

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Latvala, Chair**  
**Senator Sobel, Vice Chair**

**MEETING DATE:** Monday, March 18, 2013  
**TIME:** 1:00 —3:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Latvala, Chair; Senator Sobel, Vice Chair; Senators Benacquisto, Braynon, Clemens, Diaz de la Portilla, Flores, Gardiner, Joyner, Lee, Legg, Soto, and Thrasher

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. See attached documentation for Tabs 1 - 25.			
<b>Board of Architecture and Interior Design</b>			
1	Ehrig, John P. (Orlando)	10/31/2015	Recommend Confirm Yeas 12 Nays 0
<b>Florida Board of Auctioneers</b>			
2	Dietrich, Hugh Fred III (Orlando)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
	Shearer, Donald L. ()	10/31/2013	Recommend Confirm Yeas 12 Nays 0
<b>Florida State Boxing Commission</b>			
3	DeSisto, Antonius "Tony" M. (Tampa)	09/30/2015	Recommend Confirm Yeas 12 Nays 0
	Kearney, Wayne W. (Indian Harbour Beach)	09/30/2015	Recommend Confirm Yeas 12 Nays 0
	Williams, Mark M. (Lynn Haven)	09/30/2014	Recommend Confirm Yeas 12 Nays 0
<b>Florida Building Code Administrators and Inspectors Board</b>			
4	McCormick, Robert S. (Sanford)	10/31/2013	Recommend Confirm Yeas 12 Nays 0
<b>Florida Building Commission</b>			
5	Boyer, Robert G. (Palm City)	07/26/2015	Recommend Confirm Yeas 12 Nays 0
	Flanagan, Kevin M. (Ft. Lauderdale)	01/30/2015	Recommend Confirm Yeas 12 Nays 0
	Schiffer, Brad (Naples)	08/11/2015	Recommend Confirm Yeas 12 Nays 0
<b>Florida Citrus Commission</b>			
6	Clark, J. A. III (Wauchula)	06/30/2013	Recommend Confirm Yeas 12 Nays 0
	Garavaglia, Michael J., Jr. (Vero Beach)	06/30/2013	Recommend Confirm Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Monday, March 18, 2013, 1:00 —3:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	Haycock, Michael W. (Longboat Key)	05/31/2015	Recommend Confirm Yeas 12 Nays 0
	Pena, Virginia S. (Clewiston)	06/30/2014	Recommend Confirm Yeas 12 Nays 0
<b>State Board of Education</b>			
7	Bradshaw, Sara "Sally" S. (Havana)	12/31/2013	Recommend Confirm Yeas 12 Nays 0
<b>Education Practices Commission</b>			
8	Presha, Bernard Jerome ()	08/18/2016	Recommend Confirm Yeas 12 Nays 0
<b>Electrical Contractors' Licensing Board</b>			
9	Botknecht, David H. (Hollywood)	10/31/2013	Recommend Confirm Yeas 12 Nays 0
	Chinchor, Timothy Z. (Deltona)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
	Sandefer, Paul W. (Orange Park)	10/31/2013	Recommend Confirm Yeas 12 Nays 0
<b>Board of Professional Engineers</b>			
10	Garcia de Quevedo, Nola A. (Miami)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
<b>Environmental Regulation Commission</b>			
11	Bauer, Michael R. (Naples)	07/01/2013	Recommend Confirm Yeas 12 Nays 0
	Gelber, Adam R. (Miami Beach)	07/01/2015	Recommend Confirm Yeas 12 Nays 0
	Joyce, Joseph C. (Gainesville)	07/01/2015	Recommend Confirm Yeas 12 Nays 0
	Montoya, Herbert William (Ponte Vedra Beach)	07/01/2015	Recommend Confirm Yeas 12 Nays 0
	Roth, Cari L. (Tallahassee)	07/01/2013	Recommend Confirm Yeas 12 Nays 0
<b>Tampa-Hillsborough County Expressway Authority</b>			
12	Diacio, Stephen C. (Tampa)	07/01/2014	Recommend Confirm Yeas 12 Nays 0
<b>Fish and Wildlife Conservation Commission</b>			
13	Roberts, Charles W. III (Tallahassee)	08/01/2016	Recommend Confirm Yeas 12 Nays 0
<b>Board of Hearing Aid Specialists</b>			
14	Hollern, Thomas M. (Tallahassee)	10/31/2013	Recommend Confirm Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Monday, March 18, 2013, 1:00 —3:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Florida Inland Navigation District</b>			
15	Kavanagh, Gail (Port St. Lucie)	01/09/2015	Recommend Confirm Yeas 12 Nays 0
<b>Board of Massage Therapy</b>			
16	Ford, Karen Goff (Punta Gorda)	10/31/2015	Recommend Confirm Yeas 12 Nays 0
<b>Parole Commission</b>			
17	Cohen, Bernard R., Sr. (Tallahassee)	06/30/2014	Recommend Confirm Yeas 12 Nays 0
	Coonrod, Melinda N. ()	06/30/2018	Recommend Confirm Yeas 12 Nays 0
<b>Board of Pilot Commissioners</b>			
18	Swindell, Robert C. (Ft. Lauderdale)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
<b>Public Employees Relations Commission</b>			
19	Poole, Donna Maggert (Tallahassee)	01/01/2014	Recommend Confirm Yeas 12 Nays 0
<b>Chair, Public Employees Relations Commission</b>			
20	Hogan, Mike (Jacksonville)	01/01/2016	Recommend Confirm Yeas 12 Nays 0
<b>Florida Real Estate Appraisal Board</b>			
21	Herndon, Joni L. (Tampa)	10/31/2013	Recommend Confirm Yeas 12 Nays 0
	Ketcham, Clayton "Clay" Blane (Tallahassee)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
	Pechillo, Roy A. (Orange Park)	10/31/2015	Recommend Confirm Yeas 12 Nays 0
<b>Florida Real Estate Commission</b>			
22	Podolsky, William J. III (Tampa)	10/31/2014	Recommend Confirm Yeas 12 Nays 0
<b>Tampa Bay Regional Planning Council, Region 8</b>			
23	Schock, Timothy E. (Tampa)	10/01/2013	Recommend Confirm Yeas 12 Nays 0
<b>Florida Transportation Commission</b>			
24	Ellington, Donald L. (Gainesville)	09/30/2013	Recommend Confirm Yeas 12 Nays 0
	Frazier, Susan Katherine (Tampa)	09/30/2015	Recommend Confirm Yeas 12 Nays 0
	Kigel, Beth R. (Lake Worth)	09/30/2015	Recommend Confirm Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Monday, March 18, 2013, 1:00 —3:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	Marono, Manuel L. (Sweetwater)	09/30/2015	Recommend Confirm Yeas 12 Nays 0
	Trumbull, Jay N. (Panama City)	09/30/2015	Recommend Confirm Yeas 12 Nays 0
	Tuck, Andy (Sebring)	09/30/2014	Recommend Confirm Yeas 12 Nays 0

