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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Florida Public Employees
Council 79 Committee**

**Case No.: FEC 15-106
F.O. No.: FOFEC 15-149W**

CONSENT FINAL ORDER

Respondent, Florida Public Employees Council 79 Committee, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On January 16, 2015, a complaint was filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes.
2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent is a political committee currently registered with the Department of State, Division of Elections, and Jeanette D. Wynn is listed as the committee's chairperson. Vivienne Dixon-Shim is listed as Respondent's treasurer.
 - b. During the 2014 election cycle, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2014 Q3 Report, 2014 P1A Report, 2014 G4 Report, and the 2014 D2 Report.

- c. On October 17, 2013, Ms. Dixon-Shim filed a waiver-of-report for the 2013 Q3 Report; on July 7, 2014, Ms. Dixon-Shim filed a waiver-of-report for the 2014 P1A Report; on October 11, 2014, Ms. Dixon-Shim filed a waiver-of-report for the 2014 G4 Report; and on October 27, 2014, Ms. Dixon-Shim filed a waiver-of-report for the 2014 D2 Report.

CONCLUSIONS OF LAW

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

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

ORDER

6. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

7. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

8. The Commission will consider the Consent Order at its next available meeting.

9. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

10. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

11. If the Commission does not receive the signed Consent Order and payment of the civil penalty by the close of business on May 1, 2015, the staff withdraws this offer of

settlement and will proceed with the case.

12. Payment of the civil penalty by cashier's check, money order, and good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated the following provision of Chapter 106, Florida Statutes, and imposes the following fine:

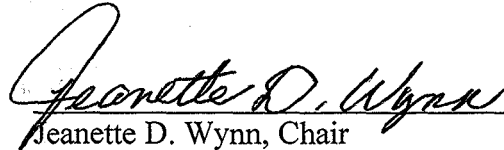
A. Respondent has violated Section 106.07(7), Florida Statutes, when Ms. Dixon-Shim, acting as treasurer for Florida Public Employees Council 79 Committee, a political committee, failed to notify the filing officer on the prescribed reporting date that no report would be filed for the 2013 Q3 Report, 2014 P1A Report, 2014 G4 Report, and the 2014 D2 Report. Respondent is fined \$200.00 for the violations.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$200.00, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Order on

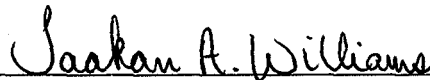
APRIL 20, 2015.



Jeanette D. Wynn, Chair
FL. Public Employees Council 79 Committee
3064 Highland Oaks Terrace
Tallahassee, FL 32301

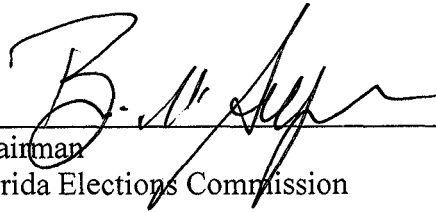
Commission staff hereby agrees and consents to the terms of this Consent Order on

April 23, 2015.



Jaakan A. Williams
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on May 20 -21, 2015 in Tallahassee, Florida.


Acting Chairman
Florida Elections Commission

Copies furnished to:
Jaakan A. Williams, Assistant General Counsel
Jeanette D. Wynn, as Chair
Division of Elections, Complainant

0066355

11-24

CASHIER'S CHECK

6635500764

Office AU #

1210(8)

Remitter: AFSCME FLORIDA COUNCIL
Operator I.D.: u325401 fl004793

April 21, 2015

PAY TO THE ORDER OF ***FLORIDA ELECTION COMMISSION ***
RE: AFSCME FLORIDA COUNCIL 79

Two hundred dollars and no cents

***\$200.00**

Payee Address:
Memo:

WELLS FARGO BANK, N.A.
1997 CAPITAL CIR NE
TALLAHASSEE, FL 32308
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 200.00

Richard Levy
CONTROLLER

