

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: FLORIDA NURSE
PRACTITIONER PAC
RESPONDENT.

Case No.: FEC 11-263

NOTICE OF HEARING ON APPEAL OF AUTOMATIC FINE

TO: Marifrances Gullo, Chair
Florida Nurse Practitioner PAC
4637 Golden Apples Trail
Port Orange, FL 32129

Kristi Reid Bronson, Chief
Division of Elections
500 S. Bronough Street
Tallahassee, FL 32399-0250

PLEASE TAKE NOTICE that on **February 21, 2012**, at **8:30 a.m.** or thereafter as the parties can be heard, the Florida Elections Commission will consider the Respondent's appeal of the automatic fine imposed by the filing officer. The Commission will meet at: **City Hall, City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida.**

Although you did not request a hearing, this notice is to inform you that your case will be discussed at the meeting taking place on the above date and place. All documents you want the Commission to consider must be submitted at least 10 days prior to the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 48 hours before the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated on January 19, 2012.



Rosanna Catalano
Executive Director

INSTRUCTIONS FOR HEARING ON APPEAL OF AUTOMATIC FINE

Please be advised that other cases have been scheduled for the same time. Therefore, your case may not be called exactly at the time set forth on this notice.

At the automatic fine hearing, the Florida Elections Commission will decide whether Respondent's campaign treasurers report was timely filed or whether there were unusual circumstances that excuse his failure to timely file his report.

Rule 2B-1.0055, *Florida Administrative Code*, defines **unusual circumstances** as "uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances."

The hearing will be conducted pursuant to Section 106.07(8)(c), *Florida Statutes*, if Respondent is a candidate, a political committee, or an electioneering communications organization; Section 106.04(8)(c), *Florida Statutes*, if Respondent is a committee of continuous existence; or Section 106.29(3)(c), *Florida Statutes*, if Respondent is a political party; and Commission Rules 2B-1.005, 1.0052, & 1.0055, *Florida Administrative Code*.

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.

Before making a decision, the Commission will review the written documents submitted by Respondent and staff at least ten days before the hearing and the information presented at the hearing. Rule 2B-1.005, *Florida Administrative Code*, provides that unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the hearing.

When the case is called, the Chair will read a brief statement and may ask the Respondent and his attorney, if one is present, to state their names for the record. Respondent will then have time to present his case to the Commission. Witnesses may be called to testify under oath on Respondent's behalf. If Respondent calls witnesses, the staff attorney may cross-examine those witnesses after Respondent's questioning is finished. After Respondent's presentation, staff will have the same amount of time to present its case. If the staff attorney calls witnesses, Respondent may cross-examine those witnesses after staff's questioning is finished.

At any time during the presentations the Commissioners may ask questions of Respondent, his attorney, the witnesses, and staff. After the presentations are concluded, the Commissioners will discuss the case and decide whether Respondent's report was timely filed or whether there were unusual circumstances that excuse his failure to file timely his report. The Commission will make a decision by a majority vote of those members present and voting.

After the Commission meeting, the Commission will send Respondent a written order reflecting the Commission's decision. If the Commission upholds the fine, Respondent will have 30 days to pay the fine.

If you have any questions about the procedures for the hearing, please contact Donna Malphurs at 107 W. Gaines Street Collins Building, Suite 224 Tallahassee, FL 32399-1050, phone number: (850) 922-4539.

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-11-263

NAME: FLORIDA NURSE PRACTITIONER PAC

DATE APPEAL RECEIVED: 10/24/11

DATE HEARD BY FEC: 2/21/12

DATE HEARING REQUEST RECEIVED: n/a

DATE REPORT DUE: 9/16/11 (2011 SF2)

DATE OF ELECTRONIC RECEIPT: 10/6/11

DATE FILING OFFICER RECEIVED REPORT: 10/6/11

NUMBER OF DAYS LATE: 20

AMOUNT OF FINE: \$125.00

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$500.00

DATE FIRST NOTIFICATION WAS RECEIVED: Failure to file letter dated 9/21/11

SUMMARY: Florida Nurse Practitioner PAC is a political committee (PC) registered with the State of Florida. The PC's chair is Marifrancois Gullo and its treasurer is Jean Aertker.

The PC is appealing the fine claiming "Our lobbyist requested a 'campaign contribution' to be sent...and there was no indication that it was for a 'special election'". According to Ms. Gullo, the PC was prepared to report the contribution on their 2011 Q3 report; however, they received notice from the Division that they needed to file a special election report.

