

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Iron Workers Local 397 Political Action
Fund**

Case No.: FEC 18-079

TO: Iron Workers Local 397 Political Action Fund
Kevin Michael Barber, Chair
PO Box 18
Mango, FL 33550-3550

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 15, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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.

Amy McKeever Toman
Executive Director
Florida Elections Commission
April 30, 2018

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.

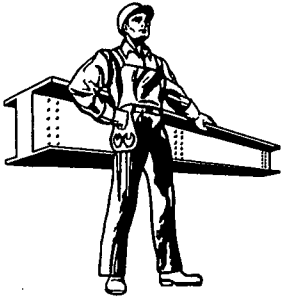
If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the 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.



IRON WORKERS LOCAL 397

10201 U.S. Hwy. 92 E.
P.O. Box 18 • Mango, FL 33550
Phone: (813) 623-1515
Fax: (813) 621-4427



REC'D: FL ELECTIONS COM
13 MAR '18 PM 12:46

3.2.18

Florida Elections Commission
107 West Gaines St. Ste. 224
Tallahassee, FL 32399-0150

RE: Late Fine; Special Election Report House 72-SG2
PAC 60567

To whom this may concern:

This letter is in regards to the fine assessed for the late submission of the Special Election Report (House 72-SG2) PAC report that was due 02-09-18. The report was submitted on 02.20.18, the late submission was an oversight.

Due to our timely submission history, I am respectfully requesting abatement of the \$250.00 assessed late fine. Thank you in advance for your consideration of this request.

Sincerely,

Kevin M. Barber
Chairperson
Ironworkers Local 397 Political Action Fund



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

February 26, 2018

Kevin Michael Barber, Chairperson
Iron Workers Local 397 Political Action Fund
Post Office Box 18
Mango, FL 33550-3550

Special Election Report
House 72-562

PAC 60567

Dear Mr. Barber:

The campaign treasurer's report that was due on February 9, 2018, was filed on February 20, 2018. By law, you are automatically assessed a late fine of \$250.00.

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, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

February 13, 2018

Kevin Michael Barber, Chairperson
Iron Workers Local 397 Political Action Fund
Post Office Box 18
Mango, FL 33550-3550

PAC 60567

Special Election Report

House 72 - 562

Dear Mr. Barber:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was February 9, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 per day for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: Gregory Jack Jarrell, Treasurer

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

(1) Iron Workers Local 397 Political Action Fund (2) 60567
Candidate, Committee or Party Name I.D. Number

(3) Post Office Box 18 Mango FL 33550
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 Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 01/05/2018 To 02/08/2018 Report Type: SG2
 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	\$1,000.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1,000.00

(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

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: Iron Workers Local 397 Political Action Fund

Report: 2018 SG2

Period: 01/05/2018 to 02/08/2018

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

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

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Name: Iron Workers Local 397 Political Action Fund

Report: 2018 SG2

Period: 01/05/2018 to 02/08/2018

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

Seq #	Full Name (Last, Suffix, First, Middle)	Type	Purpose	Amount
Date	Street Address & City, State, Zip			Amend
1	GOOD, MARGARET (Office: STR 072)	CAN	STATE HOUSE DIST 72	\$1,000.00
02/08/2018	POB 792 SARASOTA, FL 34230			

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Iron Workers Local 397 Political Action Fund

Report: 2018 SG2

Period: 01/05/2018

to 02/08/2018

**** 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: Iron Workers Local 397 Political Action Fund

Report: 2018 SG2

Period: 01/05/2018 to 02/08/2018

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

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

Queued Items for 2018-SG2

Account: 60567

Iron Workers Local 397 Political Action Fund

Rpt Seq: 95

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	60567	2/20/2018 5:00:08 PM	2/20/2018 5:00:08 PM
Review Pending Report	Processing Complete	60567	2/20/2018 5:02:58 PM	2/20/2018 5:02:58 PM
File Pending Report	Processing Complete	60567	2/20/2018 5:04:05 PM	2/20/2018 5:04:05 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Committee Name: Iron Workers Local 397 Political Action Fund
 Account: 60567