**Governing Board of the Suwannee River Water Management District**

25	Brown, Kevin W. (Alachua)	03/01/2015	Recommend Confirm Yeas 12 Nays 0
	Cole, George M. (Monticello)	03/01/2015	Recommend Confirm Yeas 12 Nays 0
	Curtis, Donald Raymond "Ray" III (Perry)	03/01/2015	Recommend Confirm Yeas 12 Nays 0
	Jones, Gary F. (Old Town)	03/01/2016	Recommend Confirm Yeas 12 Nays 0
	Quincey, Donald "Don" (Chiefland)	03/01/2016	Recommend Confirm Yeas 12 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
26	<b>CS/SB 538</b> Community Affairs / Ring / Negrón	Special Districts; Requiring certain single-county independent special districts to administratively consolidate with the municipality or county in which they are located if such consolidation will result in increased efficiencies; limiting the insurance benefits of district officers and employees to the benefits provided by the local governing authority to its officers and employees; revising the information that must be presented by a community development district to the local governing authority and requiring the information to be provided at a publicly noticed meeting, etc.  CA 03/07/2013 Fav/CS EE 03/18/2013 Temporarily Postponed AFT AP	Temporarily Postponed

**A proposed committee substitute** for the following bill (SB 600) is expected to be considered:

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Monday, March 18, 2013, 1:00 —3:00 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
27	<b>SB 600</b> Latvala (Compare H 25, H 397, H 1045, CS/H 7013, H 7021, S 388, S 668, S 1198)	Elections; Revising qualifications for late voter registration; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; revising the requirements of the voter's certificate accompanying an absentee ballot; revising what a canvassing board may consider an illegal absentee ballot; revising restrictions relating to the solicitation of voters, etc.  EE 03/04/2013 EE 03/18/2013 Fav/CS CA RC	Fav/CS Yeas 8 Nays 5

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Other Related Meeting Documents

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Committee:  
**ETHICS AND ELECTIONS**

Senator Latvala, Chair  
Senator Sobel, Vice Chair

**Meeting Packet**  
Monday, March 18, 2013  
1:00—3:00 p.m.  
Pat Thomas Committee Room, 412 Knott Building

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

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TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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**Senate Confirmation Hearing:** A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. See attached documentation for Tabs 1 - 25.

