

June 11, 1976

Mr. A. E. Anderson, Secretary
Kingsburg Cemetery District
Post Office Box 542
Kingsburg, California 93631

A 76-564

Dear Mr. Anderson:

This is in response to your inquiry of May 25, 1976.

The Political Reform Act of 1974, Government Code §87300 et seq., requires the development of Conflict of Interest Codes by every local government agency. The deadline for submission of your Cemetery District's Code is October 10, 1976.

Any person, whether the person was appointed or elected, holding a position which involves the making or participation in the making of governmental decisions which may affect a financial interest, will be subject to the disclosure and disqualification provisions of his or her agency's Conflict of Interest Code. As the governing body of the Cemetery District, the Board of Trustees will be "designated employees" under the District's Code. Your Board must determine whether other persons, such as the Superintendent, should be "designated employees".

Form 721 was developed for use by persons required to file pursuant to Government Code §87300, and is used by both elected and appointed officials. It was sent to you only for guidance in the development of a form for your District's disclosure statement. You may wish to modify it to meet the disclosure requirements of your District's Conflict of Interest Code, or develop your own form.

I hope this information is helpful. If you have further questions, do not hesitate to contact the Conflicts Division.

Sincerely,

Delbert L. Spurlock, Jr., Chief
Conflicts of Interest Division

/glb

Kingsburg Cemetery District

P. O. Box 542

Office on the Cemetery Grounds
KINGSBURG, CALIFORNIA 93631

Telephone 897-2426

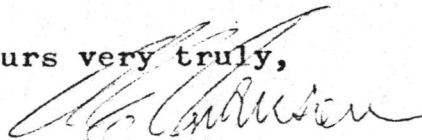
May 25, 1976

Fair Political Practices Commission
1100 K Street
Sacramento, Calif. 95814

Gentlemen:

Thank you for forwarding the required forms for purpose of filing on or before Oct. 10, 1976. In reading the Statement of Economic Interest, Form 721, it is noted that this form is for elected officials only and does not pertain to appointed officials. The Board of Trustees of this Association, three taxpayers, in the district are appointed by the Board of Supervisors of Fresno County for a four year period. The Board of Trustees of the Kingsburg Cemetery District in turn appoint the Superintendent and Secretary of the District. It therefore appears that no officials of this Cemetery District are required to file the conflict of interest forms. We therefore wish to have a clarification of this point before proceeding with completion of the required forms. Our Cemetery obtains tax funds from taxpayers in Fresno, Tulare and Kings Counties and under our interpretation of your instructions the report, if required by your agency, should be filed in Sacramento on or before Oct. 10, 1976. Other agencies have indicated the filing deadline as being August 1, 1976. Please verify which date is correct and whether or not reports will be required from the three Trustees and the Superintendent and Secretary of our Cemetery District. Thank you for sending us the forms and will appreciate an early answer on the questions propounded herein.

Yours very truly,



A. E. Anderson
Secretary

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