

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Sierra Club Florida Political Action
Committee**

Case No.: FEC 19-022

TO: Sierra Club Florida Political Action Committee
David Harbeitner, Chair
225 9th Avenue North
St. Petersburg, FL 33701

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2019 at 8:30 am**, or as soon thereafter as the parties can be heard, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
April 30, 2019

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-19-022

NAME: **SIERRA CLUB FLORIDA POLITICAL ACTION COMMITTEE**

DATE APPEAL RECEIVED: 01/22/19

DATE REPORT DUE: 10/30/18 (2018 D4)

DATE OF ELECTRONIC RECEIPT: 11/07/18

NUMBER OF DAYS LATE: 8

AMOUNT OF FINE: **\$252.92**

FINE BASED ON: () NUMBER OF DAYS () 25% OF RECEIPTS (X) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$1,011.65

DATE OF FIRST NOTIFICATION: 12/10/18

CANDIDATE []	STATE [X]
PC [X]	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []
ECO []	

SUMMARY: Sierra Club Florida Political Action Committee is a political committee (PC) registered with the State of Florida. The PC's chair is David Harbeitner and its treasurer is Max Goldstein.

The PC is appealing the fine claiming that the report due on October 30th was initially filed on October 29th. According to Mr. Harbeitner, the report was amended on November 7, 2018. He states that fine is incorrect due to the fact that it was initially filed prior to the filing date.

- The 2018 D4 Original Report covers the period from 10/29/18-10/29/18; it was due on 10/30/18.
- The 2018 D4 Queued Transaction Report shows that it was created and filed on 10/29/18.¹
- Sierra Club Florida Political Action Committee reported receiving zero contributions, while making 1 expenditure.
- FEC staff was advised, "The candidate filed a notice of no activity (waiver) on 10/29/18. A waiver is not a report. On 11/07/18, the candidate filed a report showing \$1,011.65 of activity. The fine is based on 25% of the activity.
- The Division of Elections does not have any notes that pertain to Sierra Club Florida Political Action Committee's 2018 D4 report.

PRIOR CASES: 18-074 (AF)- NUC \$50.00 Fine

¹ The filing discussed in this bullet refers to the waiver that reflected zero activity.



Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-0150

December 28, 2018

Re: Appeal of late filing fines for October 30 and November 2, 2018 reports filed by Sierra Club
Florida PAC (70144)

To whom it applies:

I am in receipt of two letters dated December 10, 2018 from the Division of Elections informing me of the late filings of our October 30 and November 2, 2018 reports.

Upon receipt of each letter, I worked with our Treasurer to determine the facts associated with the two filings. Our research is provided here:

- 1) The report due on October 30, 2018 (D4, #31) was filed initially on October 29, 2018 and then subsequently amended on November 7, 2018. The letter detailing the fine references the report having not been filed until November 7, 2018. This is not accurate as the initial filing took place on October 29, prior to the October 30 deadline for the filing.
- 2) The report due on November 2, 2018 (G7, #34) was filed initially on November 2, 2018 and then subsequently amended on November 11, 2018. The letter detailing the fine references the report having not been filed until November 12, 2018. This is not accurate as the initial filing took place on November 2, the date the filing was due.

Given the fact both these reports were filed on or before their due dates we believe these fine letters were issued in error. It appears the system picked up the date the reports were amended as the original filing dates, but that is incorrect.



If you have any questions or need any additional information related to this matter, please contact me at the contact information provided below.

Sincerely,

David Harbeitner
225 9th Ave N
St Petersburg, FL 33701
(727)202-7583
davidh@suncoastsierra.org

Enclosures:

Screen shot of D4 filed report from Division of Elections Online Reporting System
Screen shot of G7 filed report from Division of Elections Online Reporting System

Copy:

Florida Division of Elections
R.A. Gray Building, room 316
500 South Bronough Street
Tallahassee, FL 32399-0250

Max Goldstein - Treasurer, Sierra Club Florida PAC (electronically)

Filed Report Summary

[Home](#) [Filings](#) [Transactions](#) [Print](#) [Queue](#) [Campaign Account](#) [Sign Out](#) [Help](#)