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**Board of Architecture and Interior Design**

1	Ehrig, John P. (Orlando)	10/31/2015
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**Florida Board of Auctioneers**

2	Dietrich, Hugh Fred III (Orlando)	10/31/2014
	Shearer, Donald L. ()	10/31/2013

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**Florida State Boxing Commission**

3	DeSisto, Antonius "Tony" M. (Tampa)	09/30/2015
	Kearney, Wayne W. (Indian Harbour Beach)	09/30/2015
	Williams, Mark M. (Lynn Haven)	09/30/2014

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**Florida Building Code Administrators and Inspectors Board**

4	McCormick, Robert S. (Sanford)	10/31/2013
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**Florida Building Commission**

5	Boyer, Robert G. (Palm City)	07/26/2015
	Flanagan, Kevin M. (Ft. Lauderdale)	01/30/2015
	Schiffer, Brad (Naples)	08/11/2015

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**Florida Citrus Commission**

6	Clark, J. A. III (Wauchula)	06/30/2013
	Garavaglia, Michael J., Jr. (Vero Beach)	06/30/2013
	Haycock, Michael W. (Longboat Key)	05/31/2015
	Pena, Virginia S. (Clewiston)	06/30/2014

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**State Board of Education**

7	Bradshaw, Sara "Sally" S. (Havana)	12/31/2013
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**Education Practices Commission**

8	Presha, Bernard Jerome ()	08/18/2016
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**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

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	Sandefer, Paul W. (Orange Park)	10/31/2013	
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**A proposed committee substitute** for the following bill (SB 600) is expected to be considered:

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Ethics and Elections

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		EE 03/04/2013 EE 03/18/2013 CA RC	

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Other Related Meeting Documents

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The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

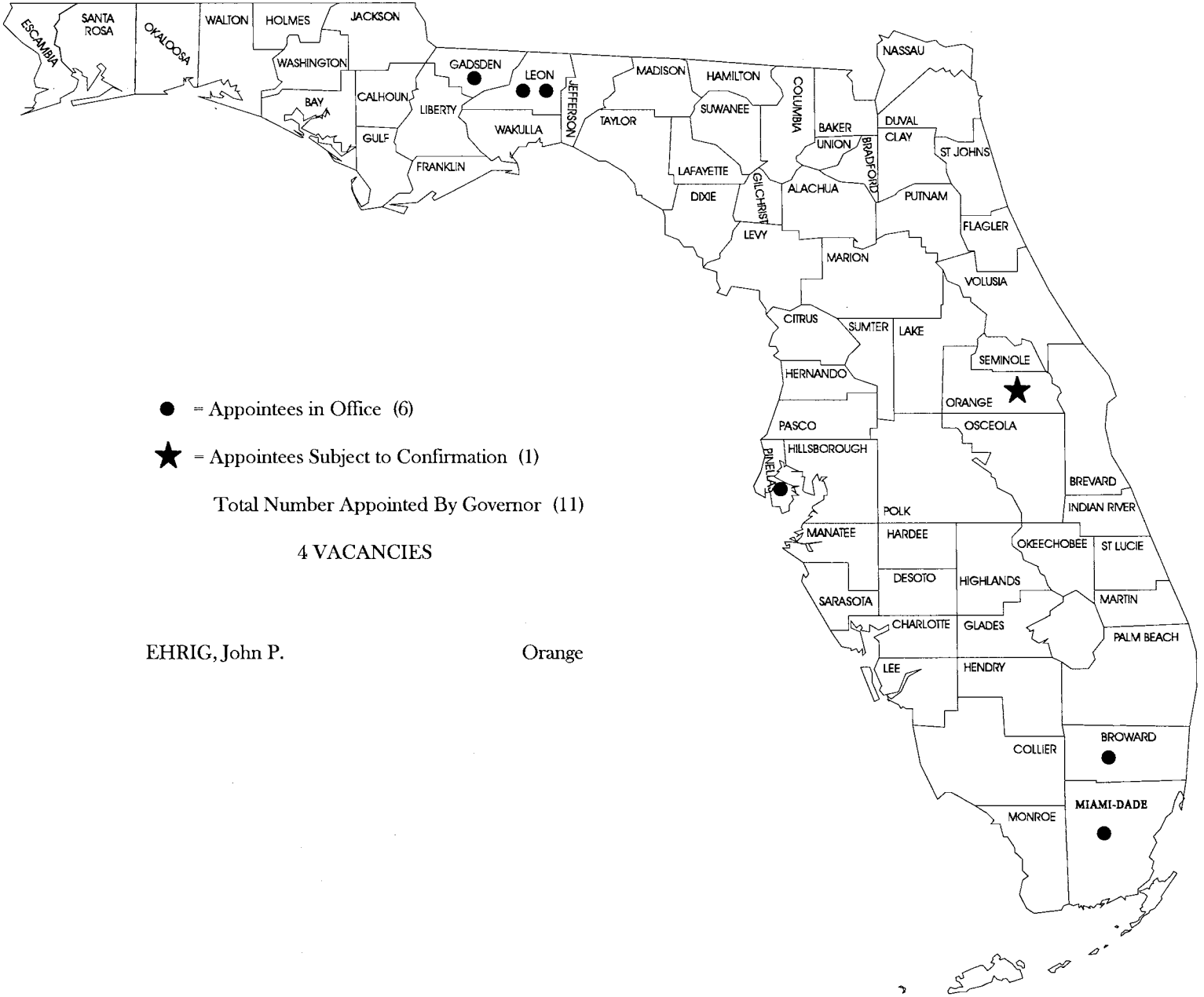
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Board of Architecture and Interior Design



