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7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA

10
11 In the Matter of:

12 MARY ANN ANDREAS, ANDREAS FOR
13 ASSEMBLY, MARTA BACA, and PHYLLIS
14 NELSON,

15 Respondents.

FPPC No. 06/77

STIPULATION, DECISION AND ORDER

16
17 **STIPULATION**

18 Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission,
19 and Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca, and Phyllis Nelson hereby
20 agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission
21 at its next regularly scheduled meeting.

22 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
23 matter and to reach a final disposition without the necessity of holding an additional administrative
24 hearing to determine the liability of Respondents.

25 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
26 rights set forth in Government Code sections 83115.5, 11503 and 11523, and in California Code of
27 Regulations, title 2, sections 18361.1 through 18361.9. This includes, but is not limited to the right to
28 personally appear at any administrative hearing held in this matter, to be represented by an attorney at

1 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to
2 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over
3 the hearing as a hearing officer, and to have the matter judicially reviewed.

4 As described in Exhibit 1, it is further stipulated and agreed that:

- 5 (a) Respondents Mary Ann Andreas and Andreas for Assembly failed to report or timely
6 report late contributions on late contribution reports in violation of Government Code
7 section 84203, subdivisions (a) and (b) (2 counts);
- 8 (b) Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson failed to
9 report payments to subvendors in violation of Government Code sections 84211,
10 subdivision (k), and 84303 (3 counts);
- 11 (c) Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson
12 failed to report contributions received in violation of Government Code section 84211,
13 subdivisions (a), (c), and (f) (1 count for Respondent Marta Baca, but 2 counts for the
14 other Respondents);
- 15 (d) Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson accepted—
16 and Respondent Mary Ann Andreas made—an over-the-limit personal loan to Respondent
17 Andreas for Assembly in violation of Government Code section 85307, subdivision (b) (1
18 count);
- 19 (e) Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson
20 failed to file two amended statements of organization regarding changes in the names of
21 the treasurer and assistant treasurer of Respondent Andreas for Assembly in violation of
22 Government Code section 84103, subdivision (a) (1 count);
- 23 (f) Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson
24 accepted monetary contributions in the form of three cashier's checks or money orders for
25 \$100 or more, which were not drawn from the bank accounts of the contributors or
26 donors, in violation of Government Code section 84300, subdivision (c) (1 count).

27 Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein,
28 is a true and accurate summary of the facts in this matter.

1 Respondents agree to the issuance of the Decision and Order, which is attached hereto, and
2 Respondents agree to the Commission imposing upon them an administrative penalty in the amount of
3 \$26,500.00, of which Respondents Mary Ann Andreas and Andreas for Assembly are jointly and
4 severally liable for the full amount, Respondent Phyllis Nelson is jointly and severally liable for \$19,000,
5 and Respondent Marta Baca is jointly and severally liable for \$6,750. One or more cashier's checks
6 and/or money orders from one or more Respondents totaling \$26,500, made payable to the "General
7 Fund of the State of California," is/are submitted with this Stipulation as full payment of the
8 administrative penalty for all Respondents and shall be held by the State of California until the
9 Commission issues its Decision and Order regarding this matter. The parties agree that in the event the
10 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)
11 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered
12 by Respondents in connection with this Stipulation shall be reimbursed to Respondents. Respondents
13 further stipulate and agree that in the event the Commission rejects the Stipulation and a full evidentiary
14 hearing before the Commission becomes necessary, neither any member of the Commission, nor the
15 Executive Director, shall be disqualified because of prior consideration of this Stipulation.

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17 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

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20 Dated: _____

Mary Ann Andreas, Individually and on Behalf of
Andreas for Assembly, Respondents

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23 Dated: _____

Marta Baca, Respondent

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25 Dated: _____

Phyllis Nelson, Respondent

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DECISION AND ORDER

The foregoing Stipulation of the parties “In the Matter of Mary Ann Andreas, Andreas for Assembly, Marta Baca, and Phyllis Nelson,” FPPC No. 06/77, including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Chairman
Fair Political Practices Commission

EXHIBIT 1

INTRODUCTION

This case arose from a Franchise Tax Board (“FTB”) audit of the Andreas for Assembly committee (“Respondent Committee”) for the period of January 1, 2003, through December 31, 2004.

Respondent Committee was formed under the Political Reform Act (the “Act”)¹ for the candidacy of Respondent Mary Ann Andreas (“Respondent Andreas”) for the California State Assembly, 80th District, in the 2004 primary and general elections. Respondent Andreas ran unopposed in the primary election, but she lost the general election by more than 17 percentage points. At all relevant times, Respondent Committee was controlled by Respondent Andreas.

Respondent Marta Baca (“Respondent Baca”) served as Respondent Committee’s treasurer until the reporting period ending June 30, 2004. During this reporting period, Respondent Baca ceased being treasurer, and Respondent Phyllis Nelson (“Respondent Nelson”) took over as treasurer.

The FTB audit revealed that Respondents committed numerous violations of the Act. For purposes of this Stipulation, Respondents’ violations of the Act are listed as follows:

Late Contribution Reporting Violations

COUNT 1: Respondents Mary Ann Andreas and Andreas for Assembly failed to report—on late contribution reports—17 late contributions received during the late reporting period before the primary election that was held on March 2, 2004, in violation of Section 84203, subdivisions (a) and (b). These contributions totaled approximately \$43,900.

COUNT 2: Respondents Mary Ann Andreas and Andreas for Assembly failed to *timely* report—on late contribution reports—approximately 22 late contributions received during the late reporting period before the primary election that was held on March 2, 2004, in violation of Section 84203, subdivisions (a) and (b). These contributions totaled approximately \$47,100.