On 8/1/11, the Division of Elections sent a memorandum to all committees informing them of the State Senate, District 1 special election and quoting Section 106.07(1)(d)1., Florida Statutes. The section provides that all PC's and CCE's "making contributions or expenditures to influence that result of such special election shall file" special election reports on the dates listed in the memo.

On 9/13/11, the PC made a contribution to Audrey Gibson, a candidate in the State Senate, District 1 special election. Therefore, the PC was required to report the contribution on a 2011 SF2 report.

PRIOR CASES: The PC has had no prior cases before the Commission; however, the PC has appealed the assessed fine for the late filing of their 2011 Q3 report.

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

FEC ACTION:	FINE DUE: \$ _____	DATE: _____
TIMELY FILED: YES _____ NO _____	UNUSUAL CIRCUMSTANCES: YES _____ NO _____	
WAIVER: PARTIAL _____ FULL _____	FINE INCORRECTLY CALCULATED: YES _____ NO _____	
UC REASON: _____	INITIALS: _____	



Florida Nurse Practitioner Network

Florida Department of State
Division of Elections
and
Florida Elections Commission
ID: # 41887 Florida Nurse Practitioner PAC

November 22, 2011

Greetings:

I am submitting this letter of appeal for two reasons: **LL-263**
1) As an addendum to the appeal for the SF2-42 filing and
2) To appeal the fine for the campaign treasurer's report(Q3) for October 11th 2011 that was submitted on October 14, 2011.

RECEIVED
2011 NOV 28 P 1: 17
STATE OF FLORIDA
ELECTIONS COMMISSION

Several uncontrollable circumstances were in play that I did not mention in the first appeal and would like to include in this addendum and second appeal for October 11th report.

We are a very small PAC for advanced practice nursing. We were using a law firm in Tallahassee to submit our reports. Chris Lyons was our treasurer and a member of that law firm. Over the time we engaged them to do the reporting, I believe it was approximately 3 years, they charged us at least \$8000 dollars. This became way above our means. Although they were accurate and on time, our board decided to take on the responsibility to do the reports in order to save some money. The law firm sent us all the paperwork and no orientation. We needed to change all the documentation for our officers which took some time to get correct. All is in order now. Once we established the new officers (Jean Aertker, Cindy Miller and myself) we were ready to face the task. Please refer to appeal for SF2 report for more details.

The additional information that I did not include because I didn't understand that it was relevant is that our Treasurer was then diagnosed with breast cancer and needed to have several surgeries that caused her to be unable to assist with the transition from the law firm to our own group. So Cindy Miller and I did the best we knew how to submit the reports on time and accurate. We spent many hours following the guidelines and contacting the helpline. All reports are now submitted correctly and there has been a system initiated to prevent any future errors as specified in the first appeal.

We thank you for your time and consideration and hope you will find our appeal favorable.

Sincerely,
Marifrances Gullo, ARNP
FNPN PAC Chair



Florida Nurse Practitioner Network

RECEIVED
2011 OCT 24 A 9:52
STATE OF FLORIDA
ELECTIONS COMMISSION

October 17, 2011

Florida Department of State
Bureau of Election Records
Kristi Reid Bronson, Chief

Re: Campaign Treasurers Report due September 16, 2011
ID: # 41887 Florida Nurse Practitioner PAC

Dear Ms. Bronson:

We are writing in response to your letter dated October 10, 2011 in reference to the fine in the amount of \$125.00 for the late filing of our SF2-42 Special Election. We would like to appeal this fine due to the following reasons:

1. We have just recently taken over the filing to the Division of Elections for our political action committee. All members including the treasurer, accountant and PAC chair were novices to this process. Unfortunately, we were unaware of the details involved in filing the report. The organization that passed these duties on to us failed to provide adequate instruction. Therefore this has been a steep learning curve for us. We are a small PAC and only handle small donations and contributions on an intermittent basis.
2. Our lobbyist requested a "campaign contribution" to be sent within 24 hour notice and there was no indication that it was for a "special election". We sent the candidate's contribution of \$500.00 to her without delay. We made note of this to be added to the Q3 report. Within a short period of time we received notification from the DOE that we had made an error by not reporting this donation as a "special election". If this error was not corrected it in a certain time-frame we would receive a fine.
3. We immediately contacted the help desk and was instructed to complete the SF2 report. We did as instructed and feel that this fine should be appealed based on our concerted efforts to fall within the guidelines.
4. We also believe that we have made every effort to alleviate the possibility of this error occurring in the future and hope that you will decide in our favor on this appeal. We have developed a form for donation requests and to identify the type of donation being requested. We have also informed our lobbyist and other members of the PAC board that there will be no donations sent without a 72 hour notice. This will give us time to access the request and determine if the donation is appropriate.

