FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

October 31, 2013

Diane Cummins

REDACTED

Warning Letter Re: FPPC No. 13/0716; Diane Cummins, Respondent

Dear Ms. Cummins:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"), contained in Government Code sections 81000 through 91014. As you may be aware, the FPPC's Enforcement Division (the "Division") was investigating whether you were in violation of the gift reporting provisions of the Act.

Under sections 87207 and 87302, public officials are required to report gifts that they receive from a single source when the gifts aggregate $50 or more in a calendar year. These gifts are to be reported on the official's relevant Statement of Economic Interests ("SEI" or the Form 700).

The Division has now completed its investigation of the facts in your case and found that, as a Special Advisor to the Governor with the California Department of Finance, you failed to timely report the following gifts, given to you by E.J. De La Rosa & Co., Inc.:

Gift Description	Date Received	Value
Meal at the Press	June 29, 2011	$51.29
	Total for 2011	$51.29

Your actions violated the Act because you failed to timely report the gifts noted above. However, since you do not have a significant history of violating the Act and the gifts received were not much over the $50 reporting threshold, we are closing your case with this warning letter. 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.

Please feel free to contact Tracey Frazier at (916) 327-2019 or TFrazier@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

REDACTED

For: Gary S. Winuk, Chief
Enforcement Division