Failure to Report Payments to Subvendors

COUNT 3: On a pre-election campaign statement filed for the reporting period ending September 30, 2004, Respondents Mary Ann Andreas, Andreas for

¹ The 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.

Assembly and Phyllis Nelson failed to report payments to subvendors totaling approximately \$18,655, in violation of Sections 84211, subdivision (k), and 84303.

COUNT 4: On a pre-election campaign statement filed for the reporting period ending October 16, 2004, Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson failed to report payments to subvendors totaling approximately \$102,601, in violation of Sections 84211, subdivision (k), and 84303.

COUNT 5: On a semi-annual campaign statement filed for the reporting period ending December 31, 2004, Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson failed to report payments to subvendors totaling approximately \$112,039, in violation of Sections 84211, subdivision (k), and 84303.

Failure to Report Contributions Received

COUNT 6: On a semi-annual campaign statement filed for the reporting period ending June 30, 2004, Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson failed to report 42 contributions of \$100 or more, totaling approximately \$37,600, in violation of Section 84211, subdivisions (a), (c), and (f).

COUNT 7: On a pre-election campaign statement filed for the reporting period ending September 30, 2004, Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson failed to report 34 contributions of \$100 or more, totaling approximately \$26,863, in violation of Section 84211, subdivisions (a), (c), and (f).

Making and Receipt of Over-the-Limit Personal Loans

COUNT 8: On or about October 22, 2004, Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson accepted, and Respondent Mary Ann Andreas made, a personal loan from Respondent Mary Ann Andreas to Respondent Andreas for Assembly in the amount of \$75,000, which caused the outstanding balance of personal loans made by Respondent Mary Ann Andreas to Respondent Andreas for Assembly to exceed the \$100,000 threshold by \$40,000, in violation of Section 85307, subdivision (b).

Failure to File Amended Statements of Organization

COUNT 9: Between approximately March and August of 2004, Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson failed to file two amended statements of organization regarding changes in

the names of the treasurer and assistant treasurer of Respondent Andreas for Assembly, within 10 days of the dates of each change, in violation of Section 84103, subdivision (a).

Accepting Cashier's Checks/Money Orders from Contributors

COUNT 10: Between approximately June 28, 2004, and August 10, 2004, Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson accepted monetary contributions totaling approximately \$9,400 in the form of three cashier's checks or money orders for \$100 or more, which were not drawn from the bank accounts of the contributors or donors, in violation of Section 84300, subdivision (c).

SUMMARY OF THE LAW

All legal references and discussions of law pertain to the Act's provisions as they existed at the time of Respondents' violations in 2004 and 2005.

Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

When the Political Reform Act was enacted, the people of the state of California found and declared that previous laws regulating political practices suffered from inadequate enforcement by state and local authorities. (Section 81001, subd. (h).) To that end, Section 81003 requires that the Act be liberally construed to achieve its purposes.

One of the purposes of the Act is to ensure that receipts and expenditures in election campaigns are fully and truthfully disclosed so that voters are fully informed and improper practices are inhibited. (Section 81002, subd. (a).) Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act will be "vigorously enforced." (Section 81002, subd. (f).)

Definition of Controlled Committee

Section 82013, subdivision (a), defines a "committee" to include any person or combination of persons who receive contributions totaling \$1,000 or more in a calendar year. This type of committee is commonly referred to as a "recipient committee." Under Section 82016, a recipient committee which is controlled directly or indirectly by a candidate, or which acts jointly with a candidate in connection with the making of expenditures, is a "controlled committee." A candidate controls a committee if he or she, his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee. (Section 82016, subd. (a).)

Duty to File Semi-Annual and Pre-Election Campaign Statements

At the core of the Act's campaign reporting system is the requirement that a recipient committee must file semi-annual and pre-election campaign statements. (See Sections 84200, et

seq.) Attached hereto as Exhibit 2 is a schedule of reporting periods and filing deadlines in connection with the primary election that was held on March 2, 2004. Also, attached hereto as Exhibit 3 is a schedule of reporting periods and filing deadlines in connection with the general election that was held on November 2, 2004.

Section 84215 requires Members of the Legislature, candidates for such offices, their controlled committees, and committees formed or existing primarily to support or oppose such candidates or officeholders to file campaign statements with the: (1) clerk of the county in which they are domiciled (which is the address listed on the campaign statement—unless outside California); (2) California Secretary of State; and (3) clerk of the county with the largest number of registered voters in the districts affected. (Hereafter, the “Filing Officers.” As discussed below, late contribution reports and amended statements of organization also must be filed with the Filing Officers.)

Duty to File Late Contribution Reports

Under Section 84203, subdivisions (a) and (b), each candidate or committee that makes or receives a late contribution as defined in Section 82036, must file a late contribution report with each Filing Officer within 24 hours of making or receiving the contribution. Section 82036 defines a “late contribution” to include a contribution aggregating \$1,000 or more that is received by a candidate, a controlled committee, or a committee formed or existing primarily to support a candidate, before an election, but after the closing date of the last pre-election campaign statement that is required to be filed by the committee before the election.

In connection with the primary election that was held on March 2, 2004, the late contribution reporting period was February 15, 2004, through March 1, 2004. (See Ex. 2.)

Duty to Report Payments to Subvendors

Section 84303 provides that no expenditure of \$500 or more shall be made, other than for overhead and normal operating expenses, by an agent or independent contractor, including, but not limited to, an advertising agency, on behalf of, or for the benefit of, any committee, unless the expenditure is reported by the committee as if the expenditure were made directly by the committee. This type of information reported by a committee is commonly referred to as “subvendor information.” Under Regulation 18431, expenditures of the type that must be reported pursuant to Section 84303 include expenditures for advertising time or space. (Regulation 18431, subd. (a).) Section 84211, subdivision (k)(6), requires the disclosure of such subvendor information as part of the contents of any campaign statement required to be filed by the committee. Specifically, the following information must be provided: (1) the subvendor’s full name; (2) his or her street address; (3) the amount of each expenditure; and (4) a brief description of the consideration for which each expenditure was made. (Section 84211, subd. (k)(1)-(4) and (6).)

