

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 • • Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

87302

January 14, 1981

Michael Graziano
City Clerk
City of Los Alamitos
P.O. Box 3147
Los Alamitos, CA 90720

A-81-01-122

Dear Mr. Graziano:

This will confirm a telephone conversation I had with Beth Win'E of your office on January 13, 1981. Ms. Win'E inquired about the filing obligations of designated employees who resign office shortly after a Conflict of Interest Code goes into effect. As she described the situation in your City, your Council passed a Code some time in November which had an effective date of December 10. The Code requires designated employees who are employed on the effective date of the Code to file initial statements within 30 days of the effective date of the Code, disclosing reportable investments and interests in real property held on the effective date of the Code. It also requires designated employees to file statements within 30 days after leaving office disclosing reportable investments, interests in real property and income held or received at any time between the closing date of the last statement filed and the date of leaving office.

If a designated employee leaves office between the time a Code is adopted and the date it goes into effect, he or she has no filing obligation under the Code. If, however, a designated employee waits until after the effective date of the Code, he or she incurs an obligation to file both an initial and a leaving office statement. The obligations are not eliminated by the fact that a designated employee resigns in order to avoid filing, if they delay their resignation past the effective date of the Code.

If an employee resigns shortly after the effective date of the Code, between the effective date and the filing date for the initial statement, you can allow the designated employee to file one statement which will serve as both an

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initial statement and a leaving office statement, disclosing reportable investments, interests in real property and income held or received during the period including the date the Code became effective through the date the employee left office. This statement should be filed within 30 days after the effective date of the Code, should show on its cover sheet that it is both an initial and a leaving office statement, and should be filed by the due date for the initial statement, i.e., it should be filed within 30 days after the effective date of the Code. If the statement is filed late, the provisions of Government Code Section 91013 apply, giving you some leeway to waive either all or part of the fine if the statement is filed before 10 days have elapsed after specific written notice that the statement is late was sent to the filer. For your information, I have enclosed a copy of the Fair Political Practices Commission's Guidelines for Imposing and Waiving Fines which we apply to those local agency filers for which we are the filing officer.

If you have any further questions, please do not hesitate to contact this office again.

Sincerely,



Sarah Cameron
Deputy Chief for
Conflicts of Interests
Legal Division

SC:plh
Enclosure