



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2996

DATE FILMED 4/28/90 CAMERA NO. 4

CAMERAMAN AS

90040784231



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 19, 1989

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

THROUGH: JOHN C. SURINA  
STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF THE CALIFORNIANS FOR MADDY-F

Californians For Maddy-F ("the Committee") has made apparent excessive contributions totalling \$8,000 to two (2) federal candidates. According to the 1987-1988 Reports Analyst Division Review and Referral Procedures for Authorized Committees, an examination by your office is required.

For your information, the Committee registered on March 27, 1980 as the principal campaign committee of Kenneth L. Maddy ("the Candidate") for the 1982 Senate race in California. On January 23, 1982 and December 20, 1985 the Candidate filed letters which he classified as Amended Statements of Organization. The Statements were signed by the Candidate and changed the year of election to 1986 and 1992 respectively. The Candidate's name did not appear on the California State Ballot for the 1982 or 1986 elections. Since its formation in 1980, the Committee has raised \$48,950.

Review of all reports on file with the Commission indicates that the Candidate has not been actively seeking nomination for election to a federal office.

Additionally, the Stark for Congress committee was sent a Request for Additional Information ("RFAI") on January 13, 1989 regarding the 1988 30 Day Post-General Report. The RFAI noted the receipt of an apparent excessive contribution from the Committee. On January 31, 1989, the Stark For Congress committee responded in a letter stating that the Committee had met the requirements to be a multicandidate committee; however, the Committee had failed to amend its Statement of Organization changing it to a multicandidate committee. An RFAI to

PAGE 2

Californians for Senator Pete Wilson noting the receipt of an apparent excessive contribution from the Committee was mailed on May 2, 1989. Neither of the committees that received apparent excessive contributions meet the threshold for referral to your office.

If you have any questions regarding this matter, please contact Pat Sheppard at 376-2480.

Attachment

00040734239

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 19, 1989ANALYST: Pat Sheppard

I. COMMITTEE: Californians For Maddy-F  
(C00124123)  
Katherine Giel Chrisman, Treasurer  
P. O. Box 9502  
Fresno, CA 93792-9502

II. RELEVANT STATUTE: 2 U.S.C. §441a(a)(1)(A)

## III. BACKGROUND:

## Apparent Excessive Contributions Made to Federal Candidates

The 1988 Year End Report for Californians For Maddy-F ("the Committee") received on January 24, 1989, disclosed on Schedule B the disbursement of apparent excessive contributions totalling \$8,000 to two (2) federal candidates (Attachment 2). The report disclosed a \$5,000 contribution made to Californians For Senator Pete Wilson on October 18, 1988 and a \$5,000 contribution made to Stark For Congress on October 26, 1988.<sup>1/</sup> A Request For Additional Information ("RFAI") was sent to the Committee on February 7, 1989 (Attachment 3). The RFAI noted the disbursement of the apparent excessive contributions and requested the Committee to obtain a refund of the amount in excess of the \$1,000 per election limit. In addition, the RFAI noted the possibility of further Commission action concerning the disbursement of apparent excessive contributions. A Second Notice was sent to the Committee on March 2, 1989 for failure to respond to the RFAI (Attachment 4).

The Committee submitted an Amended Statement of Organization (FEC FORM 1) on February 17, 1989 (Attachment 5). The Committee had changed its status from a principal

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<sup>1/</sup> The contributions were not designated; however, in accordance with 11 CFR 110.1(b)(2)(ii), the Reports Analysis Division has attributed the contributions to the general election.

CALIFORNIANS FOR MADDY-F  
REPORTS ANALYSIS OGC REFERRAL  
PAGE 2

campaign committee to a multicandidate committee. The Amended FEC FORM 1 was signed and dated October 18, 1988. The Committee did not indicate if this Amended FEC FORM 1 was a copy of one they had filed in October.

On May 2, 1989 a Reports Analysis Division Analyst called Katherine G. Chrisman ("the Treasurer") (Attachment 6). The analyst asked the Treasurer why the Amended FEC FORM 1 was dated October 18, 1988, although it wasn't received until February 17, 1989. The Treasurer stated that she had signed an amended FEC FORM 1 in October of 1988 and forwarded it to the Sacramento office for mailing. The analyst told the Treasurer that the amended form had not been received and that the Committee should respond to the RFAI and contact the recipient committees and obtain a refund of the excessive amounts. The Treasurer said she would reply.