- = Appointees in Office (6)
- ★ = Appointees Subject to Confirmation (1)

Total Number Appointed By Governor (11)

4 VACANCIES

EHRIG, John P.

Orange

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Ehrig, John P.

Appointed: 02/20/2012

Term: 02/17/2012 – 10/31/2015

Prior Term: 02/07/2008 - 10/31/2011

City/County: Orlando/Orange

Office: Board of Architecture and Interior Design, Member

Authority: 481.205, F.S. & 20.165(4)(a)1, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/13/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/12
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Architect - HHCP, Inc.

**Attendance:** Attended 24 of 25 meetings (96%) from February 7, 2008 through January 25, 2013.

**Attendance** Absence was reported as excused.

**Notes:**

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of:

- Five registered architects who have been engaged in the practice of architecture for at least 5 years;
- Three registered interior designers who have been offering interior design services for at least 5 years and who are not also registered architects; and
- Three lay persons who are not and have never been architects, interior designers, or members of any closely related profession or occupation.
- At least one member of the board must be 60 years of age or older.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Architect  
Number 18 - Mr. Ehrig served on the City of Clearwater Municipal Code Enforcement Board from 1980-1986. He was a member of the City of Clearwater Planning and Zoning Board in 1989.  
Number 19 - Mr. Ehrig was the Director of Strategic Planning for the Orange County School System from 11/04-12/05.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