Duty to Report Contributions

Each campaign statement must report “[t]he total amount of contributions received during the period covered by the campaign statement and the total cumulative amount of contributions received.” (Section 84211, subd. (a).) Also, each campaign statement must report “[t]he total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of one hundred dollars (\$100) or more.” (Section 84211, subd. (c).)

A contribution is a payment of any kind made for political purposes for which full and adequate consideration is not made to the donor. (Sections 82015, subd. (a), and 82044; Regulation 18215, subd. (a).) A payment is made for political purposes if, for instance, it is: (1) for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate; or (2) it is received by or made at the behest of a candidate or controlled committee. (See Regulations 18215, subs. (a)(1) and (2).)

Section 84211, subdivision (f), further requires that certain identifying information be provided for each person from whom a cumulative amount of contributions of \$100 or more has been received during the period covered by the campaign statement, including the following: (1) the person’s full name; (2) his or her street address; (3) his or her occupation; (4) the name of his or her employer, or if self-employed, the name of the business; (5) the date and amount received for each contribution received during the period covered by the campaign statement and if the contribution is a loan, the interest rate for the loan; and (6) the cumulative amount of contributions.

Regulation 18421.1 states the standards for disclosing the making and receiving of contributions. Under the regulation, a monetary contribution is “received” on the date that the candidate or committee, or the agent of the candidate or committee, obtains possession or control of the check or other negotiable instrument by which the contribution is made. (Regulation 18421.1, subd. (c).) Contributions received by a person acting as an agent of a candidate or committee must be disclosed by the candidate or committee no later than the closing date of the next campaign statement that the committee or candidate is required to file. (Regulation 18421.1, subd. (c).)

Personal Loans to Campaign

A candidate for elective state office may not personally loan to his or her campaign an amount, the outstanding balance of which exceeds \$100,000. (Section 85307, subd. (b).) “Elective state office” includes a Member of the Legislature. (Section 82024.)

Duty to Amend Statement of Organization

The information required to be included in a committee’s statement of organization includes: “The full name, street address, and telephone number, if any, of the treasurer and other principal officers.” (Section 84102, subd. (c).) Section 84103, subdivision (a), requires that when there is a change in any of the information contained in a statement of organization, an

amended statement of organization must be filed within ten days to reflect the change. The committee must file the amendment with each Filing Officer. (Section 84103, subd. (a).)

Contributions Not Drawn on the Contributor's Bank Account

Section 84300, subdivision (c), provides that no contribution of \$100 or more, other than an in-kind contribution, shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or intermediary, as defined in section 84302.²

Joint and Several Liability of Candidate and Treasurer

Under Sections 81004, 84100, 84213, and Regulation 18427, it is the duty of a candidate and the treasurer of his or her controlled committee to ensure that the committee complies with the Act. A candidate and the treasurer of his or her controlled committee may be held jointly and severally liable, along with the committee, for violations committed by the committee. (See Sections 83116.5 and 91006.)

PROCEDURAL HISTORY

This case arose from an FTB audit of Respondent Committee for the period of January 1, 2003, through December 31, 2004. The FTB audit revealed that Respondents committed numerous violations of the Act. The audit report was submitted to the Commission on or about January 31, 2006. On or about February 3, 2006, the Enforcement Division opened this case.

To accommodate medical concerns relating to one of the elderly Respondents, a two-part (instead of a one-part) probable cause conference was held on July 29, 2009, and September 28, 2009. On October 7, 2009, the Executive Director's delegate issued an Order Finding Probable Cause and to Prepare and Serve an Accusation.

In October 2009, the Accusation was served on all counsel for all Respondents, and each Respondent requested an administrative hearing. The Office of Administrative Hearings set this case for a five day hearing in May 2010. For medical reasons, one of the Respondents and the attorney for one of the other Respondents requested a continuance, and the hearing was continued to August 2010.

On May 17, 2010, counsel for all parties attended a mandatory settlement conference at the Office of Administrative Hearings in Oakland, and the settlement encompassed by this stipulation was reached.

² Section 84302 states no person shall make a contribution on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the contribution both his own full name and street address, occupation, and the name of his employer, if any, or his principal place of business if he is self-employed, and the full name and street address, occupation, and the name of employer, if any, or principal place of business if self-employed, of the other person.

SUMMARY OF THE FACTS

Respondent Committee qualified as a committee under the Act about June 2003. It was formed for the candidacy of Respondent Andreas for the California State Assembly, 80th District, in the 2004 primary and general elections. Respondent Andreas ran unopposed in the primary election, but she lost the general election by more than 17 percentage points. At all relevant times, Respondent Committee was controlled by Respondent Andreas.

Respondent Baca was identified as Respondent Committee's treasurer in all campaign statements filed prior to August 2, 2004, including a statement of organization filed in June 2003. Respondent Nelson was identified as Respondent Committee's treasurer in all campaign statements filed on and after August 2, 2004. However, Respondent Committee never amended its statement of organization to reflect when Respondent Nelson became treasurer. There is evidence that Respondent Baca was performing at least some of the duties of treasurer, such as the signing of committee checks, during part of the reporting period ending June 30, 2004. At some point during this reporting period, Respondent Baca ceased serving as the committee treasurer and Respondent Nelson took over as treasurer.

