

State of California



Fair Political Practices Commission

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

Technical Assistance/Administration (916) 322-5660 . . . Executive/Legal 322-5901 . . . Enforcement/Conflict of Interest 322-6441

June 21, 1976

76-245

Mr. Forest Greber
Deputy County Counsel
County of Kern
1415 Truxtun Avenue
Bakersfield, California 93301

Dear Mr. Greber:

Your letter of June 9, 1976, re: Conflict of Interest Code for County Agricultural Commissioner and Department, has been passed to me for a response.

Government Code §82011 provides, in pertinent part, that:

"'Code reviewing body' means:

... (b) The Board of Supervisors, with respect to the Conflict of Interest Code of any county agency other than the Board of Supervisors, and of any local government agency, other than a city agency, with jurisdiction wholly within the county;"

As you point out, the California Agricultural Code, at §§2001 and 2002, provides for a county department of agriculture, under the control of a county agricultural commissioner, in each county. No provision provides for jurisdiction in more than one county. In light of the above, the county Board of Supervisors could be the code reviewing body for the Conflict of Interest Code of the county department of agriculture, and the agricultural commissioner would be covered by the department's Code.

To ensure consistency of interpretation, I have discussed this matter with Mr. Herb Cohen, who is preparing the Conflict of Interest Code for the State Department of Food and Agriculture; and he assures me that agricultural commissioners are not being included in the proposed Conflict of Interest Code for the Department of Food and Agriculture.

If we may be of further assistance to you, please let me know.

Sincerely,

Edgar A. Kerry
Staff Attorney
Conflicts of Interest Division



RALPH B. JORDAN
County Counsel

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OFFICE OF THE
COUNTY COUNSEL

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Handwritten notes: "copy", "5-482", "11/11/76"

Handwritten number: 76245

June 9, 1976

In reply please refer
to Our File Number:

Mr. Delbert L. Spurlock, Jr., Chief
Conflict of Interest Division
Fair Political Practices Commission
1100 "K" Street
Sacramento, CA 95814

Re: Conflict of interest code for county agricultural
commissioner and department

Dear Mr. Spurlock:

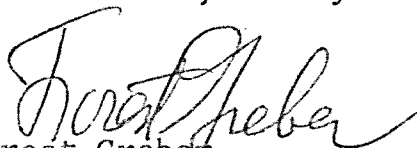
In a letter dated November, 1975 from the League of California
Cities re conflict of interest codes, the following statement appears
relative to the Agricultural Commissioner: "These are quasi-state
officers and will come under the state conflict of interest code."

County departments of agriculture are provided for in Agricultural
Code Sections 2001 et seq. Please advise us as to whether or not the
Board of Supervisors of Kern County is the "code reviewing body" for
the Agricultural Department and Commissioner.

Thank you for your courtesy and cooperation.

Very truly yours,

RALPH B. JORDAN, County Counsel

By 
Forest Greber
Deputy County Counsel

FG:cc