

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Pamela A. White,, as treasurer for
Florida Society of Health-Systems
Pharmacists' Political Action Committee
Respondent.**

**Agency Case No.: FEC 14-086
F.O. No.: FOFEC 15-044W**

FINAL ORDER

THIS MATTER was heard at an informal hearing held before the Florida Elections Commission ("Commission") on February 25, 2015.

APPEARANCES

For Commission Eric M. Lipman
 General Counsel
 107 West Gaines Street
 Collins Building, Suite 224
 Tallahassee, FL 32399

For Respondent No Appearance

STATEMENT OF THE ISSUE

Whether Respondent violated Section 106 07(1), Florida Statutes, as alleged in the Commission's Order of Probable Cause.

PRELIMINARY STATEMENT

On March 26, 2014, the Commission received a referral from the Florida Division of

Elections ("Division") alleging violations of Florida's election laws. Staff of the Commission conducted an investigation to determine whether the facts alleged in the complaint constituted probable cause to believe that Respondent violated the Florida Election Code.

On August 25, 2014, staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. On August 25, 2014, the Commission entered an Order of Probable Cause finding that there was probable cause to charge Respondent with the following violation:

Count 1:

On or about February 10, 2014, Respondent violated Section 106 07(1), Florida Statutes, when she failed to timely file Florida Society of Health-System Pharmacists' Political Action Committee's 2014 M1 Report.

Respondent did not timely elect to have a formal administrative hearing before an administrative law judge from the Division of Administrative Hearings and, therefore, the matter was set for an informal hearing before the Commission. At the informal hearing, the Commission adopted the undisputed facts set forth in the Staff's Recommendation as its findings of fact.

FINDINGS OF FACT

1. Respondent is the treasurer for Florida Society of Health-Systems Pharmacists' Political Action Committee ("FSHSP").
2. FSHSP's 2014 M1 Report was due on February 10, 2014, however, Respondent failed to file the Committee's Report.
3. The Division sent letters on February 11, 2014, February 20, 2014, and March 3, 2014 notifying Respondent that she had not filed FSHSP's 2014 M1 Report.
4. Respondent's actions were willful. After receiving three letters from the Division

notifying her that she had not filed FSHSP's 2014 M1 Report, Respondent, knew or should have known that she was required to file FSHSP's 2014 M1 Report but she failed to do so.

CONCLUSIONS OF LAW

5. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

6. Respondent committed 1 count of violating Section 106.07(1), Florida Statutes.

7. In determining the amount of the civil penalty, the Commission considered the mitigating and aggravating circumstances set forth in Section 106.265, Florida Statutes.

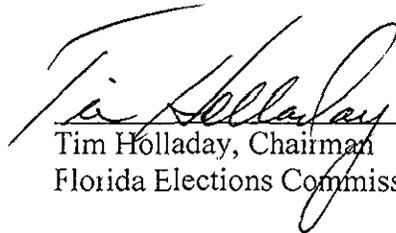
ORDER

Respondent committed 1 count of violating Section 106.07(1), Florida Statutes, on one occasion and is fined \$500 for the violation

Therefore it is

ORDERED that Respondent shall remit a civil penalty in the amount of \$500, inclusive of fees and costs. The civil penalty shall be paid to the Florida Elections Commission, Collins Building, Suite 224, 107 West Gaines Street, Tallahassee, Florida 32399, within 30 days of the date this Final Order is filed with the Commission and must be paid by money order, cashier's check or attorney trust account check.

DONE AND ORDERED by the Florida Elections Commission on February 25, 2015.



Tim Holladay, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman General Counsel
Pamela A. White, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO APPEAL

This order is final agency action. Any party who is adversely affected by this order has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a notice of administrative appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Florida Elections Commission at 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050 and by filing a copy of the notice of appeal with the appropriate district court of appeal. The party must attach to the notice of appeal a copy of this order and include with the notice of appeal filed with the district court of appeal the applicable filing fees. **The notice of administrative appeal must be filed within 30 days of the date this order is filed with the Commission.** The date this order was filed appears in the upper right-hand corner of the first page of the order.