



 **COPY**

Jill Chamberlin

Florida House of Representatives

Rules & Calendar Council

Larry Cretul
Speaker

Bill Galvano
Chair

March 17, 2010

James Barnes
8350 NW 15th Court
Coral Springs, FL 33071

RE: Complaint 10-01 regarding Rep. Ron Saunders

Dear Mr. Barnes:

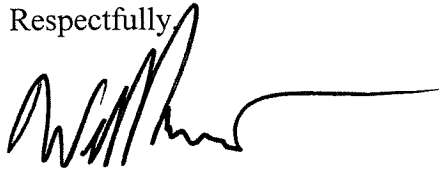
On Tuesday, March 2, 2010, the Rules & Calendar Council received a copy of your complaint against Rep. Ron Saunders. Pursuant to House Rule 16.2(b), I am returning your complaint and dismissing it as filed. The complaint does not comply with House Rule 16.2(a) which requires that it be made under oath. The document received contains no evidence of a properly administered oath or affirmation and is accordingly insufficient.

In addition, it appears that the complaint has numerous other deficiencies. The allegations regarding conduct that occurred in 2007 are not actionable pursuant to House Rule 16.2(I)(1), which requires that a complaint be filed with the Speaker within 2 years after the alleged violation. In addition, the allegation that Rep. Saunders was in Tallahassee on March 17, 2008, but that his campaign treasurers' report shows an expense for a rental car in Fort Myers on April 1, 2008 neither shows a conflict in reporting, nor any evidence that it was Rep. Saunders himself that rented the car. While I review the allegations in a light most favorable to the complainant, I am not required to make any inferences regarding the allegations in the complaint, nor am I to look any further than the face of the complaint and the documents attached thereto.

Lastly, the complaint alleges that Rep. Saunders accepted ten campaign contributions on March 4, 2008 (Regular Session) in violation of House Rule 15.3.¹ As evidence for this claim, Rep. Saunders' campaign contribution report is attached to the complaint. Members are required by law to deposit campaign checks prior to the end of the 5th business day of receipt thereof.² The campaign contribution report shows that checks were deposited on the first day of regular session in 2008, but offers no evidence that Rep. Saunders either solicited or accepted those checks during regular session, only that checks were deposited.

You are entitled to resubmit a corrected complaint at any time within two years of the violation alleged pursuant to House Rule 16.2(*l*). If you have any questions about this response to your complaint, please contact Stephanie Birtman, Council Director of the Rules & Calendar Council at 850-488-0350.

Respectfully,

A handwritten signature in black ink, appearing to read "Bill Galvano", with a long horizontal flourish extending to the right.

Bill Galvano, Chair
Rules & Calendar Council

cc: Rep. Ron Saunders
Speaker Larry Cretul

¹ House Rule 15.3(b) provides that "A member may neither solicit nor accept any campaign contribution during the 60-day regular legislative session or any extended or special session on the member's own behalf, on behalf of a political party, on behalf of any organization with respect to which the member's solicitation is regulated under s. 106.0701, Florida Statutes, or on behalf of a candidate for the House of Representatives; however, a member may contribute to the member's own campaign."

² Section 106.05, Florida Statutes.