

FLORIDA ELECTIONS COMMISSION
December 2 and 3, 1998, Miami Florida
AGENDA RESULTS

1. CALL TO ORDER

2. REVIEW OF MINUTES

Minutes of meeting held on October 7 and 8, 1998 Approved

Minutes of meeting held on October 23, 1998 Approved

3. OLD BUSINESS

Rules package filed for adoption Prepare additional violation scenarios for potential violations.

4. NEW BUSINESS

WILLFUL CASES

	<u>Case No.</u>	<u>FEC Action</u>	<u>Vote</u>
<u>Formal Hearings</u>			
Marion County Education Association	FEC 96-287	Motion to continue until February meeting for submission of briefs on issues	5-0
<u>Informal Hearings</u>			
Ronald DiCrescenzo	FEC 98-091	Motion that Respondent has until end of December to obtain records from candidate Karen Shelley and file addendum or staff is directed to subpoena candidate and records to February meeting	6-0
Joseph Schreiber	FEC 97-037	Motion to continue to February meeting	7-0
Richard J. Gentil	FEC 98-003	Motion to accept Consent Order within 10 days or enter a Final Order fining \$500 for violating s.106.071(1) and \$500 for violating s.106.143(4)(b)	6-1
Ronald G. McKenney	FEC 98-011	Motion to find violation of s.106.08(1) Motion to fine \$25	5-0 5-0
David Katz	FEC 98-031	Motion to find no violation of s.106.143(4)(a) Motion to find violation of s.106.143(3)	5-0 5-0

		Motion to fine \$500	3-2
Bruce Hoffman	FEC 98-092	Motion to find violation of s.106.143(1)	5-0
		Motion to fine \$200	5-0

Final Orders/Consent Orders

Duval Royal Investment, Inc. (CO)	FEC 96-166	Motion to accept Consent Order	7-0
Catherine King	FEC 96-183	Motion to accept ALJ's Recommended Order	7-0
John F. McGuire	FEC 96-281	Motion to find 3 violations of s.106.021(1) Motion to fine \$100 per violation, total fine \$300	6-1 7-0
Armond Pasquale (FO)	FEC 96-321	Motion to rewrite draft Final Order to find violation of s.106.03(1) and leave open issue of willfulness	5-0
Veronica Pasquale (FO)	FEC 96-322	Motion to rewrite draft Final Order to find violation of s.106.03(1) and leave open issue of willfulness	5-0
Future Tech International, Inc. (CO)	FEC 97-215	Motion to accept Consent Order	7-0

Motions

Joseph Stelma (Reconsideration)	FEC 95-012	Motion to deny Motion for Reconsideration	5-0
Darryl Reaves (Default)	FEC 96-304	Motion to Continue until February meeting	
Louis T. Minnis (Default)	FEC 97-051	Motion to deny Motion for Default	5-0
Business Force, Inc. (Reconsideration)	FEC 98-242H	Motion to continue until February meeting for review of submitted medical evidence and set for hearing if warranted	3-2

Probable Cause Determinations (Closed to the Public)

Failure to File Cases

Evelio Medina	FEC 98-102	Motion to find PC of violation of s.106.07(1)	7-0
Evelio Medina	FEC 98-103	Motion to find PC of violation of s.106.141(1)	7-0

Other Cases

Randy Wayne Nelson	FEC 97-171	Motion to find PC of violation of 106.07(5), 106.19(1)(c), 106.19(1)(a), and 106.141(1)	6-0
Stephen G. Villard	FEC 98-001	Motion to find PC of violation of s.106.07(8)	7-0

