

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: September 13, 2012

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FPPC Enforcement Decisions: September 13, 2012

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, September 13, 2012. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the September agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

No on 8, Equality for All and Steven Mele. This matter originated as a Franchise Tax Board audit. No on 8, Equality for All, a state primarily formed committee, and the committee's treasurer, Steven Mele, failed to timely file late contribution reports; failed to timely file \$1,000 online election cycle reports; failed to timely file \$5,000 online reports; and failed to disclose certain information regarding persons who contributed \$100 or more. **\$42,500 fine.**

Human Rights Campaign California Marriage PAC - No On Prop 8 Committee and James Rinefierd. This matter originated as a Franchise Tax Board audit. Human Rights Campaign California Marriage PAC - No On Prop 8 Committee, a state primarily formed sponsored committee at all times relevant, and the committee's treasurer, James Rinefierd, failed to timely disclose information regarding contributions received, including those of \$100 or more, on campaign statements for the reporting periods ending June 30, 2008, September 30, 2008, and October 18, 2008. **\$6,000 fine.**

Equality California Issues PAC and Timothy Hohmeier. This matter originated as a Franchise Tax Board audit. Equality California Issues PAC, a state primarily formed committee at all times relevant, and the committee's treasurer, Timothy Hohmeier, failed to file preelection campaign statements for the reporting periods ending March 17, 2008, and May 17, 2008; failed to timely file late contribution reports; failed to timely file \$1,000 online election cycle reports; and failed to disclose certain information regarding persons who contributed \$100 or more. **\$31,500 fine.**

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Republican Central Committee of San Luis Obispo County, Patricia Smith, Elizabeth Van Note, and Danielle Duboff. Patricia Smith is the treasurer of the Republican Central Committee of San Luis Obispo County. Elizabeth Van Note and Danielle Duboff are former treasurers of the committee. Respondents failed to file a pre-election campaign statement for the reporting period ending December 26, 2009. Also, Respondents failed to file (or in some cases, failed to timely file) several late contribution reports between March of 2010 and March of 2011. (Although the committee is named in every count, only one treasurer is named per count, depending upon who was serving as the committee treasurer during the relevant period of time.) **\$14,000 fine.**

Joseph J. Jelincic, J.J. Jelincic for CalPERS - 2009, and Frank Luna. Joseph J. Jelincic was elected to the California Public Employees' Retirement System ("CalPERS") Board of Administration in a run-off election held on December 4, 2009. J.J. Jelincic for CalPERS - 2009 was his campaign committee for the 2009 election. Frank Luna served as treasurer of the committee. On December 16, 2009, the committee accepted a campaign contribution from the Committee to Re-Elect Chuck Valdes in the form of a check in the amount of \$3,600. This contribution, received by the committee after the election, exceeded the net debts outstanding from the election. **\$2,000 fine.**

Limited Government PAC and Casey Evans. Limited Government PAC, a primarily formed ballot measure committee and Casey Evans, the treasurer of the committee at all times relevant, failed to file an amended statement of organization within 10 days to disclose that the committee was a primarily formed committee; failed to add the title and ballot number supported as its primary activity; and failed to include the name of a major donor in the name of the committee. **\$3,000 fine.**

Dennis Beebe, Beebe for Trustee, and Marie Beebe, Treasurer, failed to timely file the Form 460 semiannual campaign statement covering the period July 1, 2011 through December 31, 2011, due January 31, 2012, with the County of Bakersfield. **\$200 fine.**

Statement of Economic Interests Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media. The following individual failed to include all economic interests that were required to be disclosed in his Statement of Economic Interests:

Karen Burnham, Assistant City Manager for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in each of the years 2007 and 2008, and failed to report these gifts on her 2007 and 2008 annual Statements of Economic Interests. **\$2,000 fine.**

Kenneth Ortega, Public Works Director for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in each of the years 2007 through 2009, and failed to report these gifts on his 2007, 2008, and 2009 annual Statements of Economic Interests. Additionally, he received gifts exceeding the applicable gift limit from one source in 2008 and one source in 2009. **\$7,000 fine.**

John Chua, a member of the City of Walnut Planning Commission until December 31, 2011, failed to report interests in real property and a business, Tempo Graphics & Printing/ Golden Touch USA, as a source of income on his 2008, 2009, and 2010 annual Statements of Economic Interests. **\$600 fine.**

Roderick D. Wright, as a California State Senator, failed to disclose a gift of travel valued at \$13,045.46 received from Legislative Leadership Institute on his 2009 annual Statement of Economic Interests. **\$200 fine.**

The following individual failed to file her Statement of Economic Interests on time:

Madeleine Zayas-Mart, a member of the Oakland Planning Commission, failed to timely file her 2010 annual Statement of Economic Interests. **\$200 fine.**

Lobbying Violation

California law requires lobbying entities to file registration forms and quarterly reports to provide the public with specified information. The following failed to timely file the required forms:

Mendez Strategy Group and John Mendez, Principal Officer. Mendez Strategy Group and John Mendez, the Responsible Officer, failed to register with the Secretary of State no later than 10 days after qualifying as a lobbying firm. **\$200 fine.**

Independent Cities Lease Finance Authority and Deborah J. Smith. Independent Cities Lease Finance Authority, a registered California lobbyist employer, and Deborah J. Smith, Secretary/Program Administrator and the responsible filing officer, failed to file Lobbyist Employer Reports in a timely manner for reporting periods ending December 31, 2009, March 31, 2010, June 30, 2010, September 30, 2010, and December 31, 2010. **\$2,000 fine.**

Slate Mailer Organization Violation

California law requires slate mailer organizations to include specified identification and disclaimer information when sending a slate mailer. The following did not include the required information:

California Voter Guide and Gary Crummitt. California Voter Guide is a slate mailer organization and Gary Crummitt is the treasurer for the organization. Prior to the 2012 primary election, California Voter Guide sent out two electronic slate mailers that did not include the street address and city of the organization. **\$3,000 fine.**

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