On May 5, 1989 the Committee responded in a letter (Attachment 7). The letter stated that on October 18, 1988 the Committee realized that they had become a qualified multicandidate committee; they prepared an amended form and sent it to the Sacramento office, who stated that they mailed it to the Secretary of the Senate. The response further stated that the Committee anticipates terminating but will request a refund if necessary. To date, no further action has been taken by Committee.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

00040784241

FEDERAL ELECTION COMMISSION  
1987-1988  
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 11MAY89

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION TYPE OF FILER
			PRIMARY	GENERAL	PRIMARY	GENERAL			
MADDY, KENNETH L	SENATE	REPUBLICAN PARTY							CALIFORNIA 1988 ELECTION ID# S0CA00074
1. STATEMENT OF CANDIDATE									
2. PRINCIPAL CAMPAIGN COMMITTEE									
CALIFORNIANS FOR MADDY-F									ID #C00124123 SENATE
1987 MID-YEAR REPORT				1,043		1,386	1JAN87 -30JUN87	8	87SEN/006/0918
YEAR-END			1,609		0		1JUL87 -31DEC87	8	88SEN/005/2176
1988 MID-YEAR REPORT			1,131		3,283		1JAN88 -30JUN88	10	88SEN/012/1739
YEAR-END				1,141		25,000	1JUL88 -31DEC88	8	89SEN/001/1674
YEAR-END - AMENDMENT							1JUL88 -31DEC88	3	89SEN/003/3790
REQUEST FOR ADDITIONAL INFORMATION							1JUL88 -31DEC88	3	89FEC/584/2920
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JUL88 -31DEC88	4	89FEC/586/4097
TOTAL			2,740	2,184	3,283	26,386		44	TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports have been reviewed.  
Cash on hand as of 12/31/88: \$21,153.70  
Debt owed to as of 12/31/88: \$0  
Debts owed by as of 12/31/88: \$0

FEDERAL ELECTION COMMISSION  
1989-1990  
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 12MAY89

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
CALIFORNIANS FOR MADDY-F				ID #C80124123	NON-PARTY QUALIFIED	
CONNECTED ORGANIZATION:						
1989 STATEMENT OF ORGANIZATION - AMENDMENT				17FEB89	3	89SEN/003/0076
TOTAL		0	0	0	0	3 TOTAL PAGES

90040704240

**SCHEDULE B**

**ITEMIZED DISBURSEMENTS**

1938 Year End Report

Attachment # 2

Page 1 of 1

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

**NAME OF COMMITTEE (in Full)**

**Californians for Maddy-F**

<b>A. Full Name, Mailing Address and ZIP Code</b> <b>Californians for Senator</b> <b>Pete Wilson</b> <b>710 W. Ivey St.</b> <b>San Diego, CA 92101</b>	<b>Purpose of Disbursement</b> <b>I.D. #00165720</b> Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> <b>10/18/88</b>	<b>Amount of Each Disbursement This Period</b> <b>\$5,000</b>
<b>B. Full Name, Mailing Address and ZIP Code</b> <b>Santa Barbara Republican</b> <b>Central Committee</b> <b>3324-G State Street</b> <b>Santa Barbara, CA 93105</b>	<b>Purpose of Disbursement</b> <b>I.D. #C00174334</b> Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> <b>10/20/88</b>	<b>Amount of Each Disbursement This Period</b> <b>\$5,000</b>
<b>C. Full Name, Mailing Address and ZIP Code</b> <b>California Republican Party</b> <b>1903 W. Magnolia Blvd.</b> <b>Burbank, CA 91506</b>	<b>Purpose of Disbursement</b> <b>I.D. #C00140590</b> Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> <b>10/20/88</b>	<b>Amount of Each Disbursement This Period</b> <b>\$5,000</b>
<b>D. Full Name, Mailing Address and ZIP Code</b> <b>Republican Party of</b> <b>Stanislaus County</b> <b>P. O. Box 541</b> <b>Modesto, CA 95353</b>	<b>Purpose of Disbursement</b> <b>I.D. #C0041236</b> Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> <b>10/20/88</b>	<b>Amount of Each Disbursement This Period</b> <b>\$5,000</b>
<b>E. Full Name, Mailing Address and ZIP Code</b> <b>Stark for Congress</b> <b>615 Campus Way</b> <b>San Bernardino, CA 92045</b>	<b>Purpose of Disbursement</b> <b>I.D. #C00173021</b> Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b> <b>10/26/88</b>	<b>Amount of Each Disbursement This Period</b> <b>\$5,000</b>
<b>F. Full Name, Mailing Address and ZIP Code</b>    	<b>Purpose of Disbursement</b>  Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b>  	<b>Amount of Each Disbursement This Period</b>  
<b>G. Full Name, Mailing Address and ZIP Code</b>    	<b>Purpose of Disbursement</b>  Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b>  	<b>Amount of Each Disbursement This Period</b>  
<b>H. Full Name, Mailing Address and ZIP Code</b>    	<b>Purpose of Disbursement</b>  Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b>  	<b>Amount of Each Disbursement This Period</b>  
<b>I. Full Name, Mailing Address and ZIP Code</b>    	<b>Purpose of Disbursement</b>  Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<b>Date (month, day, year)</b>  	<b>Amount of Each Disbursement This Period</b>  

