



RICHARDS | WATSON | GERSHON

ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

355 South Grand Avenue, 40th Floor, Los Angeles, California 90071-3101
Telephone 213.626.8484 Facsimile 213.626.0078

MEMORANDUM

To: Honorable Chair and Members of the Ventura County Campaign Finance Ethics Commission
From: Craig A. Steele
Date: December 7, 2007
Subject: Complaint Number 07-03 - Firefighters for Better Government PAC

RECOMMENDATION

It is recommended that the Commission dismiss Complaint No. 07-03 with direction to staff to send a warning notice to the Respondent.

BACKGROUND

The Elections Division has filed a complaint regarding “Firefighters for Better Government PAC” (hereinafter, the “PAC”) alleging that the PAC failed to timely make an electronic filing of the PAC’s semi-annual campaign report.

State law requires active committees to file, at a minimum, semi-annual statements of their activity not later than January 30 and July 31 of each year. During election years, some campaign committees may be required to file additional reports. State law permits the filing official to collect fines of up to \$10 per day for reports filed late. The County’s Ordinance imposes an additional requirement on County committees. Section 1278 of the Ordinance requires County committees to file electronic copies of all reports with the Clerk within 24 hours of filing the hard copy. The PAC filed the hard copy of its report that had been due on July 31, 2007 late, on September 25, 2007. According to the Elections Division complaint, the PAC filed its electronic version of the report within 24 hours, on September 26, 2007.

The late filing of the hard copy violated the deadline imposed by State law. The Clerk imposed, and the PAC paid, a late filing penalty of \$100. The PAC complied with the only deadline imposed by Section 1278 of the County ordinance: that it file an electronic version of the report within 24 hours of filing the hard copy. Thus, although the report itself was filed substantially later than the deadline, the only violation of law that occurred was a violation of State law, for which the PAC paid a fine to the Clerk. The PAC technically did not violate Section 1278 of the Ordinance.

MEMORANDUM

Honorable Chair and Members of the Ventura County Campaign Finance Ethics Commission
December 7, 2007
Page 2

We are aware of no prior enforcement history with the PAC.

CONCLUSION

Based on the foregoing, we recommend that Case No. 07-03 be dismissed with direction to staff to send a warning letter to the PAC emphasizing the importance of complying with filing deadlines. No further enforcement action would be taken.

CONFIDENTIAL

THIS MATERIAL IS SUBJECT TO THE ATTORNEY-CLIENT AND/OR
THE ATTORNEY WORK PRODUCT PRIVILEGES. DO NOT DISCLOSE