



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

March 10, 2015

Kimberle B. Weeks
3056 County Road 305
Bunnell, FL 32110

RE: Case No.: FEC 14-476; Respondent: George E. Hanns

Dear Ms. Weeks:

The Florida Elections Commission has received your complaint alleging violations of Florida's election laws. I have reviewed your complaint and find it to be legally insufficient.

In your complaint you essentially allege that Respondent, a Flagler County Commissioner and a member of the county canvassing board during the 2014 election cycle, was an active participant in the campaign of a candidate (Frank Meeker) who had opposition in the election being canvassed. You allege that Respondent was required to step down from the canvassing board, but refused to do so.

In support of your allegation, you provided a copy of a political advertisement that included a quote attributed to Respondent in support of Frank Meeker. Respondent denies that he made the statement attributed to him and, in fact, Frank Meeker publicly acknowledged that the attribution was an error.

Section 102.141(1), Florida Statutes, prohibits a canvassing board member from being an active participant in a campaign. You have alleged that the actions of another person (Frank Meeker) created a perception that Respondent was an active participant in that person's campaign, but you have not alleged facts sufficient to show that Respondent was in fact an active participant in such campaign.

You further allege that the request of the Flagler County Commission for assistance from the Florida Department of State to observe and examine the county's election process was unsupported by evidence that the assistance was necessary. The election laws do not prohibit a county government from approaching the Department of State with concerns about an election. Furthermore, issues related to the relationship between a county's Supervisor of Elections and the county's commission are outside the jurisdiction of the Florida Elections Commission, as are allegations of potential violations of the Sunshine Law.

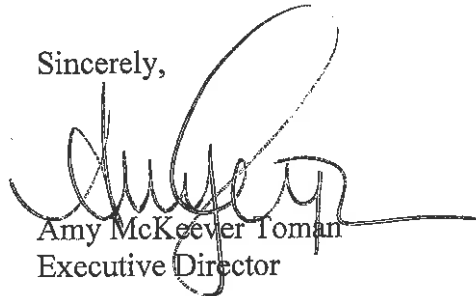
For these reasons, I find your complaint to be legally insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If the additional information corrects the stated ground(s) of insufficiency, I will notify both you and the Respondent. If you submit an additional statement containing facts, you must sign the statement and have your signature notarized. In addition, any additional facts you submit to the Commission must be based on either personal information or information other than hearsay.

Until this case is closed, section 106.25(7), Florida Statutes, provides that the Respondent may not disclose this letter, the complaint, or any document related to this case, unless he or she waives confidentiality in writing. To waive confidentiality, the Respondent must mail or fax a written waiver of confidentiality to Donna Ann Malphurs at the address or fax number listed above.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

cc: Mark Herron, Attorney for Respondent