John J. Cascone	FEC 98-052	Motion to find NPC of violation of s.106.19(1)(c) and PC of violation of s.106.03(1)	7-0
John A. Kelvington	FEC 98-115	Motion to find PC of violation of s.106.143(1) on one occasion	6-0
		Motion to find PC of violation of s.106.143(5)	6-0
Finley J. Little	FEC 98-121	Motion to find PC of violation of s.106.143(1), 106.143(4)(a), & 106.143(5)	5-2
Partners for Progress and Roderick J. Row, Chairman	FEC 98-127	Motion to find NPC of violation of s.106.143(1) and PC of 106.07(5)	6-0
		Motion to find PC of violation of 106.19(1)(c)	5-1
Linda Stewart	FEC 98-141	Motion to find NPC of violation of s.106.148	3-4
		Motion to find PC of violation of s.106.148	4-3
		Motion to find PC of violation of s.106.143(5)	3-4
		Motion to find NPC of violation of s. 106.143(5)	4-3

No Probable Cause Determinations (Closed to the Public)

Save Orange County, Inc., and James Dozier, as Chairman	FEC 97-202	Motion to find NPC of violation of s. 106.04(5)	7-0
William B. Crowther	FEC 97-208	Motion to find NPC of violation of s. 106.143(2), 106.071(1) and 106.085	7-0
Charles M Fernandez	FEC 98-012	Motion to find NPC of violation of s. 106.07(5) and 106.19(1)(c)	6-0
Florida Locally Approved Gaming, Inc.	FEC 98-013	Motion to find NPC of violation of s. 106.07(5) and 106.19(1)(c)	6-0
Jimmy Jett	FEC 98-151	Motion to find NPC of violation of s. 106.143(1), 106.143(2) and 106.143(4)(a)	7-0

AUTOMATIC FINES

Hearings

Florida Waterworks Association	F-98-129 H	Motion for Unusual Circumstances	7-0
Legislative Fund		Fine Fully Waived	7-0
Thomas C. Todd	F-98-161 H	Motion for No Unusual Circumstances	7-0
Eight Is Enough in Pinellas	F-98-201 H	Motion for No Unusual Circumstances	7-0

Dade County Fire Fighters Local 1403 PAC	F-98-214 H	Motion for Unusual Circumstances Fine fully waived	6-1 6-1
Carlton Fields CCE	F-98-217 H	Motion for Unusual Circumstances Fine partially waived, \$2,500 fine	6-1 6-1
Burton C. Conner	F-98-221 H	Motion for Timely Filed	7-0
Tim Ireland	F-98-228 H	Motion for No Unusual Circumstances	7-0
Jim Bishop	F-98-230 H	Motion to find No Unusual Circumstances Motion to Reconsider for opportunity to file supporting affidavit	5-2 4-3
Tony R. Inabnitt	F-98-254 H	Motion for Unusual Circumstances Fine fully waived	6-0 6-0
Tony R. Inabnitt	F-98-255 H	Motion for No Unusual Circumstances	7-0
Florida Locally Approved Gaming, Inc.	F-98-269 H	Motion for No Unusual Circumstances	5-2

Written Appeals

Discussion

Tom Woodruff	F-98-125 W	Motion for Timely Filed	5-0
Louise S. Valdes	F-98-175 W	Motion for Unusual Circumstances	5-0
The Society for the Preservation of Fort Mellon Park	F-98-198 W	Motion for Unusual Circumstances	5-0
The Society for the Preservation of Fort Mellon Park	F-98-199 W	Motion for Unusual Circumstances	5-0
The Society for the Preservation of Fort Mellon Park	F-98-200 W	Motion for Unusual Circumstances	5-0
Charles F. Lambeth	F-98-208 W	Motion for Unusual Circumstances	5-0
Teamsters Local 79 PAC for Better Government	F-98-215 W	Motion for Timely Filed	5-0
Lois J. Frankel	F-98-223 W	Motion for Timely Filed	5-0

Consent

Linda Kubiak	F-98-162 W	Motion for No Unusual Circumstances	7-0
The People's Choice PAC	F-98-172 W	Motion for No Unusual Circumstances	7-0
John L. Walker	F-98-174 W	Motion for No Unusual Circumstances	7-0
Sandy Graber	F-98-176 W	Motion for No Unusual Circumstances	7-0
Fairness For All Floridians	F-98-186 W	Motion for No Unusual Circumstances	7-0
Mary N. Jones	F-98-202 W	Motion for No Unusual Circumstances	7-0
Stephen Clayton Jones	F-98-206 W	Motion for No Unusual Circumstances	7-0

