



# California Fair Political Practices Commission

March 7, 1986

Gary Frago  
1899 Third Street  
Atwater, CA 95301

Re: Your Request for Advice  
Our File No. I-86-071

Dear Mr. Frago:

This is in response to your letter, dated February 18, 1986, requesting advice on legality of holding elective office in the City of Atwater while being employed by the City.

The Political Reform Act does not address this problem; however, the Attorney General has addressed this issue. Enclosed is a list of Attorney General opinions on this subject. These opinions should be available at your county law library.

As an alternative, you may wish to directly contact the Attorney General's Office for specific advice regarding your situation.

I hope that this information is helpful to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert E. Leidigh".

Robert E. Leidigh  
Counsel  
Legal Division

REL:JG:plh  
Enclosure

## INCOMPATIBILITY OF PUBLIC OFFICES

The FPCC receives numerous requests for information regarding the propriety of simultaneously holding two public offices with overlapping jurisdictions. The Political Reform Act does not deal with this subject; however, the Attorney General has issued numerous published opinions on incompatibility of offices. The following is a partial list of recent opinions. Although it is not an exhaustive list of the opinions on this subject, it should provide a starting point for research.

68 Op. Att. Gen. 7 (1984)  
67 Op. Att. Gen. 409 (1984)  
66 Op. Att. Gen. 382 (1983)  
66 Op. Att. Gen. 293 (1983)  
66 Op. Att. Gen. 176 (1983)  
65 Op. Att. Gen. 606 (1982)  
64 Op. Att. Gen. 795 (1981)  
64 Op. Att. Gen. 288 (1981)  
64 Op. Att. Gen. 137 (1981)

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February 18, 1986

Fair Political Practices Commission  
428 "J" Street, Suite 800  
Sacramento, Ca 95814

Dear Sir or Madam:

I am anticipating running for a seat on the Atwater City Council this year.

Since I am an employee of the City of Atwater, I was recently advised that I would be unable to hold an elective or appointed office in the same city.

Could you be so kind as to send me any information regarding this question, or if possible, a reading from one of your attorneys with the Fair Political Practices Commission.

I would be most appreciative.

Yours very truly,



GARY FRAGO  
1899 Third Street  
Atwater, Ca 95301

209-358-6252



# California Fair Political Practices Commission

February 26, 1986

Gary Frago  
1899 Third Street  
Atwater, CA 95301

Re: I-86-071

Dear Mr. Frago:

Your letter requesting advice under the Political Reform Act has been received by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

  
Robert E. Leidigh  
Counsel  
Legal Division

REL:plh