

Memorandum

To : File: Section 81009(b)

Date : June 26, 1986

From : **FAIR POLITICAL PRACTICES COMMISSION**
Mary Ann Kvasager

Subject: Preservation of Reports and Statements
Request for advice from the City Clerk of Delano

FACTS: The City of Delano held an election in 1984. In 1986 the city clerk disposed of the original and copies of all campaign disclosure statements filed by the unsuccessful candidates involved in the 1984 election. The clerk has since received a request from the public sector to see copies of the disclosure statements filed by all of the candidates involved in this election.

One solution the clerk came up with was to ask the candidates to reconstruct their campaign statements if they could not supply her with a copy.

It was decided at the opinion request meeting of June 26 that the clerk should not request the candidates to reconstruct their statements. She should write to each of the unsuccessful candidates requesting a copy of their disclosure statements filed in connection with this election. The clerk is aware of the fact that some of the candidates do not have copies of their campaign statements. In this instance, the clerk might want to contact the local newspaper or the incumbent candidate involved in this election to see if they have copies.

TO: () J. LARSON () R. BROWN
 () G. BAUGHER () A. HERNDON
 () B. LEIDIGH () J. PRITCHARD
 () K. DONOVAN () M. KVASAGER
 () J. MCLEAN () C. WARDLOW
 () L. MONTGOMERY () H. ARRIOLA
 () J. GREENWOOD

FROM: Kvasager

DATE: 6/29/86

[] TELEPHONE ADVICE - SEE BELOW

[] CORRESPONDENCE ADVICE - SEE ATTACHED DRAFT

(IF YOU HAVE ANY COMMENTS, NOTIFY ADVISOR WITHIN 1 DAY)

FILE LOCATION: 31009(b)

INCLUDE IN ADVICE PACKAGE: YES [] NO []

CALLER Dorothy Dowell

REPRESENTING City of Delano

PHONE NUMBER: 305/725-0230

QUESTION: In 1986, the city clerk disposed of the originals and copies
of campaign statements filed by unsuccessful candidates involved in
a 1984 city election. Section 81009(b) requires that original statements
of candidates not elected be retained by filing officers for a period
of not less than five years. The clerk asked if she could require the
candidates to reconstruct their statements when a copy could not be supplied.

ANSWER: _____
The clerk should not request the candidates to reconstruct
their statements. She should write to each of the unsuccessful
candidates requesting a copy of their disclosure statements. Since some
of the candidates did not retain copies, the clerk might want to
contact the local newspaper or the incumbent candidate involved in
this election to see if they have copies.