Please feel free to contact me with any questions regarding this appeal.

Thank you for your time and consideration.

Marifrances Gullo ARNP
Marifrances Gullo, ARNP-FNPN PAC Chair



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning
Secretary of State

DIVISION OF ELECTIONS

October 10, 2011

Ms. Marifancis Gullo, Chairperson
Florida Nurse Practitioner PAC
4637 Golden Apples Trail
Port Orange, FL 32129

Dear Ms. Gullo:

The campaign treasurer's report that was due September 16, 2011, was not filed until October 6, 2011. Accordingly, you are fined in the amount of \$125.00. The fine must be paid to the Division of Elections within 20 days of receipt of this notice unless appealed to the Florida Elections Commission.

If you wish to appeal the fine, you must submit a notice of appeal to the Commission within 20 days of the date of the receipt of this notice. (See Rules 2B-1.005, 2B-1.0052 and 2B-1.0055, Florida Administrative Code.) The Florida Elections Commission's address is 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-0100.

Please send a copy of your notice of appeal to the Bureau of Election Records at the address listed below. If you have any questions, please contact us at (850) 245-6240.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Jean Aertker, Treasurer
646 Riviera Drive
Tampa, FL 33606



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning
Secretary of State

DIVISION OF ELECTIONS

Second Notice

October 5, 2011

Ms Jean Aertker, Treasurer
Florida Nurse Practitioner PAC
646 Riviera Drive
Tampa, FL 33606

Dear Ms. Aertker:

Your campaign treasurer's report, due September 16, 2011, has not been received.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file a report.

The first notice of the failure to file the above mentioned report was mailed, via regular mail, to the address on file with our office on September 21, 2011. As of this date, we do not show a record of receiving this report.

If the report is not filed via the Division's electronic filing system within 14 days of receipt of this notice, this matter will be referred to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106, Florida Statutes, to impose a civil penalty up to \$1,000 per count.

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

cc Martfrancis Gullo, Chairperson
Post Office Box 16098
Tallahassee, FL 32317-6098



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning
Secretary of State

DIVISION OF ELECTIONS

September 21, 2011

Ms. Jean Aertker, Treasurer
Florida Nurse Practitioner PAC
646 Riviera Drive
Tampa, FL 33606

Dear Ms. Aertker:

Your campaign treasurer's report, which was due September 16, 2011, has not been received.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot 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 for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Once your report is filed, this office will notify you of the specific amount of your fine. Fines must be paid to the filing officer within 20 days of receipt of the payment due notice.

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report the division will turn the matter over to the Florida Elections Commission.

Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose a civil penalty up to \$1,000 per count for each willful violation of Chapter 106.

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Marifrancois Gullo, Chairperson
Post Office Box 16098
Tallahassee, FL 32317-6098



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

MEMORANDUM

TO: Political Parties, Political Committees, Committees of Continuous Existence, and Electioneering Communication Organizations

FROM: Kristi Reid Bronson, Chief *KRB*
Bureau of Election Records

DATE: August 1, 2011

SUBJECT: Special Elections, Florida Senate, District 1.

A special election has been called for the office of Florida Senate, District 1. The Special Primary Election is scheduled for September 20, 2011. The Special General Election is scheduled for October 18, 2011.

When a special election is called to fill a vacancy in office, all political committees, committees of continuous existence, electioneering communication organizations and political parties 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 the Division has changed its policy on reporting requirements for special elections. The only activities reported on special election reports are expenditures that are made to influence the results of the special election. All other activity is reported on the appropriate quarterly report.

Memorandum
August 1, 2011
Page Two

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 activity, a waiver is filed.

All reports must be filed through the Electronic Filing System (EFS) not later than midnight, Eastern Standard 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 Standard 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>
SF1	09/02/11	07/29/11 - 08/26/11
SF2	09/16/11	08/27/11 - 09/15/11
SG1	09/30/11	09/16/11 - 09/23/11
SG2	10/14/11	09/24/11 - 10/13/11

Please contact our office at (850) 245-6240 if you have any questions.