Counts 1 and 2: Late Contribution Reporting Violations

During the late reporting period before the primary election that was held on March 2, 2004, Respondent Committee received the following late contributions, which were not reported on late contribution reports:

Count 1 (Late Contributions Not Reported on Late Contribution Reports)	
Contributor	Amount
Bill J. Muncy	\$3,200
Daniel Grant Jordan	\$2,000
David B. Rogers	\$2,000
John H. Semcken, III	\$3,000
Majestic Realty Co.	\$6,400
Mirau, Edwards, Cannon, Harter & Lewin	\$2,000
The Thalden Partnership, L.P.	\$1,000
CA Insurance Wholesalers Assn.	\$3,000
Dry Creek Rancheria	\$6,400
Peter M. Weil	\$1,000
Political Action for Classified Employees of CA School Employees Small Contributor Committee	\$2,500
Terry Christensen	\$1,000
David A. Wheeler	\$3,200
Friends of Dede Alpert	\$1,000
MWH	\$1,000

Count 1 (Late Contributions Not Reported on Late Contribution Reports)	
Contributor	Amount
Oh-Newkeeshkoda Silver	\$3,200
Sprung Instant Structures, Inc.	\$2,000
Total:	\$43,900

Also, during this same late reporting period, Respondent Committee received the following late contributions, which were not *timely* reported on late contribution reports:

Count 2 (Late Contributions Not <i>Timely</i> Reported on Late Contribution Reports)	
Contributor	Amount
Re-elect Assemblyman Paul Koretz 2004	\$3,200
Damon E. Sandoval	\$1,600
James R. Ramos	\$1,000
John E. Muncy	\$1,000
Judith C. Leivas	\$1,000
Mark Handel	\$1,000
Michael Horsman	\$5,000
Pala Band of Mission Indians	\$3,200
Roselee R. Palacios	\$1,000
Santa Ysabel Band of Indians	\$1,000
Sarah Lullof	\$1,000
Sodak Gaming, Inc.	\$3,200
Committee to Elect John Laird	\$3,200
Audrey Martinez	\$1,000
Friends of Dymally-2004	\$1,000
AFSCME CA People	\$2,500
Friends of Senator Richard Alarcon	\$2,000
Judy Chu for Assembly 2004	\$3,200
Morongo Band of Mission Indians	\$5,000
Emily's List	\$2,000
Huntco	\$2,000
Michelle Anderson	\$2,000
Total:	\$47,100

The late contributions described in the foregoing charts should have been reported on late contribution reports, which were required to be filed before the primary election that was held on March 2, 2004. However, the contributions comprising Count 1 were never reported on late

contribution reports, and the contributions comprising Count 2 were not reported on a late contribution report until after the election.

By failing to report or timely report late contributions as described above, Respondents Mary Ann Andreas and Andreas for Assembly committed two violations of Section 84203, subdivisions (a) and (b).

Counts 3-5: Failure to Report Payments to Subvendors

At all relevant times, Palisades Media Group, Inc. (“PMG”) was the agent of Respondent Committee. In this capacity, PMG made media advertising payments to various radio and television stations on behalf of Respondent Committee. Each payment was in the amount of \$500 or more.

For the reporting period ending September 30, 2004, PMG’s payments to subvendors on behalf of Respondent Committee were approximately as follows:

Count 3 (PMG Payments to Radio Stations for Period Ending 9/30/04)	
KDES-FM	\$3,060.00
KJJZ-FM	\$2,890.00
KWXY-FM	\$2,624.80
KBLU-AM	\$969.00
KJOK-AM	\$1,791.80
KTTI-FM	\$4,086.80
KYJT-FM	\$1,139.00
KMXX-FM	\$629.00
KQVO-FM	\$646.00
KUNA-FM	\$818.55
Total:	\$18,654.95

For the reporting period ending October 16, 2004, PMG’s payments to subvendors on behalf of Respondent Committee were approximately as follows:

Count 4 (PMG Payments to Radio and TV Stations for Period Ending 10/16/04)	
KDES-FM	\$3,060.00
KJJZ-FM	\$2,890.00
KWXY-FM	\$2,624.80
KBLU-AM	\$1,326.00
KJOK-AM	\$1,791.80
KTTI-FM	\$5,011.60
KMXX-FM	\$1,258.00
KQVO-FM	\$1,292.00
KLOB	\$907.80
KUNA-FM	\$1,637.10

Count 4	
(PMG Payments to Radio and TV Stations for Period Ending 10/16/04)	
KDFX-TV	\$6,970.00
KESQ-TV	\$11,266.75
KMIR-TV	\$9,868.50
KPSP-TV	\$14,530.75
KSWT-TV	\$2,851.75
KYMA-TV	\$14,220.50
1913CA ADELPHIA	\$3,778.25
2838CA TIME WARNER	\$9,076.30
2839CA TIME WARNER	\$5,443.40
3382CA ADELPHIA	\$1,702.55
8049CA ADELPHIA	\$1,093.10
Total:	\$102,600.95

For the reporting period ending December 31, 2004, PMG's payments to subvendors on behalf of Respondent Committee were approximately as follows:

Count 5	
(PMG Payments to Radio and TV Stations for Period Ending 12/31/04)	
KSSB-FM	\$748.00
KDES-FM	\$1,653.25
KJJZ-FM	\$1,351.50
KWXY-FM	\$1,371.05
KJOK-AM	\$1,156.00
KTTI-FM	\$1,820.70
KMXX-FM	\$853.40
KQVO-FM	\$845.75
KLOB	\$744.60
KUNA-FM	\$956.25
KDFX-TV	\$11,475.00
KESQ-TV	\$10,956.50
KMIR-TV	\$19,860.25
KPSP-TV	\$26,575.25
KECY-TV	\$2,589.10
KSWT-TV	\$14,874.15
KYMA-TV	\$14,207.75
Total:	\$112,038.50

The payments to subvendors described in the foregoing charts should have been reported on campaign statements for the corresponding reporting periods. However, this was not done.