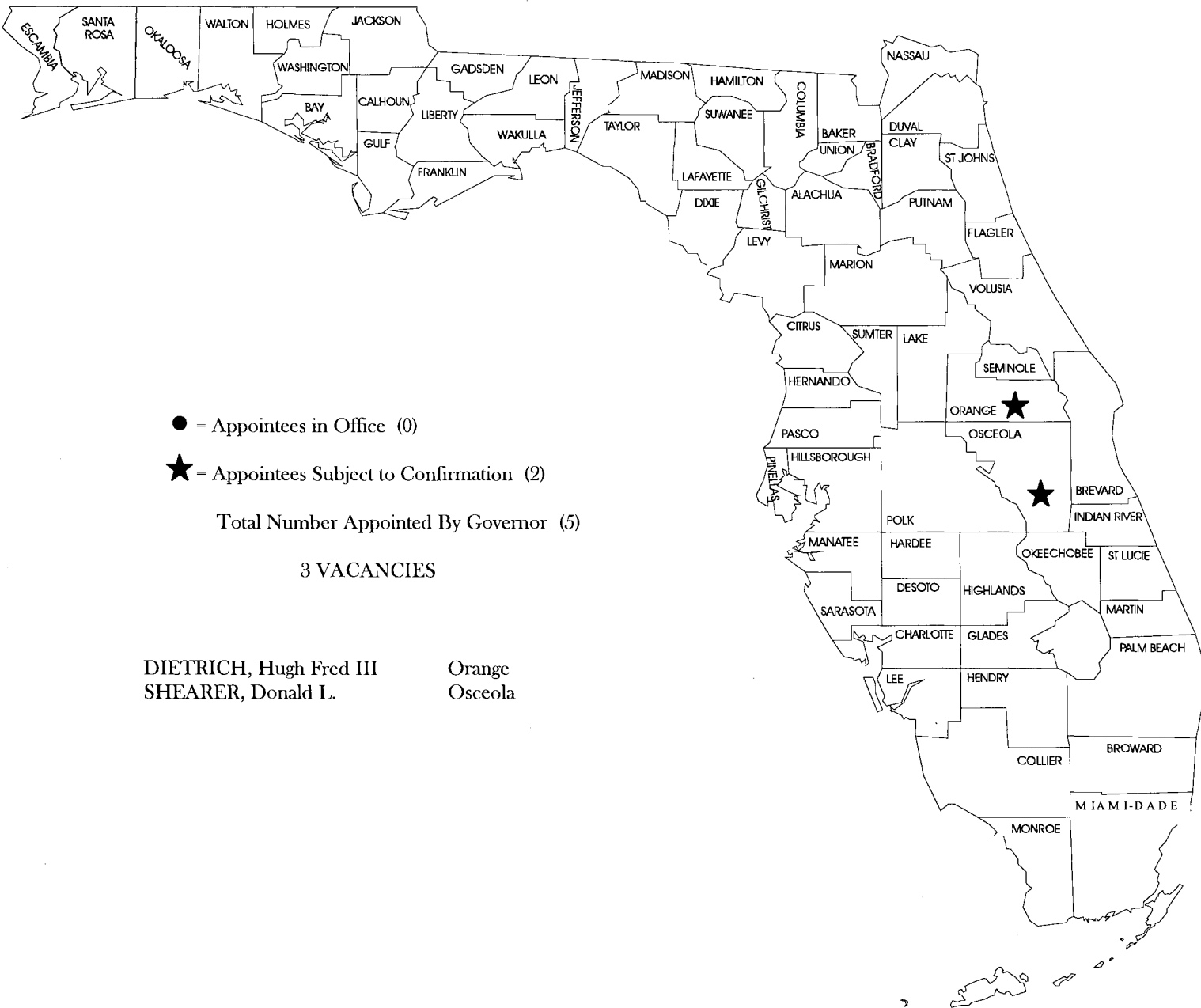
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Board of Auctioneers



- - Appointees in Office (0)
- ★ - Appointees Subject to Confirmation (2)

Total Number Appointed By Governor (5)

3 VACANCIES

DIETRICH, Hugh Fred III	Orange
SHEARER, Donald L.	Osceola



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Dietrich, Hugh Fred, III

Appointed: 04/25/2012

Term: 04/24/2012 – 10/31/2014

Prior Term: 08/09/2007 - 10/31/2010

City/County: Orlando/Orange

Office: Florida Board of Auctioneers, Member

Authority: 468.384, F.S. & 20.165(4)(a)2, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/23/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Auctioneer/H. Fred Dietrich & Associates

**Attendance:** Attended 24 of 24 meetings (100%) from August 9, 2007 through March 11, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The five-member board consists of:

- Two members who have been actively and principally engaged as auctioneers for a period of not less than 5 years preceding appointment;
- One member who is a principal of an auction company; and
- Two members who are lay persons.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Auctioneer

Number 15 - Mr. Dietrich is a contract auctioneer and provides auctioneer services for state and county government agencies.

Number 18 - Mr. Dietrich previously served on the Florida Board of Auctioneers, 1999-1/10/2007.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Shearer, Donald L.

