FAIR POLITICAL PRACTICES COMMISSION
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December 15, 2010

Mr. James C. Harrison
Remcho, Johansen & Purcell, LLP
REDACTED

Re: FPPC Case No. 10/~~908~~ 809; Sonoma County Conservation Action PAC

Dear Mr. Harrison:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act")[1]. As you may be aware, the Commission received a complaint against the Sonoma County Conservation Action PAC ("SCCA PAC") alleging that it violated certain provisions of the Act. Specifically, the complaint alleges that SCCA PAC failed to disclose contributions from two candidate controlled committees and expended more funds than it received. The Commission has decided to close this case without further action.

Alleged Undisclosed Contributions

SCCA PAC stated that these checks were actually charitable donations to Sonoma County Conservation Action ("SCCA"), the nonprofit affiliated with SCCA PAC, and not contributions to the SCCA PAC. Respondent provided copies of the checks, and bank records confirming they were deposited into the nonprofit SCCA's account. In addition, several of the checks have notations in the memo line indication they were for "Gala Sponsorship." SCCA holds an annual gala fundraising event, and both candidate controlled committees have been sponsors of this event. The checks were charitable donations to SCCA, rather than Political contributions to the PAC, and were therefore not subject to disclosure in SCCA PAC's campaign statements.

[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.

Expenditures in Excess of Contributions

The Campaigns statements filed by SCCA PAC do show that there are expenditures and payments made which exceed the reported monetary *contributions* for the reporting period. However, Form 460 Schedule I, Miscellaneous Increases to Cash, reports payments made to SCCA PAC for consulting services, which were sources of *revenue*. This explains how SCCA PAC was able to pay out expenses that exceeded contributions for that reporting period; it had a non-contribution source of revenue.

Review of the facts of this case show that the contributions were properly reported, and SCCA PAC did not make payments that exceeded the total monetary receipts of the committee .

If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

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Zachary W. Norton
Commission Counsel
Enforcement Division