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

November 17, 2010

Betty Presley, Treasurer
Steve Poizner's Alliance for California's Renewal, a Ballot Measure Committee
Betty Presley & Associates, Inc.
Redacted

Warning Letter Re: FPPC Case No. 10/0463; Steve Poizner's Alliance for California's Renewal, a Ballot Measure Committee and Betty Presley, Treasurer

Dear Ms. Presley:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2007, through December 31, 2008. A copy of the report is enclosed for your information.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that a preelection statement was not filed for the period July 1 through September 30, 2008, and subvendor payments were understated on the original campaign statement filed for the period ending March 17, 2008.

Section 84200.5 of the Act requires a state general purpose committee to file preelection statements in even-numbered years as specified in Section 84200.7 if it makes contributions or

[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.

independent expenditures totaling $500 or more during the period covered by the preelection statement. Section 84200.7 requires a preelection statement to be filed for the period ending September 30 no later than October 5. In addition, Section 84211 requires disclosure of subvendor information for payments of $500 or more.

Your actions violated the Act because you failed to file a preelection statement for the period ending September 30, 2008, by October 5, 2008, and failed to report subvendor information on the original campaign statement filed for the period ending March 17, 2008. Since there is no indication of any intent to violate the Act, only one contribution was made during the preelection period ending September 30, and you made repeated attempts to timely obtain the subvendor information and voluntarily amended your campaign statements to report it, we are closing this case with a warning letter.

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 a 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

Grant Beauchamp
Program Specialist
Enforcement Division

Enclosure