By failing to report payments to subvendors as described above, Respondents Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson committed three violations of Sections 84211, subdivision (k), and 84303.

Counts 6 and 7: Failure to Report Contributions Received

During the reporting period ending June 30, 2004, Respondent Committee received the following contributions of \$100 or more:

Count 6		
(Contributions Received for Period Ending 6/30/04)		
Deposit Date	Contributor	Amount
02/17/04	CA State Council of Service Employees	\$6,400.00
02/17/04	Rebecca Cohn for Senate	\$3,200.00
02/23/04	Bill J. Muncy	\$3,200.00
02/23/04	Priscilla A. Torres	\$500.00
03/02/04	Gerald E. Sikorski	\$200.00
03/05/04	Kalyn Cherie Free	\$200.00
03/12/04	Nicholas E. Forte	\$100.00
03/16/04	John F. Kimberling	\$100.00
03/17/04	Bobbie Jean Anderson	\$100.00
03/18/04	Christopher J. Green	\$250.00
03/18/04	Claire Shaeffer	\$100.00
03/18/04	Don Ricart	\$200.00
03/18/04	Dr. Inez Cardozo-Freeman	\$100.00
03/18/04	Jack Ellison	\$250.00
03/18/04	James P. Quinlan	\$200.00
03/18/04	John Mark Morris	\$100.00
03/18/04	Miccosukee Tribe	\$500.00
03/18/04	O'leary & Associates, Inc.	\$250.00
03/18/04	Sedalia Sanders	\$100.00
03/18/04	Sven Vennen	\$100.00
03/18/04	Thomas J. Van Etten	\$100.00
03/18/04	William Gregory Krauter	\$200.00
03/22/04	David W. Simon	\$1,000.00
03/22/04	Gregory Erol Seller	\$500.00
03/22/04	Linda L. Stevens	\$1,000.00
03/22/04	Pamela R. Genevrino	\$1,000.00
03/22/04	Thomas J. Van Etten	\$500.00
04/07/04	Gerald Edwin Finster	\$1,000.00
04/07/04	Mayer Brown Rowe & Maw, LLP	\$500.00
04/07/04	Pavley for Assembly 2004	\$1,000.00
04/07/04	Peggy Alloway	\$500.00
04/07/04	Table Mountain Rancheria	\$1,000.00
04/07/04	Werner Hering House Account	\$500.00
05/10/04	Frommer for Assembly 2004	\$3,200.00
05/13/04	Andrew P. Tobias	\$250.00
05/14/04	Norman Ruiz	\$2,000.00
05/14/04	Werner H. Kramarsky	\$100.00

Count 6		
(Contributions Received for Period Ending 6/30/04)		
Deposit Date	Contributor	Amount
05/17/04	Christine Doyle	\$100.00
05/27/04	Consumer Attorney's Campaign Committee	\$3,200.00
05/27/04	Leno 2004	\$3,200.00
06/30/04	Nancy Richardson	\$100.00
06/30/04	Suzann Holman	\$500.00
Total:		\$37,600.00

During the reporting period ending September 30, 2004, Respondent Committee received the following contributions of \$100 or more:

Count 7		
(Contributions Received for Period Ending 9/30/04)		
Deposit Date	Contributor	Amount
07/01/04	Anthony A. Martin	\$3,200.00
07/01/04	Bill J. Muncy	\$3,200.00
07/01/04	Janice Waters	\$3,200.00
07/01/04	John Muncy	\$3,000.00
07/15/04	Elliott Sernel	\$100.00
07/15/04	Teresa Blocker	\$500.00
07/26/04	UAW Region 5 Western States PAC	\$150.00
07/27/04	John C. Mannix	\$100.00
08/02/04	Andrew Kincaid	\$100.00
08/02/04	David Rose	\$160.00
08/02/04	Martha Sullivan	\$112.00
08/02/04	Phillip Flemion	\$320.00
08/04/04	Marjorie Braude	\$250.00
08/06/04	Brenda J. Torres	\$500.00
08/06/04	Lillian Arellanes	\$1,000.00
08/06/04	Nicholas Granet	\$500.00
08/06/04	Richard Jacobs	\$500.00
08/07/04	Susan E. Korbelt	\$100.00
08/10/04	Lelia Waters	\$3,200.00
08/10/04	Saturnino A. Torres	\$300.00
08/13/04	Palm Springs Riviera Resort & Racquet Club	\$171.40
08/17/04	National Indian Gaming Association	\$3,200.00
08/19/04	Arthur S. Copleston	\$500.00
08/20/04	Donald S. Ricart	\$200.00
08/21/04	Donald G. Hays	\$100.00
08/21/04	Sylvia R. Partain	\$100.00
08/25/04	Mark J. Benoit	\$100.00
08/26/04	Corinne Siva	\$100.00
08/31/04	Carl Page	\$100.00

Count 7		
(Contributions Received for Period Ending 9/30/04)		
Deposit Date	Contributor	Amount
08/31/04	Charlie Shaeffer	\$100.00
08/31/04	Naswcalpace	\$1,000.00
08/31/04	Robert Piazza	\$100.00
09/15/04	Mary Estrin	\$100.00
09/15/04	Sheila Kuehl	\$500.00
Total:		\$26,863.40

Receipt of the contributions described in the foregoing charts should have been reported on campaign statements for the corresponding reporting periods. However, this was not done.

By failing to report receipt of contributions as described above, Respondents Mary Ann Andreas, Andreas for Assembly, and Phyllis Nelson committed two violations of Section 84211, subdivisions (a), (c), and (f), and Respondent Marta Baca committed one violation of the same code section.³

Count 8: Making and Receipt of Over-the-Limit Personal Loans

On or about October 22, 2004, Respondents Andreas, Committee and Nelson accepted, and Respondent Andreas made, a personal loan from Respondent Andreas to Respondent Committee in the amount of \$75,000.

