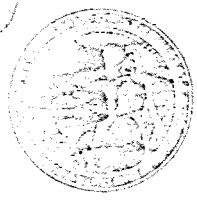


State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • 1100 K STREET BUILDING, SACRAMENTO, 95814

April 21, 1976

76-240

Mr. Ronald H. Dallas
City Clerk
City of La Palma
7822 Walker Street
La Palma, CA 90623

Re: Opinion Request
No. 76-050

Dear Mr. Dallas:

Thank you for your letter of April 5, 1976, requesting an opinion with respect to the meaning of certain sections of the Political Reform Act. Since your letter does not raise a substantial question of interpretation under the Act, no formal opinion will be issued. I hope, however, that the following informal comments will be helpful.

In response to your first question, the city clerk is the "additional official" referred to in Gov. Code §81009. In response to your second question, four years is the period of time for which the city clerk must preserve the records filed pursuant to the Political Reform Act. Elections Code §11567 has been repealed and would be applicable only to reports filed prior to January 1, 1974.

If you wish to appeal the denial of your opinion request, you may do so pursuant to 2 Cal. Adm. Code §18321. If you have any further questions, please contact Kenneth Finney, Chief of the Commission's Legal Division.

Sincerely,
Daniel H. Lowenstein

Daniel H. Lowenstein
Chairman

DHL:pvp



City of La Palma

CITY HALL - 7822 WALKER STREET

Phone: 523-7700

La Palma, Calif. 90623

Request No. 70 930

Date Received 4-7-76

Response Due 4-21-76

April 5, 1976

76240

Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95814

Gentlemen:

We have some questions as to how long various documents shall be kept in the files.

CONFLICT OF INTEREST

Title 9 - Chapter 1 - Section 81009 states that "original reports and statements - - - shall be preserved by the filing officer".

Section 81005(g) provides that the original copy required by Chapter 7 is to be sent to the code reviewing body (FPPC).

Section 81009 goes on to say that one copy shall be preserved by each additional officer for four years.

Question No. 1 - Is the "additional officer" in this instance the City Clerk?

CAMPAIGN STATEMENTS

Question No. 2 - Are the duplicate reports specified in Chapter 4 to be also preserved by the City Clerk for four years or for what period of time?

In the Election Code, Section 11567 specifies that Campaign Statements shall be held by the filing officer for the term of office and for four years after the expiration of the term. Does Proposition 9 supersede Section 11567 regarding the time to be held?

Yours truly

Ronald H. Dallas
Ronald H. Dallas
City Clerk

RHD/cc