



# California Fair Political Practices Commission

March 23, 1989

Dick Frank  
P.O. Box 996  
San Luis Obispo, CA 93406

Re: Your Request for advice  
Our File No. A-89-098

Dear Mr. Frank:

This is to confirm our telephone conversation and in reply to your letter requesting advice concerning your reporting obligations under the conflict of interest disclosure provisions of the Political Reform Act (the "Act").<sup>1/</sup>

#### FACTS

As an elected public official you are required to file a statement of economic interests. You have the right of survivorship on certain tax exempt bonds which were purchased and are controlled by your mother and father. You advised me in our telephone conversation that all of the bonds are issued by governmental agencies.

#### QUESTION

Are you required to report these tax exempt bonds on your Statement of Economic Interest (Form 730)?

#### CONCLUSION

Bonds issued by governmental agencies are not reportable.

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<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.

Mr. Dick Frank  
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ANALYSIS

Section 82034 provides that "investment" does not include:  
"... any bond or other debt instrument issued by any government or  
governmental agency...."

If you have any other questions regarding this matter, please  
call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths  
General Counsel

by: Colleen McGee  
Political Reform Consultant

February 6, 1989

FPPC  
Feb 12 3 07 AM '89

Ms. Coleen McGhee  
Fair Political Practices Commission  
Post Office Box 807  
Sacramento, California 95804-0807

Dear Ms. McGhee:

As a locally elected public official, I am required to annually complete Form 730.

Until recently I was unaware that I had been added as a joint tenant with right of survivorship on certain tax exempt bonds purchased and controlled by my mother and father. I was added as the joint tenant for inheritance purposes only and I have no control of the accounts until my parents' demise.

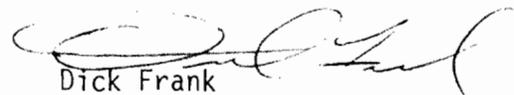
All income from these accounts is credited to their names.

In addition, none of the tax exempt bonds are within the County of my authority and I would have no way of influencing decisions made by the bonding agencies.

As I interpret the instructions for Form 730, these bonds are not required to be reported as (1) they are beyond my jurisdiction, (2) I have no means of influencing decisions made by the bonding agencies, (3) I do not receive any present beneficial interest, and (4) my joint tenancy is for inheritance purposes only.

Will you please provide me with your analysis and opinion of whether or not these items must be reported? If you need any further clarification, please call me at (805) 549-5646 between the hours of 8:00 a.m. and 5:00 p.m.

Sincerely,



Dick Frank  
Post Office Box 996  
San Luis Obispo, California 93406

DF:dlf

February 6, 1989

FPPC  
Feb 10 8 57 AM '89

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In addition, none of the tax exempt bonds are within the County of my authority and I would have no way of influencing decisions made by the bonding agencies.

As I interpret the instructions for Form 730, these bonds are not required to be reported as (1) they are beyond my jurisdiction, (2) I have no means of influencing decisions made by the bonding agencies, (3) I do not receive any present beneficial interest, and (4) my joint tenancy is for inheritance purposes only.

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Dick Frank  
Post Office Box 996  
San Luis Obispo, California 93406

DF:d1f



# California Fair Political Practices Commission

February 14, 1989

Dick Frank  
P.O. Box 996  
San Luis Obispo, CA 93406

Re: Letter No. 89-098

Dear Mr. Frank:

Your letter requesting advice under the Political Reform Act was received on February 10, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

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, the person assigned to prepare a response to your request 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,

*Jeanne Pritchard*  
Jeanne Pritchard  
Chief Technical Assistance  
and Analysis Division

JP:plh