



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-8660 • Fax (916) 322-0888

June 21, 2010

✓ Joanne Main, President
Atascadero Chamber of Commerce

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Re: In the Matter of Atascadero Chamber of Commerce – Case No. 08:697
Advisory Letter

Dear Ms. Main:

In October 2008, the Enforcement Division of the Fair Political Practices Commission ("Commission") received a complaint alleging that the Atascadero Chamber of Commerce violated the campaign reporting provisions of the Political Reform Act (the "Act") by failing to file campaign statements as a campaign committee.¹

Our investigation revealed that political activity occurred in 2008, in totals reaching \$1,000 or more. The activities that resulted in contributions and/or expenditures by the Atascadero Chamber of Commerce include: 1) the commissioning of a survey coordinated with a campaign committee, or used for political purposes, which resulted in the making of contributions or expenditures totaling at least \$375; 2) the making of contributions or expenditures totaling at least \$150 for expressly advocating against Measure D-08 in the Atascadero Chamber of Commerce monthly newsletter, which is circulated to more than its membership; and 3) the hosting of an campaign event for the purpose of opposing No on Measure D-08.

We have also concluded that under the "one bite of the apple rule" of Regulation 18215, subdivision (b)(1), the payments may not have counted as contributions received by the Atascadero Chamber of Commerce from its members totaling \$1,000. Therefore, we are closing this case without further action. However, the 2008 payments count towards qualifying the Atascadero Chamber of Commerce as a campaign committee in the future under the provisions of Section 82013 and Regulation 18215. This means, for example, that if the Atascadero Chamber of

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.

Commerce makes contributions of \$1,000 or more in a calendar year in the future, the Atascadero Chamber of Commerce would qualify as a recipient committee.

The Commission publishes forms and manuals to facilitate compliance with the disclosure requirements of the Act. If you need forms or manuals, or have questions regarding any of your filing obligations, please call the Technical Assistance Division at 916-322-5660, Monday through Friday between 8:00 a.m. and 5:00 p.m.

If you have any questions regarding this matter, please contact me at (916) 322-5660.

Very truly yours

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Luisa Menchaca
Senior Commission Counsel
Enforcement Division

cc: Atascadero City Councilmembers