KRB/mah

Florida Department of State

Room 316, R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250
(850)245-6200

Division of Elections

Committee Tracking System

Florida Nurse Practitioner PAC

Type: Political Committee

Status: Active

Address: Post Office Box 25422
Tampa, FL 33622

Phone: (850)222-5702

Chairperson: Marifrancis Gullo
4637 Golden Apples Trail
Port Orange, FL 321290000

Treasurer: Jean Aertker
646 Riviera Drive
Tampa, FL 336060000

Registered Agent: M. Christopher Lyon
2600 Centennial Place
Suite 100
Tallahassee, FL 323080000

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

Filed Reports for Elec ID: 20111018-S01

Account: 41887 - PAC **Florida Nurse Practitioner PAC**
Chairperson: Gullo, Marifancis Appt: 2/9/10

Report: 2011 SF2 (42)	From: 8/27/2011	Amd: N	Filed: FIL	10/6/2011 8:08:12 A		
Due: 9/16/2011	To: 9/15/2011	Cmplt: COM	Reviewed: AUD	10/6/2011 8:06:21 A		
<i>Submitted</i>	<i>Treasurer</i>	<i>Appointed</i>	<i>Withdrew</i>	<i>Entry Method</i>	<i>File Method</i>	<i>Chair PIN</i>
10/6/2011	Jean Aertker	8/5/2011		Web Data Entry	Web Filed	10/6/2011

Filed Report Summary

Home Filings Transactions Print Queue Campaign Account Sign Out Help

Summary of all filings received

Report: 2011 - SF2 - 42 2011 Special Election - Senate 1 Covers: 8/27/2011-9/15/2011 Due: 9/16/2011

Amended Last Review: Reviewed:

Waiver Complete:

Filed Date: File Status:

Transactions	Contributions	Amount	Expenditures	Amount
1	Cash and Checks:	0.00	Monetary:	500.00
	Loans:	0.00	Transfers to Off Acct:	0.00
	Total Monetary:	0.00	Total Monetary:	500.00
	In-Kind Contributions:	0.00	Other Distributions:	0.00

Activity this report

Orig Report Submit Date: By:

Contributions	Amount	Expenditures	Amount
Cash and Checks:	0.00	Monetary:	500.00
Loans:	0.00	Transfers to Off Acct:	0.00
Total Monetary:	0.00	Total Monetary:	500.00
In-Kind Contributions:	0.00	Other Distributions:	0.00

Queued Items for 2011-SF2

Account: 41887

Florida Nurse Practitioner PAC

Rpt Seq: 42

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	41887	10/3/2011 8:28:20 AM	10/3/2011 8:28:20 AM
Review Pending Report	Processing Complete	41887	10/6/2011 8:06:21 AM	10/6/2011 8:06:21 AM
File Pending Report	Processing Complete	41887	10/6/2011 8:08:12 AM	10/6/2011 8:08:13 AM



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Florida Nurse Practitioner PAC

Name: florida nurse practi

Account: 41887

Election:

Acct: 41887

Type: Committee

Search Reset

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
10/11/2011	Q3	10/14/2011	SNT	3	\$150.00		\$150.00	\$0.00
9/16/2011	SF2	10/6/2011	APP	20	\$125.00		\$125.00	\$0.00
7/11/2011	Q2	7/6/2011						
4/11/2011	Q1	4/8/2011						
1/10/2011	Q4	1/4/2011						
10/29/2010	G4	10/29/2010						
10/15/2010	G3	10/14/2010						
10/1/2010	G2	9/29/2010						
9/17/2010	G1	9/15/2010						
8/20/2010	F3	8/20/2010						
8/6/2010	F2	8/2/2010						
7/23/2010	F1	7/21/2010						
4/12/2010	Q1	4/1/2010						
1/11/2010	Q4	1/5/2010						
10/13/2009	Q3	10/12/2009						
7/10/2009	Q2	7/10/2009						
4/10/2009	Q1	4/10/2009						
1/12/2009	Q4	1/11/2009						
10/31/2008	G4	10/31/2008						
10/17/2008	G3	10/17/2008						
10/3/2008	G2	10/3/2008						
9/19/2008	G1	9/12/2008						
8/23/2008	F3	8/30/2008	CLO	7	\$0.00		\$0.00	\$0.00
8/8/2008	F2	8/21/2008	CLO	13	\$0.00		\$0.00	\$0.00
7/25/2008	F1	8/21/2008	CLO	27	\$0.00		\$0.00	\$0.00
4/10/2008	Q1	4/10/2008						
1/10/2008	Q4	1/10/2008						
10/10/2007	Q3	10/5/2007						
7/10/2007	Q2	7/9/2007						
4/10/2007	Q1	4/6/2007						
1/10/2007	Q4	1/11/2007	CLO	1	\$0.00		\$0.00	\$0.00
11/3/2006	G4	11/3/2006						
10/20/2006	G3	10/20/2006						
10/6/2006	G2	10/6/2006						
9/22/2006	G1	9/22/2006						
9/1/2006	F3	8/31/2006						
8/18/2006	F2	8/18/2006						
8/4/2006	F1	8/4/2006						
7/10/2006	Q2	7/7/2006						
4/10/2006	Q1	4/7/2006						
1/10/2006	Q4	1/10/2006						
10/11/2005	Q3	10/7/2005						

