



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

January 30, 2014

Ms. Diane Duke

No on Government Waste, No on Measure B

REDACTED

Re: Advisory Letter

FPPC No. 12/873: No on Government Waste, No on Measure B, major funding by Manwin USA

Dear Ms. Duke:

As you may know, the Enforcement Division of the Fair Political Practices Commission (the "FPPC") has received a sworn complaint against you. After review of the complaint, the Enforcement Division has decided to close its file on this matter without initiating an enforcement action. The basis for this decision follows.

The FPPC enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code Section 81000, et seq. Sections 84503 and 84504 require ballot measure committees to include their major funding sources of \$50,000 or more in the committee's name as well as in advertisements. Reports filed by the No on Government Waste, No on Measure B, major funding by Manwin USA committee ("Committee") reflect a contribution of more than \$50,000 was received from Froytal Services LTD. However, this entity was not reflected as a major funding source in the Committee's name.

However, we have determined that further enforcement action for not disclosing Froytal as a major funding source is not warranted based on the circumstances surrounding the receipt of the contribution and the time frame in which the contribution was returned, the fact that you do not have an enforcement history, and the committee has been terminated. Nevertheless, although we have decided not to pursue an enforcement action in this matter, you are advised that your failure to comply with the provisions of the Act in the future could result in an enforcement action. In addition, the information in this case will be retained and

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

may be used against you should an enforcement action become necessary based on future conduct and/or newly discovered information.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. If you have any questions regarding this matter, please feel free to contact Teri Rindahl at 916.327.2018.

Sincerely,

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Gary S. Winuk
Chief, Enforcement Division

GSW/tr