Appointed: 09/25/2012

Term: 09/25/2012 – 10/31/2013

Prior Term:

City/County: Kissimmee/Osceola

Office: Florida Board of Auctioneers, Member

Authority: 468.384, F.S. & 20.165(4)(a)2, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 9/26/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Retired

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The five-member board consists of:

- Two members who have been actively and principally engaged as auctioneers for a period of not less than 5 years preceding appointment;
- One member who is a principal of an auction company; and
- Two members who are lay persons.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Shearer served in the U.S. Army from 1967 to 1970.  
Number 8 - Auctioneer  
Number 18 - Mr. Shearer served on this board since Mr. Shearer was the Chair of the Kissimmee Utility Authority in 2004. He also served on the Kissimmee Planning Board in 1998  
Number 19 - Mr. Shearer was employed as a Deputy with the Osceola County Sheriff's Department, 2005-2012.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

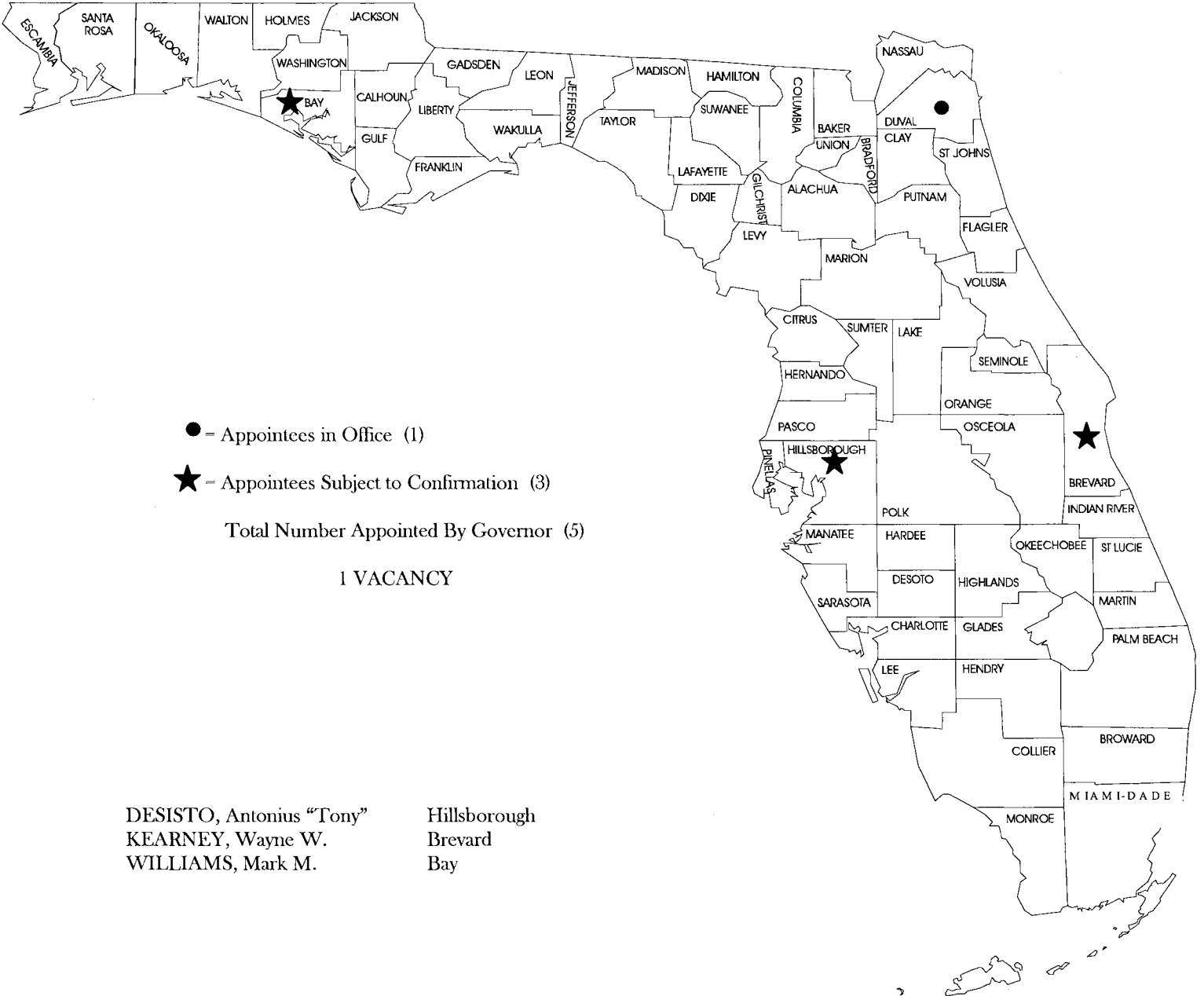
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida State Boxing Commission



