

Memorandum

To : File

Date : November 23, 1977

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From : Barbara Campbell *MC*
FAIR POLITICAL PRACTICES COMMISSION

Subject: Advice on Government Code Section 84202

Jim McKelvey, the Fresno City Attorney, called on November 17, 1977, to ask what "deadline" meant in Government Code Section 84202, in connection with a local recall drive.

The circulator of a Fresno recall has until November 29, 1977, to submit the petitions. Under Election Code Section 87212 the clerk must ascertain within 20 days after the recall petition is filed whether there is the requisite number of signatures. If the petition is certified as insufficient, Election Code Section 87214 provides there may be ten additional days, after the date of the insufficiency certification, within which to supplement the petition.

Mr. McKelvey wondered whether the deadline would be November 29, 1977, or the date ten days after the Clerk makes the certification of insufficiency. Mr. McKelvey is quite certain that such a certification will be made in the case of this particular recall attempt. After consultation with Ted Prim and Mike Baker on this issue, I advised Mr. McKelvey on November 18, 1977, that the deadline for campaign statements for committees supporting or opposing the qualification of that recall would be 35 days after the petitions were finally submitted, which would not occur until after the ten supplemental days allowed by Election Code Section 87214 had run.