**SUBTOTAL of Disbursements This Page (optional)** ..... **\$25,000**

**TOTAL This Period (last page this line number only)** ..... **\$25,000**





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20543

FE-2

FEB 7 1988

Katherine Giel Christen, Treasurer  
Californians For Nader-8  
P.O. Box 9502  
Fresno, CA 93792-9502

Identification Number: 000124123

Reference: Year End Report (7/1/88-12/31/88)

Dear Ms. Christen:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule B of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limit set forth in the Act. The Act precludes an individual or a political committee, other than a qualified multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. §441a(a))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution made was excessive, you should notify the recipient and request a refund of the amount in excess of \$1,000. You should inform the Commission in writing of such a refund, and the refund should appear on Line 15 of the Detailed Summary Page and on Schedule A of the report covering the period in which the refund is received.

Although the Commission may take further legal steps, prompt action by you to obtain a refund of the excessive amount(s) will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 within fifteen (15) days of the date of this

9 7 7 3 5 8 4 2 9 2 0

letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

*Pat Sheppard*

Pat Sheppard  
Senior Reports Analyst  
Reports Analysis Division

3 0 0 4 0 7 0 4 2 9 2 1



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20541

RQ-3

March 2, 1989

Katherine Giel Chrisman, Treasurer  
Californians For Maddy-F  
P.O. Box 9502  
Fresno, CA 93792-9502

Identification Number: C00124123

Reference: Year End Report (7/1/88-12/31/88)

Dear Ms. Chrisman:

This letter is to inform you that as of March 1, 1989 the Commission has not received your response to our request for additional information, dated February 7, 1989. That notice requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Pat Sheppard on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".  
John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

Enclosure

# STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. (a) Name of Committee (in full) <b>Californians for Maddy - F</b>	2. Date <b>10/18/88</b>
(b) Address (Number and Street) <b>Post Office Box 9502</b>	3. FEC Identification Number <b>SOCA00074</b>
(c) City, State and ZIP Code <b>Fresno, California 93792-9502</b>	4. Is this an amended Statement? <b>YES</b> NO

## 5. TYPE OF COMMITTEE (check one)

- (1) (a) This committee is a principal campaign committee. (Complete the candidate information below.)  
(b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate	Candidate Party Affiliation	Office Sought	State/District
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- (c) This committee supports/opposes only one candidate (Name of candidate) and is NOT an authorized committee.

- (d) This committee is a (National, State or sub-ordinate) committee of the (Democratic, Republican, etc.) Party.

- (e) This committee is a separate segregated fund.

- XX** (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship

If the registering political committee has identified a "connected organization" above, please indicate type of organization.

- ☐ Corporation ☐ Corporation with Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

## 7. Custodian of Records. Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
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## 8. Treasurer. List the name and address (phone number - optional) of the treasurer of the committee, and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
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## 9. Banks or Other Depositories. List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes, or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
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I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Withering Giel Chrisman  
Typed Name of Treasurer

*Withering Giel Chrisman*  
SIGNATURE OF TREASURER

10/18/88  
Date

NOTE: Submit only this form to the Federal Election Commission. Information may subject the person submitting this Statement to the penalties of 2 U.S.C. § 4370a.

For further information contact

Federal Election Commission, Toll Free 800-424-9630, Local 202-525-4068

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FEC FORM 1

0374107030876

## MEMORANDUM TO FILES:

DATE May 2, 1989

TELECON XX  
VISIT     

NAME OF COMMITTEE: Californians for Maddy-F

SUBJECT: Year End RFAI

CC REP: Pat Sheppard

COMMITTEE REP: Katherine G. Chrisman, Treasurer (209)431-0890

000407  
I called the Committee to get additional information on the date of the amended statement of organization and to tell them that they had to obtain a refund of the excessive amounts. I spoke with the Treasurer Ms. Chrisman. I asked her how the amended Form 1 could be dated October 18, 1983 when it wasn't received at the Commission until February 17, 1989. Ms. Chrisman stated that when the Committee realized that they could become a multicandidate committee she prepared an amended form signed it and forwarded it to the Sacramento office for mailing. She said that she did not know what happened to it once it left her office but she would check into it. I told her that we did not get the original form and since we did not receive the amended form until February we would consider the committee qualified as of February 1989. I informed her that based on that assumption she should obtain a refund from the two recent committees. Ms. Chrisman said that she would respond to the Request for Additional Information by the end of the week.

California Legislature

KENNETH L. MADDY

STATE SENATOR



May 4, 1989

FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE

89 MAY -5 AM 10:34

Attachment # 7

Page 1 of 1

Pat Sheppard, Senior Reports Analyst  
FEDERAL ELECTION COMMISSION  
999 "E" Street, NW  
Washington, D. C. 20463

Re: ID #C00124123  
Year End Report  
(7/1/88-12/31/88)

Dear Ms. Sheppard:

In response to your telephone call of May 2, 1989,  
we submit the following information.