Summary of all filings received

Report: 2018 - D4 - 31 2018 General Election Covers: 10/29/2018-10/29/2018 Due: 10/30/2018

Amended Last Review: Reviewed:
 Waiver Complete:
 Filed Date: File Status:

Transactions	Contributions	Amount	Expenditures	Amount
<input type="text" value="1"/>	Cash and Checks:	<input type="text" value="0.00"/>	Monetary:	<input type="text" value="1,011.65"/>
	Loans:	<input type="text" value="0.00"/>	Transfers to Off Acct:	<input type="text" value="0.00"/>
	Total Monetary:	<input type="text" value="0.00"/>	Total Monetary:	<input type="text" value="1,011.65"/>
	In-Kind Contributions:	<input type="text" value="0.00"/>	Other Distributions:	<input type="text" value="0.00"/>

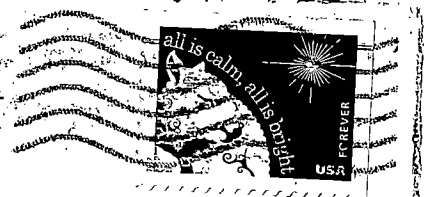
Activity this report Orig Report Submit Date: By:

Contributions	Amount	Expenditures	Amount
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David Harbeitner
 225 9th Ave. N.
 St. Petersburg, FL 33701

TAMPA FL 335
 SAINT PETERSBURG FL
 02 JAN 2019 PM 7 L



RECEIVED

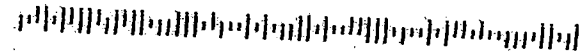
2019 JAN 22 P 4:15

STATE OF FLORIDA
 ELECTIONS COMMISSION

Florida Elections Commission
 107 West Gaines Street, Suite 224
 Tallahassee, FL

32399-0150

32399-652807





FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Suite 224

Collins Building

Tallahassee, Florida 32399-1050

(850) 922-4539

www.fec.state.fl.us; fec@myfloridalegal.com

January 23, 2019

David Harbeitner, Chair
Sierra Club Florida Political Action Committee
225 9th Avenue North
Saint Petersburg, FL 33701

RE: Case No.: FEC 19-022; Campaign Treasurer's Report due October 30, 2018

Dear Mr. Harbeitner:

The Florida Elections Commission received your letter appealing the fine assessed against your committee for failing to timely file your campaign treasurer's report. The Commission will hear your case at **its next available meeting** (meetings are usually held in February, May, August, and November of each year). **A notice of hearing will be mailed to you approximately two weeks before the scheduled meeting.** Please notify our office immediately should your address change in order to ensure timely receipt of future correspondence from the Commission.

In reaching its decision, the Commission will consider the documents gathered by Commission staff and any documents you submit for the Commission's consideration before the hearing. Unless good cause is shown, the Commission will not consider at the hearing any written document unless it has been filed with the Commission Clerk at least ten days before the hearing. Rules 2B-1005 and 1.0055, *Florida Administrative Code*, are the Commission's rules on the appeal of automatic fines; a copy of the rules is enclosed.

The Commission will uphold the fine imposed by the filing officer unless you present credible evidence that the report was timely filed or credible evidence that unusual circumstances caused the report to be filed late.

If you have any questions, please contact **Br'Axeton Wims**, the staff member assigned to this case.

Sincerely,

Erin Riley

Deputy Agency Clerk

/med

Enclosure: Rules 2B- 1.005 and 1.0055, Florida Administrative Code.

cc: Division of Elections, Filing Officer

2B-1.005 Appeal of Fines Imposed by Filing Officers.

(1) To appeal a fine imposed pursuant to Sections 106.04(8) or ~~106.07(8)~~, FS , the party against whom the fine is levied shall file a notice of appeal with the Commission, and a copy filed with the filing officer, within 20 days of the appealing party's receipt of notice that a fine is being imposed. The notice of appeal shall contain:

- (a) The name, address and telephone number of the appealing party;
- (b) A copy of the notice of imposition of fine issued by the filing officer; and
- (c) A request for hearing if a personal appearance before the Commission is desired. If no hearing request is made, the appeal shall be decided solely on the documents submitted by the appealing party and Commission staff.

