

EXHIBIT 1

INTRODUCTION

Respondent Joel Anderson (Respondent) is a Member of the California State Assembly. Respondent Taxfighters for Anderson Assembly 2010 (Respondent Committee) is a candidate controlled committee controlled by Respondent. As a candidate controlled committee, it is subject to the campaign contribution limits contained in Government Code Section 85301 and FPPC Regulation 18544. For calendar year 2009, the contribution limits from a "person," as defined in Government Code Section 82047 is Three Thousand Nine Hundred Dollars (\$3,900).

In this matter, Respondents received five campaign contributions, through the Fresno County Republican Central Committee, that were in excess of the 2009 campaign contribution limits. For the purposes of this Stipulation, Respondent's violations of the Act are stated as follows:

COUNT 1: On or about May 12, 2009, J.C. Hamann Family Trust made a contribution of Ten Thousand Dollars (\$10,000) to the Fresno County Republican Central Committee. On or about May 20, 2009, the Fresno County Republican Central Committee made a Nine Thousand Five Hundred Dollar (\$9,500) contribution to Tax Fighters for Anderson 2010. Respondents' acceptance of the contribution was in excess of the contribution limits as the J.C. Haman Family Trust was the true source of the contribution, a violation of Government Code Section 85301.

COUNT 2: On or about May 22, 2009, Gregg Hamann made a contribution of Ten Thousand Dollars (\$10,000) to the Fresno County Republican Central Committee. On or about May 22, 2009, the Fresno County Republican Central Committee made a Nine Thousand Five Hundred Dollar (\$9,500) contribution to Tax Fighters for Anderson 2010. Respondents' acceptance of the contribution was in excess of the contribution limits as Gregg Hamann was the true source of the contribution, a violation of Government Code Section 85301.

COUNT 3: On or about May 22, 2009, Robert Hamann Family Trust made a contribution of Ten Thousand Dollars (\$10,000) to the Fresno County Republican Central Committee. On or about May 20, 2009, the Fresno County Republican Central Committee made a Nine Thousand Five Hundred Dollar (\$9,500) contribution to Tax Fighters for Anderson 2010. Respondents' acceptance of the contribution was in excess of the contribution limits as the Robert Hamann Family Trust was the true source of the contribution, a violation of Government Code Section 85301.

COUNT 4: On or about May 28, 2009, Sycuan Band of the Kumeyaay Nation made a contribution of Eight Thousand Dollars (\$8,000) to the Fresno County Republican Central Committee. On or about June 5, 2009, the Fresno County Republican Central Committee made a Seven Thousand Six Hundred Dollar (\$7,600) contribution to Tax Fighters for Anderson 2010. Respondent's acceptance of the contribution was in excess of the

contribution limits as Sycuan Band of the Kumeyaay Nation was the true source of the contribution.

COUNT 5: On or about June 29, 2009, Barona Band of Mission Indians made a contribution of Ten Thousand Dollars (\$10,000) to the Fresno County Republican Central Committee. On or about June 30, 2009, the Fresno County Republican Central Committee made a Nine Thousand Five Hundred Dollar (\$9,500) contribution to Tax Fighters for Anderson 2010. Respondent's acceptance of the contribution was in excess of the contribution limits as the Barona Band of Mission Indians was the true source of the contribution, a violation of Government Code Section 85301.

SUMMARY OF THE LAW

Campaign Contribution Limits

The Political Reform Act (the Act) provides for limits on contributions from persons to any candidate for elective state office. (Government Code Section 85301) A "person" is defined to include an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert. (Government Code Section 82047)

The Act limits contribution from a person to any candidate for elective state office to no more than Three Thousand Dollars (\$3,000) per election. The Act further provides that no candidate for elective state office may accept any contribution exceeding this amount. (Government Code Section 85301)

FPPC Regulations provide that the contribution limits in Government Code Section 85301 shall be adjusted biennially by the Commission. (FPPC Regulation 18544) For calendar year 2009, the contribution limits to any candidate for elective state office is Three Thousand Nine Hundred Dollars (\$3,900)

SUMMARY OF THE FACTS

Respondent is a Member of the California State Assembly. Respondent Committee is a candidate controlled committee controlled by Respondent. As a candidate controlled committee, it is subject to the campaign contribution limits contained in Government Code Section 85301 and FPPC Regulation 18544.