On October 18, 1988, we realized we were unable to  
contribute more than \$1,000 to a candidate for federal office.  
Therefore, an amended Statement of Organization was typed in  
Fresno, California, and forwarded to Sacramento for Senator  
Maddy's review. To our best recollection, staff in Sacramento  
mailed the amended Statement to the Secretary of the Senate in  
Washington, D. C. 20510, by regular mail. Upon receipt of  
your letter of February 7, 1989, we forwarded another copy of  
the amended Statement to your offices.

Please be advised that our Californians for Maddy-F  
account balance is currently less than \$400 and we anticipate  
termination of the committee within the next month. In light  
of the above, if you still feel it necessary to obtain refunds  
from the candidates in question, please advise and we will  
endeavor to do so.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, reading "Katherine Giel Chrisman".

Katherine Giel Chrisman, Treasurer  
CALIFORNIANS FOR MADDY-F



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DELORES R. HARRIS *DEH*  
COMMISSION SECRETARY

DATE: OCTOBER 10, 1989

SUBJECT: RAD REFERRAL #89L-16  
FIRST GENERAL COUNSEL'S REPORT  
DATED OCTOBER 4, 1989

The above-captioned document was circulated to the  
Commission on Thursday, October 5, 1989 at 4:00 p.m..

Objection(s) have been received from the Commissioner(s)  
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____XXXXXX_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda  
for Tuesday, October 17, 1989 at 10:00 a.m..

Please notify us who will represent your Division before the  
Commission on this matter.

89 OCT -5 AM 11:23

FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, D.C. 20463

**SENSITIVE**

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 89L-16  
STAFF MEMBER: Kenneth Kellner

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Californians For Maddy-F and Katherine Giel  
Chrisman, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(1)(A)  
2 U.S.C. § 441a(a)(2)(A)  
2 U.S.C. § 441a(a)(4)  
2 U.S.C. § 433  
2 U.S.C. § 433(c)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter involving Californians For Maddy-F (the "Committee") was referred to the Office of the General Counsel on May 22, 1989 by the Reports Analysis Division (Attachment 1). The referral is based on a review of the reports filed by the Committee.

II. FACTUAL AND LEGAL ANALYSIS

Under 2 U.S.C. § 441a(a)(1)(A), it is unlawful for any person to make contributions to any candidate and his authorized committee with respect to any election for Federal office, which, in the aggregate, exceed \$1,000. The term person includes a political committee. 2 U.S.C. § 431(11). Furthermore, under 2 U.S.C. § 441a(a)(2)(A), it is unlawful for a multicandidate political committee to make contributions to any candidate and his authorized political committee with respect to any election



for Federal office, which, in the aggregate, exceed \$5,000.

Under 2 U.S.C. § 441a(a)(4), a "multicandidate political committee" is a political committee which has been registered with the Commission for at least six months, has received contributions from more than 50 persons, and except for State party political organizations, has made contributions to five or more candidates for federal office.

Under the provisions of 2 U.S.C. § 433, a political committee must file a Statement of Organization with the Commission. Under that Section, a Statement of Organization includes the "type" of committee.

A political committee registered as a principal campaign committee is not prohibited from converting to a multicandidate committee. Formal notice of conversion from a principal campaign committee to a multicandidate committee is achieved by filing an Amended Statement of Organization. Under 2 U.S.C. § 433(c), however, any change in information previously submitted in a Statement of Organization must be reported to the Commission no later than ten days after the date of the change.

According to the referral materials, the Committee registered on March 27, 1980 as the principal campaign committee of Kenneth L. Maddy (the "Candidate") for the 1982 U.S. Senate race in California. On January 28, 1982, and December 20, 1985 the Candidate filed letters which he classified as Amended Statements of Organization. The Statements of Organization were signed by the Candidate and changed the year of election to 1986 and 1992 respectively. The Candidate's name did not appear on

the California ballot for U.S. Senate in the 1982 or 1986 elections. During the 1987-88 election cycle, the Committee reported \$4,924 in receipts and \$29,669 in disbursements. Review of all the reports on file with the Commission and the Committee's relatively low level of financial activity indicate that the Candidate has not been actively seeking nomination for election to a federal office.

The Committee's 1988 Year End Report disclosed a \$5,000 contribution to Californians For Senator Pete Wilson on October 18, 1988 and a \$5,000 contribution to Stark For Congress on October 26, 1988. A Request For Additional Information ("RFAI") was sent to the Committee on February 7, 1989 noting that the Committee had made apparent excessive contributions.

On February 17, 1989, the Committee submitted an Amended Statement of Organization changing the Committee's status from a principal campaign committee to that of a multicandidate committee. The Amended Statement of Organization was signed and dated October 18, 1988.