(2) Upon receipt of a timely notice of appeal, the Commission staff shall notify the appealing party that the appeal has been accepted. The appealing party shall have 20 days from acceptance of the appeal to submit any documents supporting the appeal. Any subsequent supplemental documents shall be filed no later than five business days before the hearing.

(3) The Commission shall uphold the fine imposed by the filing officer unless the appealing party demonstrates that the report was timely filed or that there were unusual or other circumstances beyond the control of the candidate or committee that caused the report to be filed late.

Rulemaking Authority 106 26(1) FS Law Implemented ~~106.04(8)~~, ~~106.07(8)~~ FS History-New 9-14-86, Amended 10-19-86, Formerly ID-100.5, Amended 1-11-99, 4-24-0.5, 6-2-13..

2B-1.0052 Fine Imposed; Timely Filed Reports.

Rulemaking Authority 106 26(1) Chapter 97-13, Section 52, Laws of Florida. Law Implemented 106 04(8), 106.07(8) FS History-New 1-1199, Amended 1-2-02, 4-24-0.5, Repealed 6-2-13..

2B-1.0055 Late-filed Reports; Unusual Circumstances.

(1) Unusual circumstances mean uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act according to the filing requirements.. Unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the report from doing so in a timely manner. Unusual circumstances shall include, but are not limited to, the following circumstances:

(a) Natural disaster or other emergency that prevented timely filing. Evidence submitted shall include copies of newspaper reports or other documents from an independent and reliable source that document the nature, date, and location of the natural disaster or emergency.

(b) Death of the candidate or campaign treasurer or an immediate family member of the candidate or campaign treasurer.

Evidence submitted shall include a copy of the death certificate, newspaper obituary, or funeral program or notice.

(c) Serious illness, disability or non-elective surgery of the candidate or campaign treasurer. Evidence submitted shall include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability, or surgery; a statement regarding the period of time that the patient was incapacitated; and a statement that surgery, if any, was not elective. The period of incapacitation may also be shown by copies of hospital records reflecting the dates of hospitalization.

(d) Serious illness, disability or non-elective surgery of the candidate's or campaign treasurer's immediate family member. Evidence submitted shall include evidence of the candidate or treasurer's relationship to the family member, the location of the family member, and the reason the candidate or campaign treasurer's presence was required. Evidence submitted shall also include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability or surgery; a statement regarding the period of time that the patient was incapacitated; a statement that surgery, if any, was not elective; and a statement that the patient required the care of a family member.

(e) Computer or equipment failure caused by events that could not have been anticipated and that made timely filing of the report impossible.

(f) The abrupt and unexpected loss of the campaign treasurer; over which the appealing party had no control. The loss of the campaign treasurer shall not constitute unusual circumstances if the appealing party failed to monitor the campaign treasurer's performance before his or her departure or if the appealing party failed to assure prompt preparation of the report after the treasurer's departure.

(g) Failure of the filing officer to e-mail, telephone, or mail a letter to the candidate, chairman of a political committee, or treasurer of a committee of continuous existence that a report is late no later than seven days after the report was due shall constitute unusual circumstances if the appealing party establishes that lack of notice clearly interfered with the timely filing of the report. The fine imposed by the filing officer shall be reduced to the amount that would have been imposed had the report been filed 13 days.

(2) Unusual circumstances shall not include:

(a) Failure of the United States Postal Service or other mail delivery service to postmark an envelope, legibly postmark an envelope, or timely deliver mail.

(b) Failure of the sender to affix sufficient postage to a report that is being mailed.

Rulemaking Authority 106.26(1) FS Law Implemented 106 04(8), 106 07(8) FS History—New I-11-99 Amended 4-24-05, 6-2-13.