When the loan was made, Respondent Andreas already had an outstanding balance of \$65,000 personally loaned to Respondent Committee. This raised the outstanding balance of personal loans made by Respondent Andreas to Respondent Committee to \$140,000. At the time, the maximum outstanding balance allowed by law was \$100,000. (Section 85307, subd. (b).)

By making/accepting the loan described above, Respondents Andreas, Committee and Nelson violated Section 85307, subdivision (b).

Count 9: Failure to File Amended Statements of Organization

Respondent Committee's initial statement of organization was filed with the California Secretary of State in June 2003. In that statement, Respondent Baca was named as Respondent Committee's treasurer, and no assistant treasurer was named.

However, Respondent Nelson acted as Respondent Committee's assistant treasurer and treasurer starting in approximately March 2004 and August 2004, respectively, but no statements of organization were ever filed regarding these changes.

³ Respondent Baca ceased being the treasurer during the reporting period encompassed by Count 6. For this reason, she was omitted from Count 7, but she shares responsibility with the replacement treasurer and the other Respondents for Count 6.

At the time, amended statements of organization had to be filed within 10 days of a change. (Section 84103, subdivision (a).)

By failing to file amended statements of organization regarding the foregoing changes, Respondents Andreas, Committee, Baca, and Nelson violated Section 84103, subdivision (a).

Count 10: Accepting Cashier's Checks/Money Orders from Contributors

A cashier's check is similar to a money order in that it is not drawn from the account of the remitter. Rather, the remitter pays the bank to issue a cashier's check, which is guaranteed by the bank, but not drawn from the account of the remitter. (See, e.g., Cal. U. Com. Code, §§ 3103, subs. (a)(2), (3), and (11), and 3104, subs. (f) and (g).) In the case of a contribution or donation made in the form of a cashier's check or money order, the remitter is referred to as the contributor or donor.

Subject to certain exceptions, which are not applicable in this case, Section 84300, subdivision (c), provides that no contribution of \$100 or more shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or intermediary.

Between approximately June 28, 2004, and August 10, 2004, Respondents Andreas, Committee, Baca, and Nelson accepted monetary contributions totaling approximately \$9,400 in the form of three cashier's checks or money orders for \$100 or more, which were not drawn from the bank accounts of the contributors or donors.

The first was a Citibank cashier's check or money order in the amount of \$3,200, listing Anthony Martin as the remitter, but it was not drawn from the account of Anthony Martin. It was dated June 28, 2004. It was deposited into Respondent Committee's primary checking account on June 30, 2004, and it posted on July 1, 2004.

The second was a Bank of America cashier's check in the amount of \$3,000. John Muncy appears to have been the remitter, but the cashier's check was not drawn from his account. The cashier's check was dated June 30, 2004. It was deposited into Respondent Committee's primary checking account that same day, and it posted on July 1, 2004.

The third was another Citibank cashier's check or money order in the amount of \$3,200. Lelia Waters appears to have been the remitter, but the cashier's check/money order was not drawn from her account. It appears to have been dated June 30, 2004. It was deposited into an account for Respondent Committee on August 10, 2004, and it posted that same day.

By accepting cashier's checks/money orders from contributors as described above, Respondents Andreas, Committee, Baca, and Nelson violated Section 84300, subdivision (c).

CONCLUSION

This matter consists of 10 counts of violating the Act, which carry a maximum administrative penalty of \$5,000 per count, for a total maximum penalty of \$50,000. (See Section 83116, subd. (c).)

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5, subdivision (d)(1)-(6):

- (1) The seriousness of the violation;
- (2) The presence or absence of any intention to conceal, deceive or mislead;
- (3) Whether the violation was deliberate, negligent or inadvertent;
- (4) Whether the violator demonstrated good faith by consulting the Commission staff or any other government agency in a manner not constituting a complete defense under Government Code section 83114(b);
- (5) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and
- (6) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

The public harm inherent in campaign reporting violations (Counts 1-7) is that the public is deprived of time-sensitive information regarding the sources and amounts of contributions and expenditures made in support of a candidate. As for the making/receipt of over-the-limit personal loans to a committee (Count 8), the public harm inherent in this type of violation is that a candidate may be more beholden to contributors if he or she is deeply in debt to his or her committee. With respect to failure to file amended statements of organization regarding changes as to the principal officers of the committee (Count 9), one of the types of public harm caused by this type of violation is that it makes it more difficult to ascertain which officers are responsible for violations of the Act in the event that enforcement proceedings become necessary. As for accepting cashier's checks/money orders from contributors (Count 10), the public harm inherent in this type of violation is that these methods of payment do not necessarily identify the true source of funds, which makes it difficult to ascertain whether or not money is being laundered into a campaign.

Administrative penalties for violations of the Act vary depending upon the specific facts of each case. In this case, the following aggravating and mitigating factors are present.

Factors in Aggravation

With respect to the late contributions received by Respondent Committee during the late reporting period before the March 2004 primary election (Counts 1 and 2), receipt of the contributions should have been reported before the election, but none of the contributions were reported before the election.

Approximately two days after the election, a late contribution report was filed electronically with the Secretary of State⁴ disclosing some but not all of the late contributions in question. (See Count 2.) In the "Date of This Filing" field of the late contribution report, the filer put "03/01/2004," which would have been the day before the election. Also, many of the late contributions were received and deposited into Respondent Committee's bank account days before the date that Respondent Committee reported as receiving them. This was a misrepresentation to the public and the Secretary of State regarding the timeliness of reporting the late contributions and the date of receipt of the late contributions.