On May 5, 1989, the Committee submitted a letter which stated that the Committee realized it had become a qualified multicandidate committee on October 18, 1988. Subsequently, an Amended Statement of Organization was prepared and forwarded to Sacramento, California, for State Senator Maddy's review. The Committee further stated that staff in Sacramento mailed the Amended Statement of Organization to the Secretary of the Senate by regular mail. The date of the mailing was not specified in the Committee's letter. Upon receipt of the RFAI, the Committee

forwarded another copy to the Commission. The Committee also stated that it anticipates terminating soon, but will request a refund of the above-mentioned contributions should the Commission "feel it necessary[.]"

00040764255  
In the instant case, the evidence shows that Californians For Maddy-F converted to a multicandidate committee and intended to file an Amended Statement of Organization to reflect the change in its status, but failed to do so prior to making the contributions in excess of \$1,000 described above. Therefore, this Office recommends that the Commission find reason to believe Californians For Maddy-F and Katherine Giel Chrisman, as treasurer, violated 2 U.S.C. § 433(c).


### III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Californians For Maddy-F and Katherine Giel Chrisman, as treasurer, violated 2 U.S.C. § 433(c).

3. Approve the attached letter and factual and legal analysis.

Lawrence M. Noble  
General Counsel

10/4/89  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Referral Materials
2. Proposed letter and factual and legal analysis

00040704250



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1989

Katherine Giel Chrisman, Treasurer  
Californians For Maddy-F  
Post Office Box 9502  
Fresno, CA 93792

RE: MUR 2996  
Californians For Maddy-F and  
Katherine Giel Chrisman, as  
treasurer

Dear Ms. Chrisman:

On October 24, 1989, the Federal Election Commission found that there is reason to believe Californians For Maddy-F (the "Committee") and you, as treasurer, violated 2 U.S.C. § 433(c), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

00040764251

Katherine Giel Chrisman  
Page 2

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

OGC 4604

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LAW OFFICES OF  
**NIELSEN, MERKSAMER,  
HODGSON, PARRINELLO & MUELLER**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

770 L STREET, SUITE 800

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 446-6752

SAN FRANCISCO

650 CALIFORNIA STREET, SUITE 2650  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-6800

89 NOV 20 AM 10:33

FILE NUMBER

November 16, 1989

6475.01

Mr. Jonathan Bernstein, Esq.  
Federal Elections Commission  
Washington D.C. 20463

Re: MUR 2996  
Californians for Maddy - Federal

Dear Mr. Bernstein:

This letter is written pursuant to our telephone conversation this date in which I requested an extension of time to respond to the Commission's letter dated November 2, 1989.

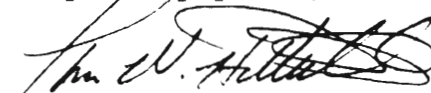
Senator Maddy has just retained this firm to represent his Committee in this matter. Consequently, we will not be able to review the facts and documentation and prepare a response to the Commission within 15 days of receipt of your notice.

Furthermore, you have informed me that the attorney responsible for this matter will be out of the office for several more days.

We are requesting a 10 working day extension of time to respond to the Commission. Due to the Thanksgiving Holiday, our response would be due December 5, 1989. If this meets with your approval please notify me immediately.

Your courtesy and cooperation have been greatly appreciated.

Very truly yours,



THOMAS W. HILTACHK

TWH/kab

89 NOV 20 PM 11:50

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MAIL ROOM

OGC 4662

**STATEMENT OF DESIGNATION OF COUNSEL**MUR 2996NAME OF COUNSEL: Nielsen, MerksamerADDRESS: 770 "L" Street, Suite 800Sacramento, CA 95814Attn: Tom HiltachkTELEPHONE: (916) 446-6752

89 NOV 28 PM 9:30

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OFFICE OF THE CLERK

The above-named individual is hereby designated as my counsel and is authorized to received any notifications and other communications from the Commission and to act on by behalf before the Commission.

11/21/89  
DateKen Maddy  
SignatureRESPONDENT'S NAME: Californians for Maddy - FADDRESS: Post Office Box 9502Fresno, CA 93792

HOME PHONE: \_\_\_\_\_

BUSINESS PHONE: (916) 441-3744

052102060000



November 27, 1989

TO: JONATHAN BERNSTEIN  
FEC

FROM: SENATOR KEN MADDY

ONE PAGE FOLLOWS.

90740761251



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

**December 4, 1989**

**Thomas W. Hiltachk, Esq.  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, CA 95814**

RE: MUR 2996  
Californians for  
Maddy-F and Katherine Giel  
Chrisman, as treasurer

Dear Mr. Hiltachk:

This is in response to your letter dated November 16, 1989, which we received on that date, requesting an extension of fifteen (15) days to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on December 5, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

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MAIL ROOM

LAW OFFICES OF  
**NIELSEN, MERKSAMER,  
HODGSON, PARRINELLO & MUELLER** 89 DEC 12 PM 12:04  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
770 L STREET, SUITE 800  
SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 446-6752

SAN FRANCISCO  
650 CALIFORNIA STREET, SUITE 2650  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 989-6800

FILE NUMBER

December 7, 1989

6475.01

Kenneth E. Kellner, Esq.  
Federal Election Commission  
Washington D.C. 20463

Re: MUR 2996  
Californians for Maddy - Federal

Dear Mr. Kellner:

This letter is written on behalf of Californians for Maddy - F, State Senator Ken Maddy and Katherine Giel Chrisman as treasurer. We are requesting pre-probable cause conciliation pursuant to 11 C.F.R. section 111.18(d). As we discussed, we would like to resolve this matter as quickly as possible so that the committee can go forward with its plan to terminate.

