

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 16-31

WHEREAS, the people of the State of Florida, by constitutional amendment, have declared that a public office is a public trust and the people have a right to secure and sustain that trust against abuse; and

WHEREAS, the State of Florida Commission on Ethics has been created to assure that public officers and employees do not abuse the trust placed in them; and

WHEREAS, M. Wayne Smith, was at all times material hereto a member of the Union County Commission, and as such was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III of Chapter 112, Florida Statutes, and subject to the jurisdiction of the Commission on Ethics; and

WHEREAS, in the Final Order and Public Report No. 15-044 rendered on October 28, 2015, the Commission on Ethics found that M. Wayne Smith violated section 112.313(6), Florida Statutes, by coercing, harassing, retaliating, or threatening and/or attempting to coerce, harass, retaliate, or threaten a County employee, and by misusing resources to pave a road within his Commission district; and

WHEREAS, the Governor accepts the findings, conclusions, and recommendations of the Commission on Ethics Final Order and Public Report No. 15-044.

NOW THEREFORE, I, RICK SCOTT, Governor of Florida, in obedience to my constitutional duty to take care that the laws be faithfully executed, and pursuant to the Constitution and laws of the State of Florida, issue this Executive Order, effective immediately, declaring that:

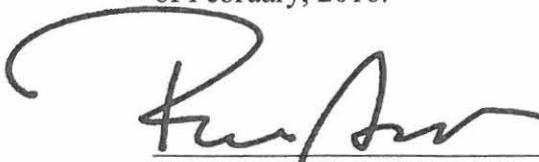
1. M. Wayne Smith violated section 112.313(6), Florida Statutes, by coercing, harassing, retaliating, or threatening and/or attempting to coerce, harass, retaliate, or threaten a County employee, and by misusing resources to pave a road within his Commission district.

2. A civil penalty in the amount of \$3,500.00 is hereby imposed against Smith, which shall be satisfied within thirty (30) days of the date of this order. Payment must be submitted with a written statement under oath by Smith that the penalty amount was not paid with public funds and will not be reimbursed with public funds.

3. M. Wayne Smith is hereby publicly censured and reprimanded.

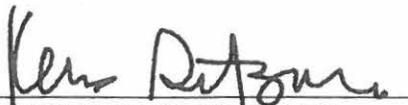
IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 5th day of February, 2016.





RICK SCOTT, GOVERNOR

ATTEST:



SECRETARY OF STATE

FILED
2016 FEB -5 AM 11:29
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA