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

June 21, 2011

Ms. Marianne Milligan
Committee to Elect Marianne Milligan
City Attorney

REDACTED

Mr. Joseph C. Bonadiman
Committee to Elect Marianne Milligan
City Attorney

REDACTED

Warning Letter Re: FPPC No. 11/291; Committee to Elect Marianne Milligan; Marianne Milligran; and Joseph C. Bonadiman, Respondent(s)

Dear Ms. Milligan and Mr. Bonadiman:

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 a referral from the San Bernardino City Clerk that alleged you have failed to file campaign statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the last campaign statement you filed with the City of San Bernardino was a semi-annual statement for the period July 1, 2009 through December 31, 2009. You have failed to file any campaign statements since that time.

[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 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.

The Act requires that candidates and their committees file campaign statements at periodic intervals. Specifically, the Act provides that candidates and their committees shall file semiannual statements on July 31 and January 31 of each year reporting activity for the prior six month period. (Gov. Code § 84200.) Additionally, you would continue to file campaign statements until you terminated your committee.

Your actions violated the Act because you failed to file a semiannual campaign statement for the period January 1, 2010 through June 30, 2010, due July 31, 2010 and failed to file a semi-annual campaign statement for the period July 1, 2010 through December 31, 2010, due January 31, 2011. You must immediately file these campaign statements with the San Bernardino City Clerk. If your committee is no longer active, you may want to terminate your committee at this time as well. Failure to do so is a violation of the Act.

Since your campaign was primarily funded by your personal loan to the committee; not enough funds remain in the committee to meet its debt to you, and you were not successful in your election, we are closing our file on this matter.

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 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,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt
cc: Ms. Rachel G. Clark, City Clerk
City of San Bernardino