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

December 10, 2018

David Harbeitner, Chairperson
Sierra Club Florida Political Action Committee
225 9th Avenue North
Saint Petersburg, FL 33701

PAC 70144

Dear Mr. Harbeitner:

The campaign treasurer's report that was due on October 30, 2018, was filed on November 7, 2018. By law, you are automatically assessed a late fine of \$252.92.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis
Kristi Reid Willis, Chief
Bureau of Election Records

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Sierra Club Florida Political Action Committee (2) 70144
 Candidate, Committe or Party Name I.D. Number

(3) 220 Lakeview Drive Weston FL 33326
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existance Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 10/29/2018 To 10/29/2018 Report Type: D4

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$0.00
<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1,011.65
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1,011.65

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of Treasurer Deputy Treasurer

X
Signature

I certify that I have examined this report and it is true, correct and complete

Name of Candidate Chairman (PC/PTY Only)

X
Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

Name: Sierra Club Florida Political Action Committee

Report: 2018 D4

Period: 10/29/2018 to 10/29/2018

**** Records in Filed Report ****

Seq #	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Contributor	Occupation	Amount
		Date	Type	In-Kind Description

Name: Sierra Club Florida Political Action Committee

Report: 2018 D4

Period: 10/29/2018 to 10/29/2018

**** Records in Filed Report ****

Seq #	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
Date				Amend
1	SIERRA CLUB 2101 WEBSTER ST SUITE 1300 OAKLAND, CA 94612	IEC	PAID STAFF HOURS FOR INDEPENDENT EXPENDITURE	\$1,011.65
10/29/2018				ADD

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Sierra Club Florida Political Action Committee

Report: 2018 D4

Period: 10/29/2018 to 10/29/2018

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: Sierra Club Florida Political Action Committee

Report: 2018 D4

Period: 10/29/2018 to 10/29/2018

**** Records in Filed Report ****

Seq #	Full Name (Last, Suffix, First, Middle)	Recipient	Purpose	Amount
Date	Street Address & City, State, Zip	Type	Related Expenditure	Amend

Queued Items for 2018-D4

Account: 70144

Sierra Club Florida Political Action Committee

Rpt Seq: 31

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	70144	10/29/2018 10:57:57 PM	10/29/2018 10:57:57 PM
Review Pending Report	Processing Complete	70144	10/29/2018 10:58:00 PM	10/29/2018 10:58:00 PM
File Pending Report	Processing Complete	70144	10/29/2018 10:58:21 PM	10/29/2018 10:58:21 PM
Amend Filed Report	Processing Complete	70144	11/6/2018 11:24:24 PM	11/6/2018 11:24:25 PM
Review Pending Report	Processing Complete	70144	11/6/2018 11:31:08 PM	11/6/2018 11:31:09 PM
File Pending Report	Processing Complete	70144	11/7/2018 6:43:05 AM	11/7/2018 6:43:06 AM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name: sierra club

Committee Name: Sierra Club Florida Political Action Committee

Account: 70144

Election:

Acct: 70144

Type: Committee

Search Reset

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
1/10/2019	M12	1/8/2019						
12/10/2018	M11	12/4/2018						
11/2/2018	G7	11/2/2018	APP	0	\$2,177.64		\$2,177.64	\$0.00
11/1/2018	D6	11/1/2018						
10/31/2018	D5	10/31/2018						
10/30/2018	D4	10/29/2018	APP	0	\$252.92		\$252.92	\$0.00
10/29/2018	D3	10/29/2018						
10/28/2018	D2	10/29/2018	CLO	1	\$0.00		\$0.00	\$0.00
10/27/2018	D1	10/28/2018	CLO	1	\$50.00		\$50.00	\$50.00
10/26/2018	G6	10/22/2018						
10/25/2018	G4	10/6/2018						
10/19/2018	G5	10/17/2018						
10/5/2018	G3	9/30/2018	CLO	0	\$57.11		\$57.11	\$57.11
9/28/2018	G2A	9/26/2018						
9/21/2018	G2	9/15/2018						
9/14/2018	G1A	9/15/2018	CLO	1	\$0.00		\$0.00	\$0.00
9/7/2018	G1	9/10/2018	CLO	3	\$0.00		\$0.00	\$0.00
8/31/2018	P7A	8/27/2018						
8/24/2018	P7	8/24/2018						
8/17/2018	P6	8/14/2018						
8/10/2018	P5	8/7/2018						
8/3/2018	P4	8/2/2018						
7/27/2018	P3	7/22/2018						
7/20/2018	P2A	7/14/2018						
7/13/2018	P2	7/10/2018						
7/6/2018	P1A	7/8/2018	CLO	2	\$25.00		\$25.00	\$25.00
6/29/2018	P1	7/9/2018	CLO	10	\$1.25		\$1.25	\$1.25
6/11/2018	M5	6/10/2018						
5/10/2018	M4	5/3/2018						
4/10/2018	M3	4/4/2018						
3/12/2018	M2	3/7/2018						
2/12/2018	M1	2/5/2018						
1/10/2018	M12	1/11/2018	CLO	1	\$50.00		\$50.00	\$50.00
12/11/2017	M11	12/10/2017						
11/13/2017	M10	11/20/2017	CLO	7	\$0.00		\$0.00	\$0.00