Californians for Maddy - F registered as a principal campaign committee for state Senator Kenneth L. Maddy on March 27, 1980. Senator Maddy anticipated making a bid for a U.S. Senate seat in 1982. He decided against joining the crowded race in 1982 but was encouraged by his supporters to consider candidacy in 1986. Again he decided not to join a crowded race. During its first eight years (1980-1988), the committee made five contributions to federal candidates. Thus, although not very active, the committee satisfied all the conditions to qualify as a multicandidate political committee anytime in 1988.

For purposes of pursuing pre-probable cause conciliation, the committee will stipulate that it inadvertently failed to notify the Commission that the committee had elected on October 18, 1988 to convert from a principal campaign committee to a multicandidate political committee pursuant to 2 U.S.C. section 433(c). The Treasurer will declare that she did not know that a filing was necessary once the committee qualified as multicandidate.

In making your recommendation to the Commission, we ask that you consider the following mitigating circumstances:

1. The committee is maintained by a non-professional volunteer treasurer who at all times has attempted to comply with the Act in good faith.

2. There was no intentional violation of the Act.

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Kenneth E. Kellner, Esq.  
December 7, 1989  
Page 2

3. The two \$5,000 contributions made were entirely legal since the Act does not require a committee to notify the Commission of a status change until as much as 10 days after the change. Nonetheless, the committee obtained a \$4,000 refund on one contribution and requested a refund from the recipient of the other contribution. (See attached letter).

4. The committee took immediate remedial steps and amended its Statement of Organization upon receipt of the Commission's letter dated February 7, 1989. The Commission's records indicate that the amended statement was filed February 17, 1989. (See attached conformed copy of FEC 1).

5. Public disclosure of the contributions was not affected since the committee did disclose both \$5,000 contributions during the appropriate reporting period and apparently both recipients disclosed receipt of the contributions.

The conciliation process is designed to "attempt to correct or prevent the violation by informal methods." (11 C.F.R. §111.18(a)). The apparent violation has been corrected. As mentioned, this committee will be terminated upon resolution of this matter. Based on the foregoing, we do not believe a fine is warranted in this case. If you have any further questions, please do not hesitate to call.

Very truly yours,



THOMAS W. HILTACHK

TWH/kab  
Attachment

S 2885

## STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. (a) Name of Committee (in Full) <b>Californians for Maddy - P</b>	2. Date <b>10/18/88</b>
(b) Address (Number and Street) <b>Post Office Box 9502</b>	3. FEC Identification Number <b>SOCA00074</b>
(c) City, State and ZIP Code <b>Fresno, California 93792-9502</b>	4. Is this an emergency submission? <b>YES</b> or <b>NO</b>

## A. TYPE OF COMMITTEE (check one):

- ☐ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- |                   |                             |               |                |
|-------------------|-----------------------------|---------------|----------------|
| Name of Candidate | Candidate Party Affiliation | Office Sought | State/District |
|-------------------|-----------------------------|---------------|----------------|
- ☐ (c) This committee supports/opposes only one candidate \_\_\_\_\_ and is NOT an authorized committee.  
(Name of candidate)
- ☐ (d) This committee is a \_\_\_\_\_ committee of the \_\_\_\_\_ Party.  
(National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☒ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship

If the registering political committee has identified a "connected organization" above, please indicate type of organization

- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records

Full Name	Mailing Address and ZIP Code	Title or Position
-----------	------------------------------	-------------------

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
-----------	------------------------------	-------------------

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
--------------------------------	------------------------------

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

Katherine Giel Chrisman  
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

10/18/88  
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 2414.

For further information contact

Federal Election Commission, Toll Free 800 424 9510, Telex 202 521 4148

--	--	--	--	--	--	--	--	--

FEC FORM 1010

WENDEL MADDY  
STATE SENATOR

POST OFFICE BOX 9504  
SANTA MONICA CALIFORNIA 90406-0002

Secretary of the Senate  
232 Hart Senate Office Building  
Washington, D. C. 20510

[illegible]

*Californians for*

## **PETE WILSON**

832 Fifth Avenue  
Suite 11  
San Diego, CA 92101  
(619) 232-7444

June 29, 1989

California for Maddy  
Attn: Janice  
Post Office Box 9502  
Fresno, CA 93792-9502

We have spoken with Pat Sheppard at the Federal Elections Commission several times regarding the donation we accepted from California for Maddy-F. According to Ms. Sheppard, the FEC is unwilling to change their ruling that California for Maddy-F was not a qualified multi-candidate committee at the time the donation to Californians for Senator Pete Wilson was made.