Ralph Hess	F-98-207 W	Motion for No Unusual Circumstances	7-0
Victor Kolmetz	F-98-210 W	Motion for No Unusual Circumstances	7-0
Chris Hart	F-98-211 W	Motion for No Unusual Circumstances	7-0
Children's Warrior Angel	F-98-213 W	Motion for No Unusual Circumstances	7-0
Business PAC of Palm Beach County	F-98-216 W	Motion for No Unusual Circumstances	7-0
Peg Weatherford	F-98-222 W	Motion for No Unusual Circumstances	7-0
Tim Ryan	F-98-224 W	Motion for No Unusual Circumstances	7-0
Albert Rivera	F-98-225 W	Motion for No Unusual Circumstances	7-0
Bob Gray	F-98-226 W	Motion for No Unusual Circumstances	7-0
Mark G. Flanagan	F-98-227 W	Motion for No Unusual Circumstances	7-0
Committee to Promote Conference Center and Hotel	F-98-243 W	Motion for No Unusual Circumstances	7-0
Michael T. Foote	F-98-246 W	Motion for No Unusual Circumstances	7-0
Bernie Navarro	F-98-250 W	Motion for No Unusual Circumstances	7-0
International Longshoremen's Association, AFL-CIO Committee On Political Education	F-98-251 W	Motion for No Unusual Circumstances	7-0
International Longshoremen's Association, AFL-CIO Committee On Political Education	F-98-252 W	Motion for No Unusual Circumstances	7-0
SCA/TIGER	F-98-253 W	Motion for No Unusual Circumstances	7-0
Kendrick Meek	F-98-260 W	Motion for No Unusual Circumstances	7-0
Mitch Anton	F-98-270 W	Motion for No Unusual Circumstances	7-0
Florida Academy of Physician Assistants, Inc., CCE	F-98-271 W	Motion for No Unusual Circumstances	7-0
Independent Funeral Directors of Florida CCE	F-98-272 W	Motion for No Unusual Circumstances	7-0

Hurricane Appeals - Reports Due September 25, 1998

Local Candidates/Committees Filed September 26, 1998

Tom McKeon	F-98-293 W	Motion for Unusual Circumstances	6-0
Pasco Democratic Party	F-98-294 W	Motion for Unusual Circumstances	6-0
John Hall	F-98-295 W	Motion for Unusual Circumstances	6-0
Sandy Graber	F-98-300 W	Motion for Unusual Circumstances	6-0
Carole L. Andrews	F-98-301 W	Motion for Unusual Circumstances	6-0

Mitch Burnstein	F-98-302 W	Motion for Unusual Circumstances	6-0
Sandra Switzer	F-98-303 W	Motion for Unusual Circumstances	6-0
Jonathan M. Sabghir	F-98-304 W	Motion for Unusual Circumstances	6-0

State Candidates/Committees Filed September 26, 1998

Joseph M. Triolo	F-98-305 W	Motion for Unusual Circumstances	6-0
Political Advocacy Coalition	F-98-306 W	Motion for Unusual Circumstances	6-0
Broward County Council of Professional Fire Fighters	F-98-307 W	Motion for Unusual Circumstances	6-0
Women's Political Caucus PAC	F-98-308 W	Motion for Unusual Circumstances	6-0
Debbie Wasserman Schultz	F-98-310 W	Motion for Unusual Circumstances	6-0
Frank Carollo	F-98-311 W	Motion for Unusual Circumstances	6-0
Florida Cemetary PAC	F-98-312 W	Motion for Unusual Circumstances	6-0
The 31 Club	F-98-313 W	Motion for Unusual Circumstances	6-0
Alberto Gutman	F-98-314 W	Motion for Unusual Circumstances	6-0
Dade Action PAC Political Committee	F-98-315 W	Motion for Unusual Circumstances	6-0
Anastasia M. Garcia	F-98-316 W	Motion for Unusual Circumstances	6-0