**Florida Department of State
Division of Elections**

Sierra Club Florida Political Action Committee

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base](#). If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

Contributions							
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
W	10/08/2017 - 10/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2017 - 11/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
○	12/01/2017 - 12/31/2017	250.00	0.00	0.00	0.00	0.00	0.00
○	01/01/2018 - 01/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2018 - 02/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2018 - 03/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	04/01/2018 - 04/30/2018	0.00	0.00	0.00	5.00	0.00	0.00
○	05/01/2018 - 05/31/2018	50.00	0.00	0.00	5.00	0.00	0.00
○	06/01/2018 - 06/22/2018	0.00	0.00	0.00	5.00	0.00	0.00
○	06/23/2018 - 06/29/2018	200.00	0.00	0.00	0.00	0.00	0.00
○	06/30/2018 - 07/06/2018	0.00	0.00	0.00	5.00	0.00	0.00
W	07/07/2018 - 07/13/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/14/2018 - 07/20/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	07/28/2018 - 08/03/2018	0.00	0.00	0.00	5.00	0.00	0.00
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.00
W		0.00	0.00	0.00	0.00	0.00	0.00

	08/11/2018 - 08/23/2018						
W	08/24/2018 - 08/24/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/25/2018 - 08/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	09/01/2018 - 09/07/2018	0.00	0.00	0.00	5.00	0.00	0.00
W	09/08/2018 - 09/14/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/15/2018 - 09/21/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	09/22/2018 - 09/28/2018	0.00	0.00	0.00	228.45	228.45	0.00
○	09/29/2018 - 10/05/2018	700.00	0.00	0.00	5.00	0.00	0.00
○	10/06/2018 - 10/12/2018	100.00	0.00	0.00	0.00	0.00	0.00
○	10/13/2018 - 10/19/2018	150.00	0.00	0.00	0.00	0.00	0.00
○	10/20/2018 - 10/26/2018	50,000.00	0.00	0.00	1,186.64	337.25	0.00
W	10/27/2018 - 10/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2018 - 10/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	10/29/2018 - 10/29/2018	0.00	0.00	0.00	1,011.65	0.00	0.00
○	10/30/2018 - 10/30/2018	0.00	0.00	0.00	1,339.51	0.00	0.00
○	10/31/2018 - 10/31/2018	0.00	0.00	0.00	8,710.56	8,710.56	0.00
○	10/20/2018 - 11/01/2018	0.00	0.00	0.00	2,767.92	287.92	0.00
○	11/02/2018 - 11/30/2018	50.00	0.00	0.00	7,924.44	533.29	0.00
○	12/01/2018 - 12/31/2018	0.00	0.00	0.00	166.91	0.00	0.00
○	01/01/2019 - 01/31/2019	0.00	0.00	0.00	5.00	0.00	0.00
●	All Dates (Totals)	51,500.00	0.00	0.00	23,376.08	10,097.47	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

HISTORY NOTES
Sierra Club Florida Political Action Committee - 70144

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
63317	2/12/2019 10:20:00 AM		dlhoward
02/12/2018 - I received a call from Mr. Max Goldstein in reference to the 2018 G5 Compliance Report. The error appears to have been corrected. I recommend closure. DLH			
63208	2/8/2019 10:10:00 AM		dlhoward
02/08/2019 - I attempted to make contact with Maax Goldstein in referenace to the Second Audit Notice sent on December 17, 2018. Since I only got his voice recording, I had to leave a voice message. DLH			
56158	11/20/2017 12:47:00 PM		mcchellman
Re CRF, 11/20/17 12:55 pm called T and left message on his VM to call me. He called back 1:00 pm. I called him back and gave him his PIN and the PWD at 1:05 pm. Re CRF, 11/20/17 1:00 pm called C and gave him his PIN and the PWD.			