HISTORY NOTES
Florida Nurse Practitioner PAC - 41887

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
26865	10/31/2011 9:04:00 AM		taholdeen
2011 Q3 manual Audit:			
Rec'd call from 'Cindy Miller', who apparently is handling the campaign finance reports for this pac. She was calling about the notices. I called her back at [REDACTED], and left her a message that this audit wasn't with regards to the excess cash contributions (because we already have letter of explanation for that), this audit is a manual audit with regards to one of their expenditures to a candidate, and explained what they needed to fix. Left my direct line in case she had more questions			
26605	10/5/2011 8:12:00 AM	10/5/2011 8:54:52 AM	taholdeen
SF2 FF:			
Since we do not have a current address for the chairperson, and the last notice was returned to us from USPS, I'm mailing the treasurer her copy, and emailing the chairperson her copy at: [REDACTED] (Marifranco Gullo). (Also emailing a copy to treasurer at: [REDACTED]@gmail.com. Sent the following email:			
Ms. Gullo,			
Attached is a copy of the 2nd notice for the failure to file the SF2 report that was due September 16, 2011. Since you haven't updated the address with us yet, there is no sense in wasting postage. I have however mailed a hard copy to your treasurer, Jean Aertker.			
We spoke on September 29, 2011, and I informed you of this special election report that needs to be filed because of the campaign contribution that the Florida Nurse Practitioner PAC gave to the Audrey Gibson campaign (Senate District 1) on September 15, 2011.			
This report needs to be filed as soon as possible to avoid referral to the Florida Elections Commission. The Florida Elections Commission can impose civil penalties of up to \$1000 per violation			
In addition, as I also stated in our conversation on September 29, 2011, we need a faxed signed letter stating your current mailing address, as well as the committee's current mailing address. The post office box in Tallahassee that we have, as we discussed, is no longer the correct address. This letter needs to be signed by either yourself, or your treasurer. Please fax this information to: [REDACTED] as soon as possible.			
If you need assistance, please contact our Help Desk at (850) 245-6280.			
Thank you in advance for your immediate attention to this matter			
26598	10/4/2011 7:26:00 AM		taholdeen
Email Addresses:			
In searching imaging: Treasurer Jean Aertker: [REDACTED]@gmail.com / Chairperson Marifranco Gullo: [REDACTED] I'm noting this in case I need to send them emails with response to past due reports			

HISTORY NOTES
Florida Nurse Practitioner PAC - 41887

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
26560	9/29/2011 12:40:00 PM		tahaldeen
<p>Returned Mail: FF/SF2 (Senate District 1):</p> <p>Received returned letter (copy that was sent to chairperson Marifrancis Gullo). I called the # we have on file (850) 222-5702. This is not their number, it apparently belonged to the law firm that used to house the treasurer for this committee. The address (post office box 16098, Tallahassee) also belonged to that law firm, not the committee.</p> <p>I called [REDACTED] which is the first number listed for the new treasurer Jean Aetker. Apparently this is not the treasurer's number, but the chairperson (Marifrancis Gullo's) number, because she answered the phone.</p> <p>I told her about the SF2 still needing to be filed, and she said she was not aware that this was a special election, and was planning on filing the contribution on her Q3 report. I told her that contribution needed to be filed on the SF2 report.</p> <p>Also, I gave her the help desk #, and told her that if they added email addresses to the EFS, that we would send out notices when there was a special election. I also told her that if her treasurer needed assistance in doing this, to contact our Help Desk.</p> <p>In addition, I told her we needed a faxed signed request, stating that the committee had a new address, and that if her mailing address was different, we needed that information as well as a correct phone number for the committee.</p> <p>She stated they had sent all of that. In looking over the docs in imaging, all they sent was a change of treasurer, with the treasurer's address information. I told her this, and gave her the fax number so that she could fax us updated address & phone number information for the committee.</p>			
25589	7/29/2011 10:01:00 AM		lrandolph
<p>Re: Missing DSDE 6 application to appoint new treasurer</p> <p>I called and spoke to a representative and explained to her that we arent able to update the treasurer until we receive the dsde 6 form.</p>			
16413	2/24/2010 4:15:00 PM		tahaldeen
<p>Resignation letter from chairperson....</p> <p>Correction... last entry, dated 2/10 was actually a letter from the treasurer, letting us know about the chairperson change.</p> <p>Today, 2/24, we actually did received a resignation letter from Susan Lynch, who was the chairperson. Changes were already made in the system showing the new chairperson as Marifrancis Gullo. Ack Ltr was sent out dated 2/10.</p>			
16105	2/10/2010 10:51:00 AM		tahaldeen
<p>Resignation letter from chairperson:</p> <p>Received resignation letter from chairperson, (Susan Lynch). Also received letter appointing Marifrancis Gullo as the new chairperson, from Mr. Lyons, treasurer. The new chairperson's address, is the same as the PAC Address, P O.Box 16098, Tallahassee. Made the changes in the system.</p>			
13215	5/27/2009 2:18:00 PM		eanesmith
<p>Revocation Process Stopped</p> <p>Received response from cmt. On 5/8/09</p>			
11334	4/10/2009 9:30:00 AM		lbelvin
<p>RE: Intent to Revoke Letter</p> <p>9:15am (Received a call)</p> <p>Ms. Susan Lynch called because she received a intent to revoke letter from our office (Erin) about their committee. I talked with Ms Lynch about her sitation and per Erin's instructions, I explained that she needed to send us a letter explaining their circumstance. This would not stop the process but they need to respond in writing. I refered her to the website so that she could get the committee handbooks and maybe they will close out and start over with a new committee. She thanked me for all my help and I told her to call me if she had any questions.</p>			