We are returning the excess of this donation to you, and will report the refund on our January 1, 1989 thru June 30, 1989 report.

I understand that you are trying to close out your committee's account. If you wish, you may reissue your donation to Californians for Pete Wilson for his Primary 1994 election.

Again, thank you for your most generous support. Senator Wilson truly appreciates it.

Please do not hesitate to contact me should you have any further questions.

Sincerely,



F. Laurence Scott, Jr.  
Treasurer

# California Legislature

KENNETH L. MADDY

STATE SENATOR



August 23, 1989

Mr. John Paul Stark  
Stark for Congress  
815 Campus Way  
San Bernardino, California 92405

Dear Mr. Stark:

We have been advised by the Federal Election Commission that a portion of our contribution to you last year may be in violation of limits for our committee.

Therefore, we respectfully request that you refund to us the amount of \$4,000. The FEC's position is that while we were permitted to contribute \$1,000 to your committee, they question the additional \$4,000 of our \$5,000 contribution.

We would appreciate your prompt refund of this amount.

Sincerely,

*Katherine Giel Chrisman*  
KATHERINE GIEL CHRISMAN  
Treasurer



**SENSITIVE**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
 Californians for Maddy-F and ) MUR 2996  
 Katherine Giel Chrisman, as treasurer )  
 )

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND AND ANALYSIS**

On October 24, 1989, the Commission found reason to believe Californians for Maddy-F and Katherine Giel Chrisman, as treasurer (the "Committee"), violated 2 U.S.C. § 433(c) for failing to file an Amended Statement of Organization to reflect the Committee's conversion to a multicandidate committee. Notification of the Commission's findings was mailed to the Committee on November 2, 1989.

As set forth in the First General Counsel's Report, signed October 4, 1989, the Committee made \$5,000 contributions on October 18, 1988 and October 26, 1988. It was not until February 7, 1989, however, that the Committee filed an Amended Statement of Organization to change the Committee's status from a principal campaign committee to that of a multicandidate committee.

The Committee responded to the Commission's findings on December 12, 1989. The response is included as an attachment to this report. In its response, the Committee acknowledged that it failed to notify the Commission that it had converted to a multicandidate committee and requested that this matter be resolved through pre-probable cause conciliation. It further stated that the treasurer of the Committee was unaware that a

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NOV 9 1989

filing was required under these circumstances and that this violation of the Act was unintentional.

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

II. RECOMMENDATIONS


1. Enter into conciliation with Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Lawrence M. Noble  
General Counsel

Date

3/7/90

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Committee response
2. Proposed conciliation agreement and letter

Staff assigned: Kenneth Kellner

0304070

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Californians for Maddy-F and ) MUR 2996  
 Katherine Giel Chrisman, as )  
 treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 13, 1990, the Commission, decided by a vote of 4-0 to take the following actions in MUR 2996:

1. Enter into conciliation with Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's report dated March 8, 1990.

Commissioners Aikens, Elliott, McGarry and Thomas voted affirmatively for the decision; Commissioners Josefiak and McDonald did not cast votes.

Attest:

March 13, 1990

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat: Friday, March 9, 1990 11:39 a.m.  
Circulated to the Commission: Friday, March 9, 1990 4:00 p.m.  
Deadline for vote: Tuesday, March 13, 1990 4:00 p.m.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 14, 1990

Thomas W. Hiltachk, Esq.  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, California 95814

RE: MUR 2996  
Californians for Maddy-F  
and Katherine Giel  
Chrisman, as treasurer

Dear Mr. Hiltachk:

On October 24, 1989, the Federal Election Commission found reason to believe that Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, violated 2 U.S.C. § 433(c). At your request, on March 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

004070072

Thomas W. Hiltachk, Esq.  
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General

Enclosure  
Conciliation Agreement

00040704270



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1990

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Thomas W. Hiltachk, Esq.  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, California 95814

RE: MUR 2996  
Californians for Maddy-F  
and Katherine Giel  
Chrisman, as treasurer

Dear Mr. Hiltachk:

On March 14, 1990, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to read "LGL", is written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

90 APR -9 PH 4: 18

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Californians for Maddy-F and ) MUR 2996  
 Katherine Giel Chrisman, as treasurer )  
 )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND AND DISCUSSION OF CONCILIATION PROVISIONS

On October 24, 1989, the Commission found reason to believe Californians for Maddy-F and Katherine Giel Chrisman, as treasurer (the "Committee"), violated 2 U.S.C. § 433(c) for failing to file an Amended Statement of Organization to reflect the Committee's conversion to a multicandidate committee. In its response to the Commission's reason to believe finding, the Committee acknowledged that it failed to notify the Commission that it had converted to a multicandidate committee and requested that this matter be resolved through pre-probable cause conciliation. Subsequently, on March 13, 1990, the Commission approved a conciliation agreement to the Committee in settlement of this matter.