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: DeSisto, Antonius "Tony" M.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2015

Prior Term: 01/27/2012 - 09/30/2015

City/County: Tampa/Hillsborough

Office: Florida State Boxing Commission, Member

Authority: 548.003(1), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/1/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney; and Co-Founder/Citiinvestor (civic crowdfunding)

**Attendance:** Attended 6 of 6 meetings (100%) from January 27, 2012 through February 7, 2013.

**Compensation:** Reimbursed fifty dollars for each day of attendance at a commission meeting and for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The five-member commission is appointed by the Governor, subject to confirmation by the Senate.

One member must be a physician licensed pursuant to chapter 458 or chapter 459, who must maintain an unencumbered license in good standing, and who must, at the time of her or his appointment, have practiced medicine for at least 5 years.

No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from, any person or entity who sanctions, arranges, or promotes professional boxing or who otherwise has a financial interest in an active boxer currently registered with a boxing registry. (Rule 61K1-1.0023)

**Additional Requirements:** Terms are for four years. Three consecutive unexcused absences or absences constituting 50 percent or more of the commission's meetings within any 12-month period shall cause the commission membership of the member in question to become void, and the position shall be considered vacant. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 18 - Mr. DeSisto served on the City of Tampa Citizens Advisory Budget and Finance Committee from 10/1/2011-9/30/2012. In addition, Mr. DeSisto previously served on the Hillsborough County Health Care Advisory Board.



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kearney, Wayne W.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2015

Prior Term: 01/27/2012 - 09/30/2015

City/County: Indian Harbour Beach/Brevard

Office: Florida State Boxing Commission, Member

Authority: 548.003(1), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/22/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Endodontist, Private Practice

**Attendance:** Attended 6 of 6 meetings (100%) from January 27, 2012 through February 7, 2013.

**Compensation:** Reimbursed fifty dollars for each day of attendance at a commission meeting and for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The five-member commission is appointed by the Governor, subject to confirmation by the Senate.

One member must be a physician licensed pursuant to chapter 458 or chapter 459, who must maintain an unencumbered license in good standing, and who must, at the time of her or his appointment, have practiced medicine for at least 5 years.

No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from, any person or entity who sanctions, arranges, or promotes professional boxing or who otherwise has a financial interest in an active boxer currently registered with a boxing registry. (Rule 61K1-1.0023)

**Additional Requirements:** Terms are for four years. Three consecutive unexcused absences or absences constituting 50 percent or more of the commission's meetings within any 12-month period shall cause the commission membership of the member in question to become void, and the position shall be considered vacant. Required to file Form 1 with the Commission on Ethics.

**Notes:**

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Williams, Mark M.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2014

Prior Term: 12/09/2011 - 09/30/2014

City/County: Lynn Haven/Bay

Office: Florida State Boxing Commission, Member

Authority: 548.003(1), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/20/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Orthopaedic Surgeon - Self Employed

**Attendance:** Attended 6 of 6 meetings (100%) from December 9, 2011 through February 7, 2013.

**Compensation:** Reimbursed fifty dollars for each day of attendance at a commission meeting and for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The five-member commission is appointed by the Governor, subject to confirmation by the Senate.

One member must be a physician licensed pursuant to chapter 458 or chapter 459, who must maintain an unencumbered license in good standing, and who must, at the time of her or his appointment, have practiced medicine for at least 5 years.

No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from, any person or entity who sanctions, arranges, or promotes professional boxing or who otherwise has a financial interest in an active boxer currently registered with a boxing registry. (Rule 61K1-1.0023)

**Additional Requirements:** Terms are for four years. Three consecutive unexcused absences or absences constituting 50 percent or more of the commission's meetings within any 12-month period shall cause the commission membership of the member in question to become void, and the position shall be considered vacant. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Physician

