



## FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

July 27, 2010

Mr. Tim Miramontes

**REDACTED**

### **Warning Letter Re: FPPC No. 09/734; Tim Miramontes**

Dear Mr. Miramontes:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a referral from the California Rice Commission that alleged that you failed to file your 2009 Annual Statement of Economic Interests.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that despite receiving communications from us requesting you file your delinquent annual statement, you nevertheless failed to file.

The Act provides that persons designated in an agency's conflict of interest code must file statements of economic interest when they assume office, annually thereafter and when they leave their position. (Section 87302.)

Your actions violated the Act because as an alternate member of the California Rice Commission, you failed to file a statement of economic interests as required by the Rice Commission's conflict of interest code. You notified us that you resigned from the Rice Commission in 2009 and the Rice Commission verified that you did not attend meetings in 2009.

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

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<sup>1</sup> 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.

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.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

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Gary S. Winuk, Chief  
Enforcement Division

GSW/jt