

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

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STATE OF FLORIDA
ELECTIONS COMMISSION

In Re: Paradise Island Committee and James
Cameron, Treasurer

Case No.: FEC 00-373
F.O. No.: DOSFEC 01-184 W

ORDER OF NO PROBABLE CAUSE

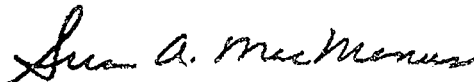
THIS CAUSE came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on May 9 and 10, 2001, in Orlando, Florida.

After considering the Statement of Findings and the recommendations of counsel, the Commission finds that there is:

No Probable cause to believe that the Respondent violated Section 106.143(1), Florida Statutes, failure of a person to mark all political advertisements as a "pd. pol. adv." or "paid political advertisement" and to identify the sponsor.

Therefore, it is **ORDERED** that this case is **DISMISSED**.

DONE AND ENTERED by the Florida Elections Commission and filed with the Clerk of the Commission on May 22, 2001, in Tallahassee, Florida.



Susan A. MacManus, Chairman
Florida Elections Commission
Room 2002, The Capitol
Tallahassee, FL 32399-1050

NOTICE OF RIGHT TO APPEAL

Pursuant to Section 120.68, Florida Statutes, the Respondent may appeal the Commission's final order to the appropriate district court of appeals by filing a notice of appeal both with the Clerk of the Florida Elections Commission and the Clerk of the district court of appeals. The notice must be filed within 30 days of the date this final order was filed with the

Clerk of the Commission and must be accompanied by the appropriate filing fee.

Copies furnished to:

David F. Chester, Assistant General Counsel

James Cameron, Respondent

Carlene Edwards, Complainant

Supervisor of Elections, Monroe County, Filing Officer

Attachment: Statement of Findings

FLORIDA ELECTIONS COMMISSION
STATEMENT OF FINDINGS
Case Number: FEC 00-373

Respondent: Paradise Island Committee and James Cameron, Treasurer

Complainant: Carlene Edwards

On November 1, 2000, the Florida Elections Commission received a sworn complaint alleging that the Respondent violated a section or sections of the Florida Election Code that the Commission has jurisdiction to investigate and to determine violations. The Commission staff investigated the allegations and based on the facts and conclusions of law contained in the complaint, the Report of Investigation, and this statement, the staff recommends that the Commission find that there is:

No Probable cause to believe that the Respondent violated Section 106.143(1), Florida Statutes, failure of a person to mark all political advertisements as a "pd. pol. adv." or "paid political advertisement" and to identify the sponsor.

Summary of Facts and Conclusions of Law

1. Respondent is a political committee that supported incorporating a portion of Florida's Lower Keys into a community called *Paradise Island*. The initiative was put on the ballot during the November 7, 2000, election and lost nearly two to one, 1,553 to 860. Mr. James Cameron has served as the Political Committee's Treasurer since the committee's inception.

2. The *Paradise Island Committee* filed its statement of organization with the Monroe County Supervisor of Elections on June 9, 2000, shortly after the incorporation bill had passed the Legislature and was signed by the Governor. The political committee at issue was formed to support municipally incorporating a portion of Florida Keys into "*The Village of Paradise Island*."

3. Complainant is a member of the *Citizens Against Big Pine Incorporation*, a Political Committee that opposed the Paradise Island incorporation amendment.

4. The Commission staff investigated whether the Respondent violated Section 106.143(1), Florida Statutes, when a bumper sticker bearing the words, "Incorporate Big Pine" was produced and distributed and when a portable sign reading, "Incorporate Big Pine / Vote Yes," was erected.

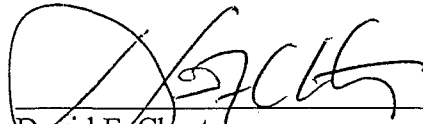
5. Neither the bumper sticker nor the portable sign contained a disclaimer.

6. However, evidence collected during staff's investigation—affidavits from the

responsible parties—demonstrates that the individuals responsible for the bumper stickers and portable sign were not a part of Respondent committee.¹

7. Therefore, staff recommends that the Commission find no probable cause to believe that Respondent violated Section 106.143(1), Florida Statutes.

Respectfully submitted,



David F. Chester
Assistant General Counsel

April 17, 2001

Date

Copy furnished to:

Barbara M. Linthicum, Executive Director
Faye Basiri, Investigator Specialist

¹ In fact, the bumper stickers at issue appeared (even according to Complainant's account) several months before Respondent committee was formed.