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/12/2018	M2	3/9/2018						
2/12/2018	M1	2/12/2018						
2/9/2018	SG2	2/20/2018	APP	11	\$250.00		\$250.00	\$0.00
1/10/2018	M12	1/8/2018						
12/11/2017	M11	12/11/2017						
11/13/2017	M10	11/13/2017						
10/10/2017	M9	10/9/2017						
9/22/2017	M8	9/7/2017						
8/10/2017	M7	8/8/2017						
7/10/2017	M6	7/10/2017						
6/12/2017	M5	6/9/2017						
5/10/2017	M4	5/8/2017						
4/10/2017	M3	4/4/2017						
3/11/2017	M2	3/7/2017						
2/10/2017	M1	2/6/2017						
1/10/2017	M12	1/3/2017						
12/12/2016	M11	12/6/2016						
11/4/2016	D6	11/2/2016						
11/4/2016	G7	11/3/2016						
11/2/2016	D5	11/2/2016						
11/1/2016	D4	11/1/2016						
10/31/2016	D3	10/31/2016						
10/30/2016	D2	10/30/2016						
10/29/2016	D1	10/28/2016						
10/28/2016	G6	10/24/2016						
10/21/2016	G5	10/20/2016						
10/14/2016	G4	10/14/2016						
10/7/2016	G3	10/6/2016						
9/30/2016	G2A	9/26/2016						
9/23/2016	G2	9/22/2016						
9/16/2016	G1A	9/16/2016						
9/9/2016	G1	9/3/2016						
9/2/2016	P7A	8/31/2016						
8/26/2016	P7	8/26/2016						
8/19/2016	P6	8/17/2016						
8/12/2016	P5	8/8/2016						
8/5/2016	P4	8/2/2016						
7/29/2016	P3	7/27/2016						
7/22/2016	P2A	7/18/2016						
7/15/2016	P2	7/11/2016						
7/8/2016	P1A	7/6/2016						
7/1/2016	P1	6/29/2016						
6/10/2016	M5	6/9/2016						
5/10/2016	M4	5/9/2016						
4/11/2016	M3	4/6/2016						

3/10/2016 M2 3/8/2016
2/10/2016 M1 2/9/2016
1/11/2016 M12 1/11/2016
12/10/2015 M11 12/8/2015
11/10/2015 M10 11/10/2015
10/13/2015 M9 10/9/2015
9/10/2015 M8 9/2/2015
8/10/2015 M7 8/3/2015
7/10/2015 M6 7/2/2015
6/10/2015 M5 6/9/2015
5/11/2015 M4 5/8/2015
4/10/2015 M3 4/2/2015
3/10/2015 M2 3/9/2015
2/10/2015 M1 2/9/2015
1/12/2015 M12 1/12/2015
12/10/2014 M11 12/8/2014
11/10/2014 M10 11/10/2014
10/31/2014 G7 10/30/2014
10/30/2014 D6 10/30/2014
10/29/2014 D5 10/28/2014
10/28/2014 D4 10/27/2014
10/27/2014 D3 10/26/2014
10/26/2014 D2 10/26/2014
10/25/2014 D1 10/24/2014
10/24/2014 G6 10/22/2014
10/17/2014 G5 10/17/2014
10/10/2014 G4 10/10/2014
10/3/2014 G3 10/2/2014
9/26/2014 G2A 9/25/2014
9/19/2014 G2 9/18/2014
9/12/2014 G1A 9/9/2014
9/5/2014 G1 8/29/2014
8/29/2014 P7A 8/22/2014
8/22/2014 P7 8/21/2014
8/15/2014 P6 8/11/2014
8/8/2014 P5 8/5/2014
8/1/2014 P4 7/28/2014
7/25/2014 P3 7/23/2014
7/18/2014 P2A 7/16/2014
7/11/2014 P2 7/8/2014
7/4/2014 P1A 6/30/2014
6/27/2014 P1 6/27/2014
6/10/2014 M5 6/4/2014
5/12/2014 M4 5/1/2014
4/10/2014 M3 4/1/2014
3/10/2014 M2 3/10/2014
2/10/2014 M1 2/4/2014
1/10/2014 M12 1/3/2014
12/10/2013 M11 12/4/2013
11/12/2013 M10 11/6/2013
10/10/2013 Q3 10/8/2013



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

TO: Political Parties, Affiliated Party Committees, Political Committees, and
Electioneering Communication Organizations

FROM: Kristi Reid Willis, Chief *KRW*
Bureau of Election Records

DATE: September 5, 2017

SUBJECT: Special Election - State Representative, District 72

A special election has been called for the office of State Representative, District 72. The special primary election for this race is scheduled for December 5, 2017. The special election for this race is scheduled for February 13, 2018.

