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

August 17, 2009

Mr. John Maksim

REDACTED

RE: Advisory Letter
FPPC No. 06/0126; Jim Stieringer/Elizabeth Evans/John Maksim

Dear Mr. Maksim:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you may be aware, the Commission was investigating whether you were in violation of the independent expenditure reporting obligations of the Act because of your expenditures on behalf of yourself, Elizabeth Evans and John Maksim for election to the Grossmont Healthcare District Board.

We have determined that there is insufficient evidence to find you violated the Act. As a result, we are closing this case with this Advisory Letter.

You should be aware that the Act prohibits a controlled committee of a candidate from making independent expenditures and contributing funds to another committee for the purpose of making independent expenditures to support or oppose other candidates (Government Code §85501).

A "candidate" is defined as an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any officeholder who is the subject of a recall election. An individual who becomes a candidate shall retain his or her status as a

candidate until such time as that status is terminated pursuant to Section 84214. "Candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971. (Government Code §82007)

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act and provides guidance regarding filing obligations over the telephone and through written advice. Please call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Sincerely,

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Gary Winuk, Chief
Enforcement Division