The Fresno County Republican Central Committee initially gave formal approval to making future campaign contributions to Respondent. Respondent and agents of the Respondent then solicited contributions to the Fresno County Republican Central Committee from: J.C. Hamann Family Trust, Gregg Hamann, Robert Hamann Family Trust, Sycuan Band of the Kumeyaay

Nation, and Barona Band of Mission Indians. Contributions to the Fresno County Republican Central Committee from these entities were made as follows:

DATE	CONTRIBUTOR	AMOUNT
May 12, 2009	J.C. Hamann Family Trust	\$10,000
May 22, 2009	Gregg Hamann	\$10,000
May 22, 2009	Robert Hamann Family Trust	\$10,000
May 28, 2009	Sycuan Band of the Kumeyaay Nation	\$8,000
June 29, 2009	Barona Band of Mission Indians	\$10,000

Respondents then received campaign contributions from the Fresno County Republican Central Committee shortly after soliciting contributions to the Fresno County Republican Central Committee as follows:

DATE	CONTRIBUTION AMOUNT
May 20, 2009	\$9,500
May 22, 2009	\$9,500
May 22, 2009	\$9,500
June 5, 2009	\$7,600
June 30, 2009	\$9,500

As a result of Respondent and Respondent’s agents soliciting contributions to the Fresno County Republican Central Committee and the subsequent issuance of contributions from the Fresno County Republican Central Committee to Respondent Committee, these contributions were, de facto, made from the five contributors to the Respondent Committee and were, thus, subject to the campaign reporting limits. Since these contributions either exceeded Three Thousand Nine Hundred Dollars (\$3,900), they exceeded the contribution limits to candidates for state elective office for calendar year 2009.

COUNTS 1-5

ACCEPTING CAMPAIGN CONTRIBUTIONS IN EXCESS OF CONTRIBUTION LIMITS

Respondent was at all relevant times a Member of the California State Assembly. Respondent Committee was at all relevant times a candidate controlled committee for a candidate for state elected office. Respondent received five contributions in excess of Three Thousand Nine Hundred Dollars (\$3,900), through the Fresno County Republican Central Committee. By receiving campaign contributions in excess of the campaign contribution limits, Respondents violated Section 85301 of the Act.

CONCLUSION

This matter consists of five counts of violating the Act carrying a maximum administrative penalty of \$25,000.

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 context of the factors set forth in Regulation 18361.5, subdivision (d)(1)-(6): the seriousness of the violations; the presence or lack of intent to deceive the voting public; whether the violation was deliberate, negligent, or inadvertent; whether the Respondent demonstrated good faith in consulting with Commission staff; and whether there was a pattern of violations.

For Counts 1-5, receiving contributions in excess of the campaign contribution limits can be a serious violation of the Act as it violates one of the central purposes of the Act, the limitation of the amount of contributions a candidate may receive from a single person. The typical administrative penalty for a contribution limits violation, depending on the facts of the case, has been in the mid-to-high range of available penalties.

FACTORS IN AGGRAVATION

Respondents at worst deliberately and at best negligently received contributions in excess of the contribution limits. Additionally, receiving the contributions through the Fresno County Republican Central Committee indicates the potential of intent to conceal the violation and the true source, amount and nature of the contribution, as contributions made through a political party committee, in this case the Fresno County Republican Central Committee, are not subject to the contribution limits. However, the fact that the Fresno County Republican Central Committee fully disclosed these transactions (the contributions received from third parties as well as the contributions made to Tax Fighters for Anderson 2010) on its campaign reports indicates a lack of intent to conceal the transactions.

Respondent is a sitting Member of the California State Assembly with previous campaign experience and knowledge of the Act's provisions.

FACTORS IN MITIGATION

In mitigation, Respondents have no prior history of violating the Act. Additionally, Respondents cooperated with the investigation. Working with the Fresno County Republican Central Committee, Respondents obtained a prompt and voluntary refund of all the contributions made by the Fresno County Republican Central Committee to Respondent Committee prior to

initiating a meeting with Commission staff to resolve these issues. None of the funds in question had been spent by Respondents.

Respondents worked diligently and cooperatively with the Commission to obtain a speedy resolution of this matter.

PENALTY

The facts of this case, including the aggravating and mitigating factors discussed above, justify imposition of the agreed upon penalty of Twenty Thousand Dollars (\$20,000). Four Thousand Dollars (\$4,000) each for Counts 1-5.