HISTORY NOTES
Florida Nurse Practitioner PAC - 41887

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
11004	4/7/2009 2:16:00 PM	5/27/2009 2:18:42 PM	eanesmith
<p>Notice of Intent to Revoke mailed 4/8/09</p> <p>limited activity in 2008</p>			
5495	8/19/2008 2:44:00 PM		ljrandolph
<p>RE: Pin/ Password Delivery</p> <p>I spoke with susan lynch on 8/19/2008</p> <p>I called and gave Ms. Lynch her new password for the committee that the committee had requested.</p>			
5190	8/6/2008 2:53:00 PM		ljrandolph
<p>Re: Pin number Delivery</p> <p>I left a message with Ms. Danforth on August 6</p> <p>I left a message with Ms. Danforth informing her that we have yet to reach her.</p>			
5188	8/6/2008 2:47:00 PM		lbelvin
<p>RE: New Treasurer Pin release</p> <p>2:45pm 386-532-3488</p> <p>I called and left a message for Susan Lynch explaining that we are trying to give her the treasurer pin per her request by phone. However, we have not be able to do so as of this time. I left my contact number for her to call explaining that the report is due on Friday August 8 ,2008 and she will need her pin number in order to file the report.</p>			
5185	8/6/2008 2:15:00 PM		ljrandolph
<p>Re: Pin Number Delivery</p> <p>I called twice and left 2 messages for Ms. Lynch on August 6th @11:00 and 2:00</p> <p>I left two messages explaining that I was calling to give her a pin number for the Florida Nurse Practitioner PAC. I also told her that the committee has a report due Friday.</p>			
5156	8/6/2008 8:42:00 AM		ljrandolph
<p>RE: Resignation of Treasurer</p> <p>I Left Messaged for Mr. Jaffrey on July 14</p> <p>I called to speak with Ms. Danforth about the resignation paperwork that Mr. Jaffrey had sent in, but the secretary there was no one who worked there by that name and Mr. Jaffrey was available to answer any phone calls. I left a message for mr Jaffrey explaining that the committee that he resigned from needs to a reappoint a new treasurer asap.</p>			



#41887 Florida Nurse Practitioner PAC
Holdeen, Theresa A.
to:
Tracie.Aulet
11/14/2011 09:38 AM
Show Details

2 Attachments



Viva500 bmp #41887 Florida Nurse Practitioner PAC PDF

Tracie,

Florida Nurse Practitioner PAC did NOT have email addresses in EFS until October 11th of this year, which means they did NOT receive notification of any special elections.

The only reason I even had email addresses, is because I went back into imaging, and looked at some of their documents that had email addresses on them. Email addresses do NOT get entered into the system, unless the chairperson and/or treasurer go into EFS, and enters them (usually).

If you take a look at the attached history notes, you'll see where I told the chairperson about entering email addresses in EFS, so they would receive future special election notices.

As a matter of fact, when I originally contacted the chairperson regarding this report, she was not even aware that it was a special election. She (Marifranicis) said that the committee's lobbyist told them something about needing \$500 for a campaign contribution, however apparently never bothered to tell her what it was for, i.e. special election. (At least that's what I was told).

Let me know if you need anything else!!!

Theresa
Bureau of Election Records
(850) 245-6250

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided. Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure



The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to www.fl500.com.

