



California Fair Political Practices Commission

October 4, 1988

Wilson Mallery
Honey Lake Resource Conservation District
50 B Hall Street
Susanville, CA 96130

Re: Your Request for Assistance
Our Advice File No. I-88-335

Dear Mr. Mallery:

On August 3, 1988, you wrote to us requesting an exemption for the Honey Lake Resource Conservation District from the requirement that they adopt a conflict of interest code under the Political Reform Act.

Your letter does not indicate whether the Honey Lake Resource Conservation District is a single-county or a multi-county district. A single-county district is located entirely within one county, while a multi-county district is located in two or more counties. If the district is a single-county district, the request for exemption should be directed to that county's board of supervisors, which would be your code reviewing body. (Section 82011(b).) The county may have an established exemption policy for you to follow or may choose to use the same criteria set out in Regulation 18751.

If the Honey Lake Resource Conservation District is a multi-county district, its request for exemption is appropriately directed to the Fair Political Practices Commission, the code reviewing body for multi-county agencies (Section 82011(a).) Multi-county districts must meet the criteria and follow the procedure set forth in Regulation 18751. That regulation is attached.

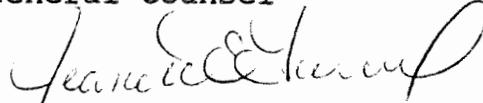
Based upon the information you provided in your letter, it appears your district is the type of district intended to be covered by the exemption policy. The question at this point is

Wilson Mallery
October 4, 1988
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where to direct your request for exemption. If I can help any further in this regard, please feel free to call me at (916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel



By: Jeanette E. Turvill
Political Reform Consultant
Legal Division

JET/jt

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT 50 B HALL STREET SUSANVILLE, CA. 96130

August 3, 1988

88-335-17-08

State of California
Fair Political Practices Commission
PO Box 807
Sacramento, Ca. 95804

Dear Mr. Brown,

The Honey Lake Valley Resource Conservation District has been trying to obtain an exemption from the requirement that it adopt a Conflict of Interest Code. We have contacted the County Clerk's office and she suggested that we take the route of the Pit Resource Conservation District and contact you to try to get the same exemption.

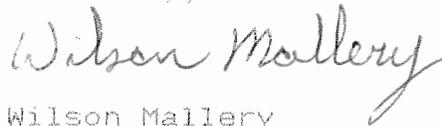
Our budget is \$8400 per year which is funded through the County. Our expenditures are usually \$5500 with the remaining monies being in contingency.

We employ one part-time secretary, who is paid jointly through the Soil Conservation Service and RCD. We have five Board members who are local farmers and ranchers. They receive no wages.

We would be more than happy to send you any further information that you may need in this matter.

Enclosed please find a copy of the letter that was sent to the Pit RCD in 1978 granting them an extension. Thank you for your time.

Sincerely,



Wilson Mallery
President

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 • • • Conflict of Interest
(916) 322-5660 322-5901 322-6441 322-6444

August 11, 1978

Pit Resource Conservation District

At its meeting of August 2, 1978, the Fair Political Practices Commission voted to exempt your agency from the requirement that it adopt a Conflict of Interest Code pursuant to Government Code §87300. This action was taken based on the size and functions of your agency. It was found that it was unnecessary to adopt a Code, because if one were approved there would legally be no "designated employees". See Government Code §82019 and 2 Cal. Adm. Code §18751.

The Commission treated your submission of the Code constructively as a request for an exemption pursuant to 2 Cal. Adm. Cod §18751. No further action is necessary by you at this time. However, if the agency greatly increases the size of its budget, or changes the nature of its governmental functions, you should so inform us.

We apologize for the delay in resolving this matter, but trust it is resolved to your satisfaction. Thank you for your cooperation, and if we can be of any further assistance in this or any other matter, please feel free to contact our office.

Sincerely,

Ted Prim
Ted Prim, Chief
Conflicts of Interest Division

TP:KG:nw



California Fair Political Practices Commission

August 31, 1988

Wilson Mallery, President
Honey Lake Valley Resource
Conservation District
50 B Hall Street
Susanville, CA 96130

Re: 88-335

Dear Mr. Mallery:

Your letter requesting advice under the Political Reform Act was received on August 26, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths
General Counsel

DMG:plh