



FAIR POLITICAL PRACTICES COMMISSION

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May 14, 2012

Paul Arsenault, Treasurer
Political Action League for Building and Construction Trades Council of
Monterey/Santa Cruz Counties (850048)

REDACTED

Warning Letter Re: FPPC Case No. 120104; Political Action League for Building and Construction Trades Council of Monterey/Santa Cruz Counties

Dear Mr. Arsenault:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2007 through December 31, 2008. A copy of the audit report is enclosed for your information.

The audit found that the committee failed to file a supplemental pre-election statement for the period January 1 through May 19, 2007. The report was required because the committee made a \$10,000 contribution in connection with a Monterey County special election. Section 84202.5 of the Act specifies when supplemental pre-election is required and where it must be filed.

Failure to file the statement was a violation of the Act. The contribution was reported prior to the election by the recipient committee, however, and this was the only finding noted in the two-year audit period. Therefore, we have decided to close this case with a warning letter.

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

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 18110 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.

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 FPPC. 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.

Please feel free to contact Program Specialist William Marland with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk

Chief, Enforcement Division

Enclosure