Secretary of State Kurt Browning is committed to maintaining a high level of service in all areas of the Department of State. If you have feedback on your service, please take the department's Customer Satisfaction Survey. Thank you in advance for your participation.
[DOS Customer Satisfaction Survey](#)



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Collins Building

Suite 224

Tallahassee, Florida 32399-1050

(850) 922-4539

November 8, 2011

Ms. Marifrances Gullo, Chair
Florida Nurse Practitioner PAC
4637 Golden Apples Trail
Port Orange, FL 32129

RE: Case No.: FEC 11-263; Campaign Treasurer's Report due September 16, 2011

Dear Ms. Gallo:

The Florida Elections Commission received your letter appealing the fine assessed against you for failing to timely file your campaign treasurer's report. I anticipate that the Commission will hear your case at its next meeting, which is presently scheduled for February 21 & 22, 2012, in Tallahassee. However, please call our office to verify when your case will be heard.

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 its meeting. Unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting. Rules 2B-1.005, 1.0052, and 1.0055, *Florida Administrative Code*, are the Commission's rules on the appeal of automatic fines.

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

If you are a county, municipal, or special district candidate or committee and your report was received by the filing officer without a postmark or with an illegible postmark more than five days after the due date or it was delivered to the filing officer by a mail delivery service other than the United States Postal Service, it will not be found timely filed unless you submit a copy of a proof of mailing or at a hearing before the Commission, presents the oral testimony of the person who timely mailed the report.

The proof of mailing submitted shall reflect that it was obtained from the United States Postal Service or other mail delivery service at the time of mailing and shall reflect that the report was mailed before midnight on the due date. A metered postage mark does not constitute a postmark

or a proof of mailing.

If you cannot show that your report was timely filed, the Commission may still grant you relief, but only if you show unusual circumstances. **Unusual circumstances is defined in Rule 2B-1.005(4), Florida Administrative Code, to mean “uncommon, rare, or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements.”** Unusual circumstances must occur within a time period that would clearly have prevented you from filing the report in a timely manner. Unusual circumstances shall not include the failure of the United States Postal Service or other mail delivery service to postmark an envelope, legibly postmark an envelope, or timely deliver mail. Further, unusual circumstances shall not include the failure of the sender to affix sufficient postage to a report that is being mailed.

Without credible evidence, the Commission will not find unusual circumstances. The following circumstances may constitute unusual circumstances so long as credible evidence is presented that unusual circumstances caused the report to be filed late.

1. **Natural disaster or other emergency that prevented timely filing.** Evidence submitted must include copies of newspaper reports or other documents from an independent and reliable source that shows the nature, date, and location of the natural disaster or emergency.
2. **Death of the candidate or campaign treasurer or an immediate family member of the candidate or campaign treasurer.** Evidence submitted must include a copy of the death certificate, newspaper obituary, or funeral program, or notice.
3. **Serious illness, disability or non-elective surgery of the candidate or campaign treasurer.** Evidence submitted must 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. Copies of hospital records reflecting the dates of hospitalization may also show the period of incapacitation.
4. **Serious illness, disability, or non-elective surgery of the immediate family member of the candidate or campaign treasurer.** Evidence submitted must include evidence of the relationship of the candidate or treasurer to the family member, the location of the family member, and the reason the presence of the candidate or campaign treasurer was required. Evidence submitted must 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.
5. **Computer or equipment failure caused by events that could not have**

been anticipated and that made timely filing of the report impossible. Power outages or program failure does not constitute unusual circumstances unless it is established that reasonable precautions to assure the safety of the equipment or the ability of the program to perform as anticipated were taken before the events causing failure of the equipment or program. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths indicating the cause and the duration of the power outage and the reasonable precautions taken to assure the safety of the equipment or the ability of the program to perform as anticipated.

6. **The abrupt and unexpected loss of the campaign treasurer, over which you had no control.** The loss of the campaign treasurer does 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. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths explaining the departure of your treasurer and the steps taken to monitor the treasurer's performance before his or her departure.

You may, of course, send any additional evidence that you believe supports your position that your report was timely filed or that unusual circumstances cause your report to be filed late. Rule 2B-1.005(3), Florida Administrative Code, provides that if you send additional documentary evidence, the Commission must receive it no later than 20 days from the date of this letter. Remember that the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting, unless good cause is shown. If the documentary evidence is timely received, it will be presented to the Commission when it considers your appeal of the assessed fine.

It is your responsibility to provide the Commission with credible evidence that the report was timely filed or credible evidence that unusual circumstances caused the report to be filed late. If you do not provide the evidence requested in this letter or in the Commission rules, the Commission will uphold the fine assessed by the filing officer.