Local Candidates/Committees Filed September 28, 1998

Concerned Taxpayers Political Committee	F-98-317 W	Motion for Unusual Circumstances	6-0
Two Will Do Political Committee	F-98-318 W	Motion for Unusual Circumstances	6-0
Equality Sarasota	F-98-319 W	Motion for Unusual Circumstances	6-0
R.E.S.T.O.R.E. Political Committee	F-98-320 W	Motion for Unusual Circumstances	6-0
Carol Todd	F-98-321 W	Motion for Unusual Circumstances	6-0
Neil Burnside	F-98-322 W	Motion for Unusual Circumstances	6-0
Robert P. Hebert	F-98-323 W	Motion for Unusual Circumstances	6-0
Broward County Republican Executive Committee	F-98-324 W	Motion for Unusual Circumstances	6-0
Paul Eichner	F-98-325 W	Motion for Unusual Circumstances	6-0
Al Jones	F-98-326 W	Motion for Unusual Circumstances	6-0
Andy Ponnock	F-98-327 W	Motion for Unusual Circumstances	6-0
Naples Better Government Committee	F-98-328 W	Motion for Unusual Circumstances	6-0
Ben Stephenson	F-98-329 W	Motion for Unusual Circumstances	6-0
Robert Shelley	F-98-330 W	Motion for Unusual Circumstances	6-0

Kristin Jacobs	F-98-331 W	Motion for Unusual Circumstances	6-0
Judie S. Budnick	F-98-332 W	Motion for Unusual Circumstances	6-0
State Candidates/Committees Filed September 28, 1998			
Ken Sorensen	F-98-333 W	Motion for Unusual Circumstances	6-0
John F. Cosgrove	F-98-334 W	Motion for Unusual Circumstances	6-0
James R. Jones	F-98-335 W	Motion for Unusual Circumstances	6-0
Dade County Police Benevolent Association PAC	F-98-336 W	Motion for Unusual Circumstances	6-0
Dade County PBA Friends of Law Enforcement PAC	F-98-337 W	Motion for Unusual Circumstances	6-0
Dade County Police Benevolent Association PAC	F-98-338 W	Motion for Unusual Circumstances	6-0
Larcenia J. Bullard	F-98-339 W	Motion for Unusual Circumstances	6-0
Ryder Employees PAC	F-98-340 W	Motion for Unusual Circumstances	6-0
George LeMieux	F-98-341 W	Motion for Unusual Circumstances	6-0
Broward Teachers Union Committee on Political Education	F-98-342 W	Motion for Unusual Circumstances	6-0
Rick Louis	F-98-343 W	Motion for Unusual Circumstances	6-0
Franklin B. Mann, Jr.	F-98-344 W	Motion for Unusual Circumstances	6-0
Jim Fleming	F-98-345 W	Motion for Unusual Circumstances	6-0
Eric Riley	F-98-346 W	Motion for Unusual Circumstances	6-0
Pinellas County Police Benevolent Association PAC	F-98-347 W	Motion for Unusual Circumstances	6-0
Jim Sebesta	F-98-348 W	Motion for Unusual Circumstances	6-0
Florida Veterans PAC, Inc.	F-98-349 W	Motion for Unusual Circumstances	6-0

5. OTHER BUSINESS

Proposed Commission Calendar of Meeting for 1999: Change February Meeting date to second Wednesday and Thursday in February, 1999. The first Commission meeting in 1999 will be held on February 10 and 11, 1999.

Memorandum to supervisors of elections from the Division of Elections

Appeals to district court:

In Re: Barry Silver, FEC 96-145

In Re: Shaw, Pittman, Potts & Townbridge PAC, FEC 98-083W: Mr. John Rimes requested he be referred to as "Counsel for the Commission" in this case and affiliation with DLA dropped.

Commissioner Drage made a motion to approach House of Representatives and Senate to establish a study committee on Chapter 106. 7-0