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15 JUN -2 AM 12:48

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Sierra Club, ~~Inc.~~

Case No.: FEC 15-019

F.O. No.: FOFEC 15-144W

CONSENT ORDER

Respondent, **Sierra Club, ~~Inc.~~**, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all pending issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

FINDINGS OF FACT

- 1 Respondent is a non for profit corporation based in California
- 2 On January 7, 2015, the Commission received a sworn complaint alleging that Respondent violated the following section of The Florida Election Code on one occasion:

Section 106.071(2), Florida Statutes: Sierra Club, ~~Inc.~~, is a not for profit corporation based in California. It appears that one of Respondent's affiliated Florida clubs distributed a political advertisement which did not include a proper disclaimer, as alleged in the complaint

- 3 No other legally sufficient violation of Chapter 104 or 106, Florida Statutes, was alleged in the complaint.
- 4 Respondent against whom the complaint was filed has not been notified of an allegation of the same violation before the conduct about which the complaint was filed.
- 5 If the alleged violation occurred less than 14 days before the election in which the Respondent is participating, the complainant did not allege that the political advertisement was

either deceptive or influenced the outcome of the election.

6. Respondent used its name in the political advertisement.

CONCLUSIONS OF LAW

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

8. The Commission considers the allegation contained in the complaint a minor violation, pursuant to Rule 2B-1.003, Florida Administrative Code.

9. Respondent neither admits nor denies that it violated Section 106.071(2), Florida Statutes, on one occasion.

ORDER

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

11. Respondent shall bear its own attorney fees and costs that are in anyway associated with this case.

12. Respondent understands that before the Consent Order is final agency action, it must be approved by the Commission. The Commission will consider the Consent Order at its next available meeting.

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

14. Respondent will carefully review Chapter 106, Florida Statutes, and avoid any future violation of the chapter.

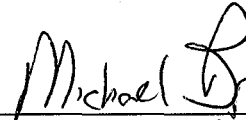
15. Respondent agrees to correct immediately, if feasible, the violations alleged in the complaint.

16. If the Commission does not receive the signed Consent Order and payment by the close of business on April 23, 2015, the staff withdraws this offer of settlement and will proceed with an investigation of the allegations in the complaint.

17. Respondent shall remit to the Commission a civil penalty in the amount of \$250. The civil penalty shall be paid by money order, cashier's check, or attorney trust account check and be valid for 120 days from the date of its issuance. The civil penalty shall be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

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

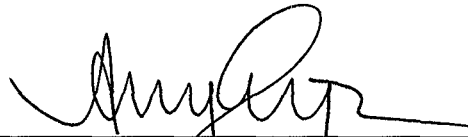
April 21, 2015.



Michael Brune, ~~Chair~~ Executive Director
Sierra Club, ~~Inc~~
85 Second Street, 2nd Floor
San Francisco, CA 94105

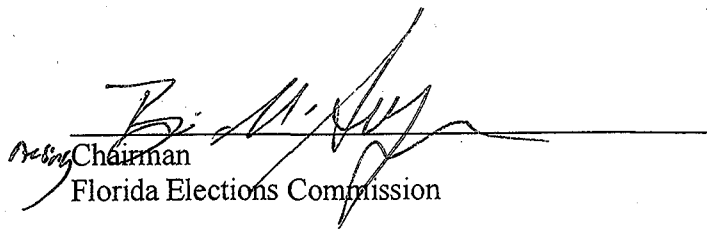
The **Commission staff** hereby agrees and consents to the terms of this Consent Order on

April 22, 2015.



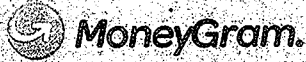
Amy McKeever Toman, Executive Director
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

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


Chairman
Florida Elections Commission

Copies furnished to:
Amy McKeever Toman, Executive Director
Sierra Club, Inc., Respondent
Thomas Rask, Complainant

Valid Money Order includes: 1. Heat sensitive, red stop sign AND 2. Contains a True Watermark, hold up to light to view.



INTERNATIONAL MONEY ORDER 75-1618
919

04/21/15

To Validate: Touch the stop sign,
then watch it fade and reappear



10660500862
MONEY ORDER

PAY EXACTLY
\$250.00
TWO HUNDRED ****
FIFTY DOLLARS **
00 CENTS *****

962775002830028
3607341111128862

PAY TO THE
ORDER OF:
PAGAR A LA
ORDEN DE:

~~LIBRADOR~~
IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS /
DIRECCION: ~~San Jose, Costa Rica~~

Payable Through
Citizens Alliance Bank
Clara City, MN

ISSUER/DRAWER:
MONEYGRAM PAYMENT SYSTEMS, INC

MONEY ORDER NUMBER
R106605008620

CALL 1-800-542-3396 TO VERIFY

R 1066 05008620

DETACH HERE

EMPLOYEE
715 (1212) 700/1400
M 72866-V



10660500862
128 RECEIPT \$250.00
962775002830028
RECIBO 4.1

KEEP A COPY OF THIS STUB
FOR YOUR RECORDS/
MANTENGA UNA COPIA DE
ESTE RECIBO PARA SUS ARCHIVOS

MONEYGRAM PAYMENT SYSTEMS, INC. DRAWER
P.O. BOX 9476
MINNEAPOLIS, MN 55480
PURCHASER/ISSUER/ISSUE DATE/AMOUNT

MONEYGRAM PAYMENT SYSTEMS, INC. DRAWER