governors plan would peg the bond at about \$60 billion over 10 years, mostly for transportation, water levees, and prisons. Senator Perata, the President of the Senate, wants to include money for housing in any bond measure that is put before the voters. Last year he introduced SB 1024 which included \$12 billion for transportation and housing. Not to be outdone, Assembly Speaker Fabian Nunez has announced plans to introduce legislation for a bond measure for infrastructure improvement.

As this article is written, the Senate Transportation and Housing Committee is holding weekly informational hearings on these measures. It seems clear that there is general agreement that the state needs a lot of money to fix its crumbling infrastructure (some say as much as \$300 billion and growing) and it seems clear that a bond measure, more likely a series of bond measures over several years, is probably the only way that money is going to get raised. We will follow this and report as circumstances warrant.

AB 1169

We told you that the Tenant Lobby would renew their efforts to make the 60 day notice of termination of tenancy a permanent fixture in California law. Looks like we did not go too far out on a limb. The tenant lobby is amending AB 1169 (Torricono) to strip the bill of its current unrelated provisions and turn it into an exact replica of last year's SB 51 by Sheila Kuehl. SB 51 required owners to give tenants who have been in residence for at least one year 60 days notice when they terminate their tenancy. It also provided that if a tenant brought in a roommate or subtenant, the one year time period would restart from the date that the new tenant moved in.

The Tenant Lobby's strategy on this is interesting. Last year when we defeated SB 51, we were able to form a block vote made up of Republicans and moderate Democrats who think Sheila Kuehl is far too left leaning for their taste. Torricono, on the other hand, is a major player in the Democratic moderate caucus. The Tenant Lobby no doubt thinks that while it may have been easy for moderate democrats to stay off the vote on a Kuehl bill, it will be more difficult for them to do that on a Torricono bill.

Ultimately AB 1169 will have to go before the full Assembly where SB 51 was defeated last year. We will see whether the fact that Torricono is carrying the bill changes things.

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