



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

March 6, 2013

Salvadore Giumarra
The Salvadore & Florence Giumarra Survivor's Trust

REDACTED

RE: Warning Letter
FPPC No. 12/983; The Salvadore & Florence Giumarra Survivor's Trust

Dear Mr. Giumarra:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a pro-active investigation begun against you by the FPPC regarding your failure to file an independent expenditure campaign statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on May 14, 2010, you made a payment to the Kern County Young Republicans Voting Guide, but failed to file an independent expenditure statement in connection with that payment by the August 2, 2010 deadline.

Specifically the Act defines a committee to include any person that makes independent expenditures totaling \$1,000 or more in a calendar year. (Section 82013(b).) Persons who qualify as an independent expenditure committee file campaign statements on a semi-annual basis disclosing the independent expenditures made during a six-month period. (Section 84200.)

Your actions violated the Act because the Salvadore & Florence Giumarra Survivor's Trust made a \$10,000 payment to the Kern County Young Republicans Voting Guide in May of 2010, but failed to file a semi-annual campaign statement. However, since you do not have an enforcement history, we are closing our file on this matter with a warning letter.

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.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

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

Please feel free to contact Teri Rindahl at 916-327-2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/tr