The amount of payments to subvendors that were not properly reported (Counts 3-5) was significant, comprising approximately 20% of all expenditures made by Respondent Committee during the audit period. The subvendor payments encompassed by Counts 3 and 4 should have been reported before the general election.

The unreported contributions encompassed by Counts 6 and 7 should have been reported before the general election.

Respondents' failure to file amended statements of organization regarding changes as to the committee treasurer and assistant treasurer (Count 9) made it difficult to ascertain which officers to hold responsible for which violations in this enforcement proceeding.

Factors in Mitigation

Respondents' violations had no effect on the outcome of the primary or general elections; Respondent Andreas was unopposed in the primary election, and she lost the general election by more than 17 percentage points.

Respondent Andreas was a first time candidate who has not run for office since losing the election in 2004. Respondents maintain that the treasurers had no prior experience or training with the Act and that the violations described above were the result of Respondent Andreas' inexperience and reliance upon treasurers who were themselves inexperienced and negligent.

Regarding the late contribution reporting violations (Counts 1 and 2), the late contributions that were received in connection with the March 2004 primary election only comprised approximately 7.4% of the total contributions received by Respondent Committee during the audit period.

⁴ No late contribution reports were filed with the local filing officer in Riverside County in connection with the March 2004 primary election.

Respondents substantially complied with the requirements of the Act regarding the reporting of late contributions in connection with the November 2004 general election, which equates to the proper reporting of approximately 63 late contributions totaling approximately \$329,350. This suggests that Respondents corrected their practices following the primary election to better comply with the Act in connection with the reporting of late contributions.

With respect to the subvendor counts (3-5), Respondents maintain that their vendor did not provide them with an itemization of subvendor payments. Also, the amount in question for Count 3 is relatively low compared to the amounts in question for Counts 4 and 5. Additionally, the subvendor payments encompassed by Count 5 were not required to be reported until after the general election.

The contributions encompassed by Counts 6 and 7 comprise less than 6% of the contributions received during the audit period.

Regarding the over-the-limit personal loan to the committee (Count 8), Respondents maintain that the over-the-limit balance has never been repaid to Respondent Andreas and that it was not intended to be a loan. Rather, it was intended to be a contribution from Respondent Andreas. (A candidate can contribute unlimited amounts to her own committee.) Although this is inconsistent with the campaign statements that clearly identify the amounts in question as loans, it is consistent with the fact that only one of the checks to the committee said “loan.” Respondents maintain that the inconsistency with the campaign statements was a reporting error.

With respect to the acceptance of contributions in the form of cashier’s checks/money orders (Count 10), the amount in question was less than one percent of the contributions that Respondent Committee reported receiving during the audit period.

Penalty

The facts of this case, including the aggravating and mitigating factors discussed above, justify imposition of an agreed upon penalty as follows:

Count	Description	Named Respondents	Penalty
1	Late Contribution Reporting Violation	Mary Ann Andreas and Andreas for Assembly	\$3,750
2	Late Contribution Reporting Violation	Mary Ann Andreas and Andreas for Assembly	\$3,750
3	Failure to Report Payments to Subvendors	Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson	\$2,500
4	Failure to Report Payments to Subvendors	Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson	\$2,750
5	Failure to Report Payments to Subvendors	Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson	\$2,250
6	Failure to Report Contributions Received	Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis	\$2,500

Count	Description	Named Respondents	Penalty
		Nelson	
7	Failure to Report Contributions Received	Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson	\$2,500
8	Making and Receipt of Over-the-Limit Personal Loans	Mary Ann Andreas, Andreas for Assembly and Phyllis Nelson	\$2,250
9	Failure to File Amended Statements of Organization	Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson	\$2,250
10	Accepting Cashier's Checks/Money Orders from Contributors	Respondents Mary Ann Andreas, Andreas for Assembly, Marta Baca and Phyllis Nelson	\$2,000
Total:			\$26,500

Candidates for State Office
Committees Primarily Formed to Support/Oppose
Candidates for State Office
Committees Primarily Formed to Support/Oppose State Measures
Being Voted on March 2, 2004

<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement^{1/}</i>	<i>Method of Delivery</i>
Within 10 Business Days	\$5,000 Report ^{2/}	Any time other than 90-day election cycle (see below)	✧ Online or Electronically with Secretary of State
October 10, 2003	Pre-Election ^{3/}	1/1/03 – 9/30/03 or 7/1/03 – 9/30/03	✧ Personal Delivery ^{4/} ✧ First Class Mail
Within 24 Hours	\$1,000 Election Cycle Report See Footnotes 5 & 6	12/3/03 – 3/2/04	✧ Online or Electronically with Secretary of State
January 10, 2004 ^{7/}	Semi-Annual	^{1/} – 12/31/03	✧ Personal Delivery ✧ First Class Mail
January 22, 2004	Pre-Election	1/1/04 – 1/17/04	✧ Personal Delivery ✧ First Class Mail
Within 48 Hours	Issue Advocacy Disclosure Statement ^{8/}	1/17/04 – 3/1/04	✧ Online or Electronically with Secretary of State
February 19, 2004	Pre-Election	1/18/04 – 2/14/04	✧ Personal Delivery ✧ Guaranteed Overnight Service
Within 24 Hours	Late Contributions ^{9/} and Independent Expenditures of \$1,000 or More ^{10/}	2/15/04 – 3/1/04	✧ Personal Delivery ✧ Telegram ✧ Guaranteed Overnight Service ✧ Fax
July 31, 2004 ^{7/}	Semi-Annual	2/15/04 – 6/30/04	✧ Personal Delivery ✧ First Class Mail

Footnotes:

^{1/} The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.

^{2/} Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a contribution of \$5,000 or more from a single source at any time other than the 90-day election cycle. (See footnote 5.) No paper copy if required. This report is not required for committees primarily formed to support or oppose state candidates.

