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

June 16, 2011

Ms. Susan Pelican
Nevada County Democratic Central Committee
REDACTED

Warning Letter Re: FPPC No. 10/130, Nevada County Democratic Central Committee

Dear Ms. Pelican:

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 the Secretary of State that alleged you failed to timely file multiple electronic semi-annual campaign statements (Electronic Form 460). We have decided to close this case with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file seven electronic versions of your semi-annual campaign statements by their respective due dates during the period from 2008 through 2010. The Act considers electronic campaign statements to be distinct from paper campaign statements and requires candidates and committees eligible for electronic filing to continue filing electronic statements until such time as the committee is properly terminated. Our investigation concluded that you filed the paper statements with the Secretary of State by their respective deadlines but failed to file the statements in electronic form.

Your failure to file the required electronic statements by their due dates is a violation of the Act. (Section 84605; 84609.) However, because your committee has no prior history of violating the Act and the statements were filed in paper form, we have decided to close this matter with a warning.

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[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.

Although the Enforcement Division is not seeking a penalty in the current matter, you are still responsible for any late filing fees which may be assessed by your filing officer. (Section 91013.)

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 at (916) 322-5660 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

GSW:jy