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

April 8, 2010

✓Scott M. Kamena
Kamena for Assembly 08 (1290126)

REDACTED

Re: <u>Warning Letter</u>
FPPC Case No. 100003; Scott Kamena

Period covered in the audit: January 1, 2006 through June 30, 2008

Dear Mr. Kamena:

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. A copy of that audit report is enclosed for your information.

You will note that the report contains the following findings: (1) adequate records were not maintained for contributions received; (2) contributions and expenditures totaling $13,900 were not disclosed in the campaign statements; (3) contributions were received in cash and by cashier's check, and (4) one refunded contribution was not disclosed as an expenditure in the statements.

Please be advised that Section 84104 requires that detailed records be maintained for contributions received, Section 84211 specifies when contributions and expenditures must be itemized in the campaign statements, and Section 84300 prohibits cash contributions of $100 or more.

[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.

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 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,

Sue Straine
Chief Investigator
Enforcement Division

Enclosure