Attached is a conciliation agreement signed by the treasurer of Californians for Maddy-F. The agreement is identical to the agreement which was approved by the Commission. In addition, a check for the full amount of the civil penalty was submitted by the Committee with the signed conciliation agreement. This Office recommends that the Commission accept the attached conciliation agreement with Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, and close the file.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Californians for Maddy-F and Katherine Giel Chrisman, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

Date 4/6/90

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Conciliation agreement and civil penalty check
2. Letter

Staff assigned: Kenneth Kellner

00040764270



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Californians for Maddy-F and ) MUR 2996  
 Katherine Giel Chrisman, as )  
 treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 12, 1990, the Commission decided by a vote of 4-0 to take the following actions in MUR 2996:

1. Accept the conciliation agreement with Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, as recommended in the General Counsel's report dated April 6, 1990.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report dated April 6, 1990.

Commissioners Aikens, Elliott, Josefiak, and McGarry voted affirmatively for the decision; Commissioners McDonald and Thomas did not cast votes.

Attest:

4-12-90

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat: Mon., April 9, 1990 4:18 p.m.  
Circulated to the Commission: Tues., April 10, 1990 11:00 a.m.  
Deadline for vote: Thurs., April 12, 1990 11:00 a.m.

**CLOSED**



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 17, 1990

Thomas W. Hiltachk, Esq.  
Nielsen, Merksamer, Hodgson,  
Parrinello & Mueller  
770 L Street, Suite 800  
Sacramento, California 95814

RE: MUR 2996  
Californians for Maddy-F  
and Katherine Giel  
Chrisman, as treasurer

Dear Mr. Hiltachk:

On April 12, 1990, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of your clients in settlement of a violation of 2 U.S.C. § 433(c), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

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Thomas W. Hiltachk, Esq.  
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

90040764274

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Californians for Maddy-F ) MUR 2996  
 and Katherine Giel Chrisman, as )  
 treasurer )

90 APR -3 PM12:05

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CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Californians for Maddy-F and Katherine Giel Chrisman, as treasurer, ("Respondents") violated 2 U.S.C. § 433(c).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Californians for Maddy-F is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Katherine Giel Chrisman is the treasurer of Californians for Maddy-F (the "Committee").

3. Under the provisions of 2 U.S.C. § 433(c), a political committee must file a Statement of Organization with the Commission. Under that Section, a Statement of Organization includes the "type" of committee. Further, under 2 U.S.C. § 433(c), any change in information previously submitted in a Statement of Organization must be reported to the Commission no later than ten days after the date of the change.

4. Under 2 U.S.C. § 441a(a)(1)(A), a person may make contributions of up to \$1,000 to any candidate or his or her authorized committee per election. Under 2 U.S.C. § 431(11), the term person includes a political committee.

5. Under 2 U.S.C. § 441a(a)(2)(A), a multicandidate committee may make contributions of up to \$5,000 to a candidate or his or her authorized committee per election.

6. On March 27, 1980, the Committee registered as the principal campaign committee of Kenneth L. Maddy for the 1982 U.S. Senate race in California.

7. The Committee made \$5,000 contributions to Californians for Pete Wilson and Stark for Congress on October 18, 1988 and October 26, 1988, respectively.

8. At the time the Committee made the contributions to Californians for Pete Wilson and Stark for Congress, the Committee was not registered with the Commission as a multicandidate committee.

9. On February 7, 1989, the Committee filed an Amended Statement of Organization to change the Committee's status from a principal campaign committee to that of a multicandidate

committee.

10. On December 12, 1989, the Committee acknowledged that it failed to notify the Commission in a timely manner that it had converted to a multicandidate committee.

V. Respondents failed to notify the Commission of the Committee's conversion to a multicandidate committee within ten days of the change in violation of 2 U.S.C. § 433(c).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto executed same and the Commission has approved the entire agreement.


IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

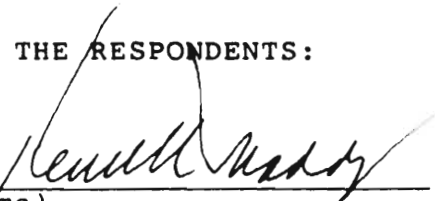
BY:

  
Lois G. Lerner  
Associate General Counsel

Date

2/16/90

FOR THE RESPONDENTS:

  
(Name) Kenneth L. Maddy  
(Position) Candidate

Date

3/22/90



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2996

DATE FILMED 4/28/90 CAMERA NO. 4

CAMERAMAN AS

9 7 1 4 0 7 6 4 2 8 4