When a special election is called to fill a vacancy in office, all political committees, electioneering communication organizations, political parties and affiliated party committees making contributions or expenditures to influence the results of such special election shall file campaign treasurer's reports with the filing officer on the dates set by the Department of State.

Committees or organizations are required to file special election campaign treasurer's reports **only** if the committee or organization makes a contribution to a special election candidate during the special election reporting periods (see chart on next page) or makes an expenditure to influence the results of the special election.

Please note that activities reported on special election reports are only expenditures that are made to influence the results of the special election. All other activity (e.g., contributions) is reported on the appropriate campaign treasurer's report.

Once a committee or organization has participated in the special election and has filed a special election campaign report, all remaining special election reports must be filed even if there is no further special election activity. If there is no further activity, a waiver must be filed.

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



MEMORANDUM

September 5, 2017

Page Two

All reports must be filed through the Electronic Filing System (EFS) not later than midnight, Eastern Time, of the due date. Reports not filed by this time are late filed and subject to the penalties in Sections 106.07(8) and 106.29, 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 Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

The campaign reporting schedule for this special election is as follows:

<u>Report</u>	<u>Due Date</u>	<u>Covered Period</u>
SP1	10/24/17	09/01/17 – 10/19/17
SP2	12/01/17	10/20/17 – 11/30/17
SG1	01/10/18	12/01/17 – 01/04/18
SG2	02/09/18	01/05/18 – 02/08/18

Please contact our office at (850) 245-6280 if you have any questions.

KRW/mcc

Cole Kekelis

From: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
Sent: Monday, March 26, 2018 11:23 AM
To: Cole Kekelis
Subject: RE: Iron Workers Local 397 Political Action Fund - 60567
Attachments: Memo - Committees - STR 72.pdf

Yes.					
303	PAC	60559	kelvin@morenofirms.com	9/5/2017 11:05	OK
304	PAC	60559	peter@schneblywinery.com	9/5/2017 11:06	OK
305	PAC	60559	debbie.brady@ffbic.com	9/5/2017 11:05	OK
306	PAC	60561	muzakteacher@hotmail.com	9/5/2017 11:05	OK
307	PAC	60563	lkillinger@llw-law.com	9/5/2017 11:05	OK
308	PAC	60565	terrysand1@yahoo.com	9/5/2017 11:06	OK
309	PAC	60565	treasurer@flnow.org	9/5/2017 11:06	OK
310	PAC	60567	raeann@iwl397.com	9/5/2017 11:06	OK
311	PAC	60569	dale.calhoun@floridagas.org	9/5/2017 11:05	OK
312	PAC	60569	shari@floridagas.org	9/5/2017 11:06	OK
313	PAC	60571	dale.calhoun@floridagas.org	9/5/2017 11:05	OK
314	PAC	60571	shari@floridagas.org	9/5/2017 11:06	OK
315	PAC	60572	kathrein@wekiwagardens.com	9/5/2017 11:05	OK
316	PAC	60572	kris.stell@ffbic.com	9/5/2017 11:05	OK
317	PAC	60578	larry.curtin@hklaw.com	9/5/2017 11:05	OK
318	PAC	60578	lila.unger@hklaw.com	9/5/2017 11:05	OK
319	PAC	60582	scott.perfater@burgessniple.com	9/5/2017 11:06	OK
320	PAC	60582	karen.franklin@fleng.org	9/5/2017 11:05	OK
321	PAC	60583	llegal@ironworkers.com	9/5/2017 11:05	OK

From: Cole Kekelis [mailto:Cole.Kekelis@myfloridalegal.com]
Sent: Monday, March 26, 2018 9:10 AM
To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
Subject: Iron Workers Local 397 Political Action Fund - 60567

Ms. Willis:

Please confirm whether or not this committee was emailed a memo reminding them of the due dates for reports pertaining to the House – District 72 race.

Please also provide a copy of the memo relative to the House – District 72 race.

Thanks,

Cole Kekelis
 FEC