Please let me know if I may be of further assistance.

Sincerely,



Tracie Aulet
Investigation Specialist



**Florida Department of State
Division of Elections**

Florida Nurse Practitioner PAC

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.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
C	07/01/2005 - 09/30/2005	225.00	0.00	0.00	0.00	0.00	0.00
C	10/01/2005 - 12/31/2005	2,540.00	0.00	0.00	750.00	0.00	0.00
W	01/01/2006 - 03/31/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2006 - 06/30/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2006 - 07/28/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	07/29/2006 - 08/11/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	08/12/2006 - 08/31/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2006 - 09/15/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	09/16/2006 - 09/29/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	09/30/2006 - 10/13/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	10/14/2006 - 11/02/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	11/03/2006 - 12/31/2006	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2007 - 03/31/2007	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2007 - 06/30/2007	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2007 - 09/30/2007	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2007 - 12/31/2007	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2008 - 03/31/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2008 - 07/18/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	07/19/2008 - 08/01/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	08/02/2008 - 08/21/2008	0.00	0.00	0.00	0.00	0.00	0.00
C	08/22/2008 - 09/12/2008	0.00	0.00	0.00	250.00	0.00	0.00
W	09/13/2008 - 09/26/2008	0.00	0.00	0.00	0.00	0.00	0.00

W	09/27/2008 - 10/10/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	10/11/2008 - 10/30/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2008 - 12/31/2008	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2009 - 03/31/2009	0.00	0.00	0.00	0.00	0.00	0.00
C	04/01/2009 - 06/30/2009	4,380.00	0.00	0.00	0.00	0.00	0.00
C	07/01/2009 - 09/30/2009	10,527.00	0.00	0.00	7,686.03	0.00	0.00
C	10/01/2009 - 12/31/2009	3,814.32	0.00	0.00	18.85	0.00	0.00
C	01/01/2010 - 03/31/2010	425.30	0.00	0.00	5,907.77	0.00	0.00
C	04/01/2010 - 07/16/2010	1,135.60	0.00	0.00	564.21	0.00	0.00
C	07/17/2010 - 07/30/2010	2,171.00	0.00	0.00	500.00	0.00	0.00
C	07/31/2010 - 08/19/2010	776.30	0.00	0.00	16.31	0.00	0.00
C	08/20/2010 - 09/10/2010	575.00	0.00	0.00	113.75	0.00	0.00
C	09/11/2010 - 09/24/2010	0.00	0.00	0.00	759.02	0.00	0.00
C	09/25/2010 - 10/08/2010	25.00	0.00	0.00	2.00	0.00	0.00
C	10/09/2010 - 10/28/2010	1,914.00	0.00	0.00	1,500.00	0.00	0.00
C	10/29/2010 - 12/31/2010	15.00	0.00	0.00	1,469.50	0.00	0.00
C	01/01/2011 - 03/31/2011	20.00	0.00	0.00	7.00	0.00	0.00
C	04/01/2011 - 06/30/2011	0.00	0.00	0.00	597.50	0.00	0.00
C	08/27/2011 - 09/15/2011	0.00	0.00	0.00	500.00	0.00	0.00
C	07/01/2011 - 09/30/2011	2,568.00	0.00	0.00	778.90	0.00	0.00
C	All Dates (Totals)	31,111.52	0.00	0.00	21,420.84	0.00	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

Submit Query Now

Query the Campaign Finance Data Base

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]



Campaign Expenditures

Florida Nurse Practitioner PAC

This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.

[About the Campaign Finance Data Base](#)

Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address	City State Zip
2011	SF2	09/13/2011	500.00	GIBSON AUDREY	1038-5 DUNN AVENUE #46	JACKSONVILLE, FL 32218

500

1 Expenditure(s) Selected

[Query the Campaign Finance Data Base](#)

Purpose ----- Typ Reimb
CAMPAIGN CONTRIBUTIONS -----
CAN -----

Florida Department of State

Room 316, R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250
(850)245-6200

**Division of
Elections**

Candidate Tracking System

2011 Special Election - Senate 1

State Senator

District 1

Audrey Gibson

Democrat

Address

1038-5 Dunn Avenue #46
Jacksonville, FL 32218

Campaign Treasurer

Andrea Kemp
1038-5 Dunn Avenue #46
Jacksonville, FL 32218-

Phone: (904)631-2032

Status: Elected

Date Filed: 11/05/2008

Date Qualified: 08/18/2011

Method: Made ballot position by collecting petition
signatures

Campaign Finance Activity

Campaign Documents

Petition Signatures