^{3/} Candidates who filed a Form 501 (Candidate Intention) by September 30, 2003, for the March 2004 election and committees primarily formed to support or oppose such candidates must file by October 10.

Committees primarily formed to support or oppose a ballot measure being voted on March 2, 2004, also must file by October 10.

^{4/} In addition to paper reports, candidates and committees must file electronically if, since January 1, 2000, they receive contributions or make expenditures totaling \$50,000 or more. For more information, visit the Secretary of State's web site at www.ss.ca.gov.

^{5/} "Election cycle" is defined as 90 days prior to an election and ending on the date of election.

Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a

contribution of \$1,000 or more from a single source during the period December 3, 2003, through March 2, 2004. No paper copy is required, except during the late contribution period. This report is not required for committees primarily formed to support or oppose state candidates.

- ^{6/} Committees that are required to file electronically with the Secretary of State must file a report disclosing each independent expenditure of \$1,000 or more made to support or oppose a state candidate or ballot measure being voted on March 2, 2004. No paper copy is required, except during the late independent expenditure period. Also see footnote 10.
- ^{7/} Because January 10 and July 31, 2004, fall on a Saturday, these filing deadlines are extended to January 12 and August 2, 2004, respectively.
- ^{8/} A committee that makes a payment or a promise of payment of \$50,000 or more for a communication that clearly identifies a state candidate but does not expressly advocate the election or defeat of the candidate, must file E530 electronically with the Secretary of State. The report must be filed within 48 hours of making or promising to make the payment. No paper copy is required.
- ^{9/} The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.
- ^{10/} A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate. (Gov. Code § 85501.)

Additional Notes:

- There is no provision in the law for an extension of a filing deadline. Late statements are subject to a \$10 per day late fine.
- All statements are public documents.
- State candidates are subject to contribution limits.
- A committee that makes an expenditure totaling \$5,000 or more to an individual to appear in an advertisement to support or oppose a ballot measure must report the expenditure within 10 days on FPPC Form 511.

As of the date of this publication (6/03), the 2003 Addendum to FPPC Campaign Information Manuals A-E contains the most recent information on campaign disclosure requirements. Legislative amendments to the Political Reform Act may go into effect that will change information contained in the 2003 Addendum and this filing schedule. Be sure to check the FPPC web site (www.fppc.ca.gov) for updated information.

**Candidates for State Office
Committees Primarily Formed to Support/Oppose Candidates for State Office
Committees Primarily Formed to Support/Oppose State Measures
Being Voted on November 2, 2004**

<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement</i> ^{1/}	<i>Method of Delivery</i> ^{2/}
Within 10 Business Days	\$5,000 Report ^{3/}	Any time other than 90-day election cycle (see below)	✧ Online or Electronically with Secretary of State
Within 24 Hours	\$1,000 Election Cycle Report See Footnotes 4 & 5	8/4/04 - 11/2/04	✧ Online or Electronically with Secretary of State
October 5, 2004	Pre-Election	1/1/04 - 9/30/04 or 7/1/04 - 9/30/04	✧ Personal Delivery ✧ First Class Mail
Within 48 Hours	Issue Advocacy Disclosure Statement ^{6/}	9/18/04 – 11/1/04	✧ Online or Electronically with Secretary of State
October 21, 2004	Pre-Election	10/1/04 - 10/16/04	✧ Personal Delivery ✧ Guaranteed Overnight Service
Within 24 Hours	Late Contributions ^{7/} and Independent Expenditures of \$1,000 or More ^{8/}	10/17/04 - 11/1/04	✧ Personal Delivery ✧ Telegram ✧ Guaranteed Overnight Service ✧ Fax
January 31, 2005	Semi-Annual	10/17/04 - 12/31/04	✧ Personal Delivery ✧ First Class Mail

Footnotes:

- 1/ The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- 2/ In addition to paper reports, candidates and committees must file electronically if, since January 1, 2000, they receive contributions or make expenditures totaling \$50,000 or more. For more information, visit the Secretary of State's web site at www.ss.ca.gov.
- 3/ Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a contribution of \$5,000 or more from a single source at any time other than the 90-day election cycle. (See footnote 4.) No paper copy is required. This report is not required for committees primarily formed to support or oppose state candidates.
- 4/ "Election cycle" is defined as 90 days prior to an election and ending on the date of election.

Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a contribution of \$1,000 or more from a single source during the period August 4, 2004, through November 2, 2004. No paper copy is required except during the late contribution period. This report is not required for committees primarily formed to support or oppose state candidates.
- 5/ Committees that are required to file electronically with the Secretary of State must file a report disclosing each independent expenditure of \$1,000 or more made to support or oppose a state candidate or ballot measure being voted on November 2, 2004. No paper copy is required except during the late independent expenditure period. Also see footnote 8.

- 6/ A committee that makes a payment or a promise of payment of \$50,000 or more for a communication that clearly identifies a state candidate but does not expressly advocate the election or defeat of the candidate, must file E530 electronically with the Secretary of State. The report must be filed within 48 hours of making or promising to make the payment. No paper copy is required.
- 7/ The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.
- 8/ A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.

Additional Notes:

- There is no provision in the law for an extension of a filing deadline. Late statements are subject to a \$10 per day late fine.
- All statements are public documents.
- State candidates are subject to contribution limits.
- A committee that makes an expenditure totaling \$5,000 or more to an individual to appear in an advertisement to support or oppose a ballot measure must report the expenditure within 10 days on FPPC Form 511.

As of the date of this publication (6/03), the 2003 Addendum to FPPC Campaign Information Manuals A-E contains the most recent information on campaign disclosure requirements. Legislative amendments to the Political Reform act may go into effect that will change information contained in the 2003 Addendum and this filing schedule. Be sure to check the FPPC web site (www.fppc.ca.gov) for updated information.