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

January 27, 2011

Mr. Bert Manuel
REDACTED

Re: Warning Letter
FPPC No. 11/007; Bert Manuel

Dear Mr. Manuel:

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 referral from your filing officer that alleged you violated the Act's disclosure provisions regarding your failure to file amendments to your 2009 Annual Statement of Economic Interests, Form 700 ("SEI") disclosing income and other information.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you violated the Act's disclosure provisions when, as a designated employee of the California Rice Commission, you failed to properly complete your 2009 Annual SEI even after attempts by the Technical Assistance Division to obtain compliance.

§ 87300 of the Act requires every state and local agency to develop a Conflict-of-Interest Code. This code requires persons involved in the making, or participation in the making, of decisions which may foreseeably have a material financial effect on any financial interest belonging to that person to disclose reportable interests.

Your actions violated the Act because you failed to disclose your pro rata share of income to Manuel Farms and failed to disclose the full name and address information regarding a loan you received from P.C.A. Please note for future reference that loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.

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[1] The Political Reform Act is contained is 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.

However, since you immediately complied with our request, 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 future conduct or newly discovered information. Failure to comply with the provisions of the Act in the future may result in an enforcement action against you, including 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 with 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 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
cc: Trish Mayer, Technical Assistance Division