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
17 OCT 18 AM 11:03
DIVISION OF ELECTIONS
TALLAHASSEE, FL

1. Full Name of Committee

Sierra Club Florida Political Action Committee

Telephone
954-296-3411

Mailing Address (include city, state and zip code)

220 Lakeview Drive, #305, Weston, FL 33326

Street Address (include city, state and zip code)

220 Lakeview Drive, #305, Weston, FL 33326

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or Connected Organization	Mailing Address	Relationship
Sierra Club	2101 Webster Street, #1300 Oakland, CA 94612	Parent Entity

3. Area, Scope and Jurisdiction of the Committee

To engage in statewide legislative and multi-county candidates and issues

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

The environment and conservation issues

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name	Mailing Address	Committee Title or Position
Max Goldstein	220 Lakeview Drive, #305 Weston, FL 33326	Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
David Harbeitner	225 9th Avenue North Saint Petersburg, FL 33701	Chairman

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
To be determined	To be determined	N/A	N/A

8. List Any Issues this Committee is Supporting: To be determined
List Any Issues this Committee is Opposing: To be determined

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party
 N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
 Funds will be donated to Sierra Club - 501(c)(4)

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
Space Coast Credit Union Account number forthcoming	8980 State Road #84 Fort Lauderdale, FL 33324

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
N/A	N/A	N/A	N/a

STATE OF Florida COUNTY Pinellas

I, David Harbeitner, certify that the information in this Statement of

Organization is complete, true and correct.

 Signature of Chairman of Political Committee
 10/16/2017
 Date

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED


18 JAN -2 AM 9:52

DIVISION OF ELECTIONS
SECRETARY OF STATE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Sierra Club Florida Political Action Committee		2. Telephone (954)296-3411	
3. Name of Treasurer or Deputy Treasurer Max Goldstein		4. Email (optional) MaxGold@yahoo.com	
5. Telephone (optional) ()		6. Mailing Address 220 Lakeview Drive #305, Weston FL 33326	
7. Street Address 220 Lakeview Drive #305, Weston FL 33326			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Branch Banking & Trust Company		10. Street Address 200 West Second Street	
11. City Winston-Salem		12. State NC	13. Zip Code 27101
14. Signature of Chairman X 		15. Name of Chairman (Print or Type) David Harbeitner	

Campaign Treasurer's Acceptance of Appointment

I, Max Goldstein, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Sierra Club Florida Political Action Committee
(Committee or Organization)

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.**

12/20/17 **X** Max Goldstein
Date Signature of Campaign Treasurer or Deputy Treasurer


**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE
17 OCT 18 AM 11:03
DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Sierra Club Florida Political Action Committee		2. Telephone (954) 296-3411	
3. Name of Treasurer or Deputy Treasurer Max Goldstein		4. Email (optional)	
		5. Telephone (optional) (954) 296-3411	
6. Mailing Address 220 Lakeview Drive, #305, Weston, FL 33326			
7. Street Address 220 Lakeview Drive, #305, Weston, FL 33326			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Space Coast Credit Union		10. Street Address 8980 State Road 84	
11. City Fort Lauderdale		12. State FL	13. Zip Code 33324
14. Signature of Chairman 		15. Name of Chairman (Print or Type) David Harbeitner	

Campaign Treasurer's Acceptance of Appointment

I, Max Goldstein, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Sierra Club Florida Political Action Committee
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

10/12/2017

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 19, 2017

David Harbeitner, Chairperson
Sierra Club Florida Political Action Committee
225 9th Avenue North
St. Petersburg, Florida 33701

Dear Mr. Harbeitner:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Sierra Club Florida Political Action Committee**, which were placed on file in our office on October 18, 2017. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **November 13, 2017**. The report will cover the period of October 1-31, 2017 (M10). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 70144

Timely Filing

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/



David Harbeitner, Chairperson
October 19, 2017
Page Two

the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/ljr

Enclosures

pc: Max Goldstein, Treasurer