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

September 29, 2009

Cathy Hackett
Cathy Hackett for CalPERS Board Seat 1A

REDACTED

Paul Smilanick, Treasurer
Cathy Hackett for CalPERS Board Seat 1A

REDACTED

RE: **Advisory Letter**
FPPC Case No. 090670; Cathy Hackett, Cathy Hackett for CalPERS Board Seat 1A, Paul Smilanick

Dear Ms. Hackett and Mr. Smilanick:

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 complaint filed against you that the committee Cathy Hackett for CalPERS Board Seat 1A did not file its Form 900 online as required by Section 84605.

The Act requires candidates for Public Employees' Retirement System Board ("PERS Board") to file regular campaign disclosure reports with the Secretary of State. (Gov. Code § 84225.) The Act also requires that any candidate for state elective office, which definition includes candidates for PERS Board, must file campaign statements online, as well as file hard copies, if the total cumulative reportable amount of contributions received by the committee is $50,000 or more. (Gov. Code §§ 82024 and 84605.) The FPPC's Enforcement Division has confirmed that the Form 900 filed in hard copy by Cathy Hackett for CalPERS Board Seat 1A on September 2, 2009, disclosed $56,704.37 in contributions received. However, it has come to our

[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.

attention that the Secretary of State's office may be having some problems with the electronic posting of the Form 900. Conversations with staff at Secretary of State's Political Reform Division have confirmed that Cathy Hackett for CalPERS Board Seat 1A has since, and perhaps previously had, filed an electronic Form 900, but that currently the form is unable to be read.

After review of the complaint, we have decided to close this matter without commencing further investigation. If you have questions regarding this matter, please contact Adrianne Korchmaros at (916) 322-8241.

Sincerely,

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Gary S. Winuk, Chief
Enforcement Division

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cc: Ken Hamidi