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

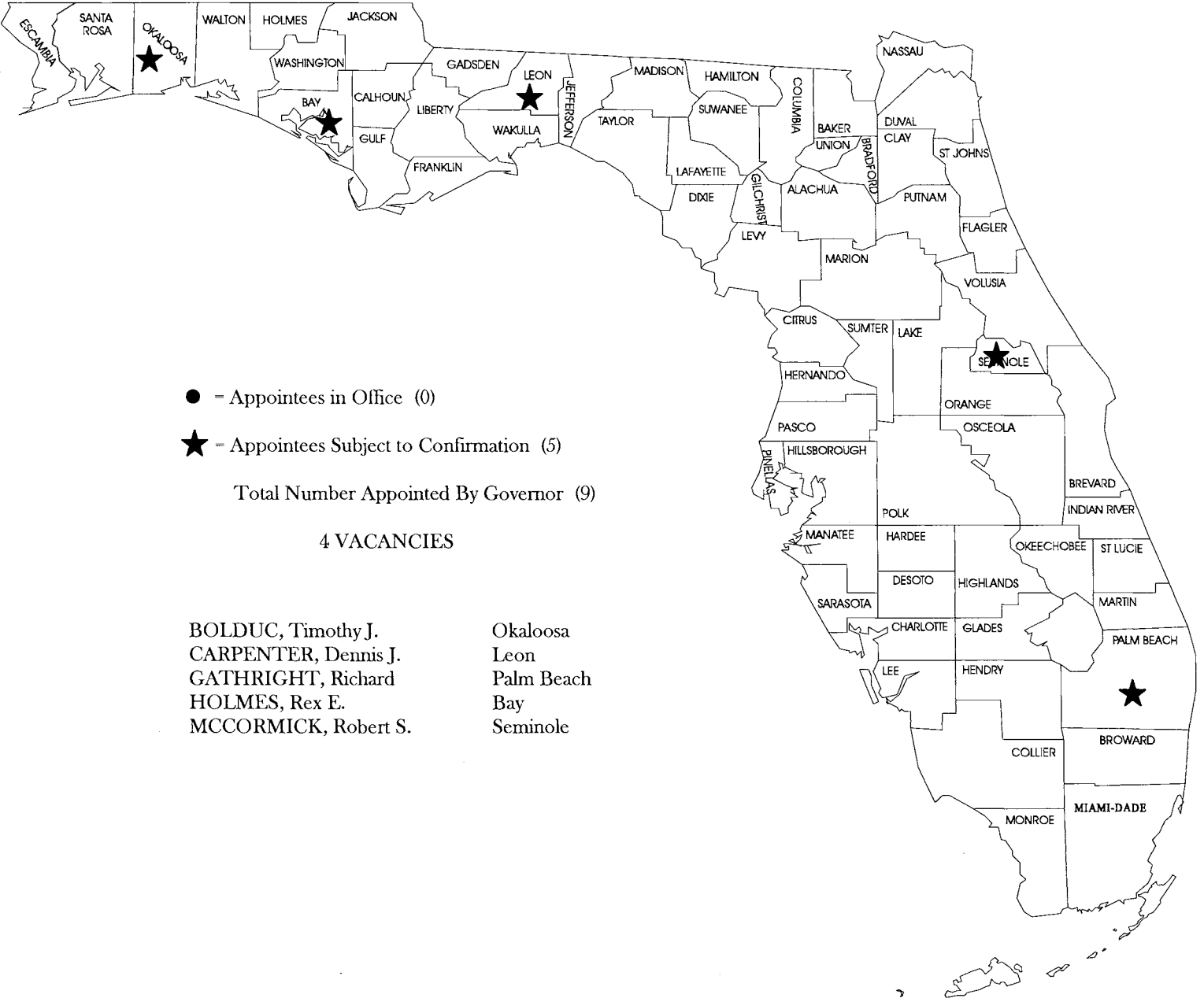
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Building Code Administrators and Inspectors Board



- - Appointees in Office (0)
  - ★ - Appointees Subject to Confirmation (5)
- Total Number Appointed By Governor (9)

4 VACANCIES

BOLDUC, Timothy J.  
 CARPENTER, Dennis J.  
 GATHRIGHT, Richard  
 HOLMES, Rex E.  
 MCCORMICK, Robert S.

Okaloosa  
 Leon  
 Palm Beach  
 Bay  
 Seminole

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: McCormick, Robert S.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2013

Prior Term: 06/21/2011 - 10/31/2013

City/County: Sanford/Seminole

Office: Florida Building Code Administrators and Inspectors Board, Member

Authority: 468.605, F.S. & 20.165(4)(a)4, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/1/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13; See Below
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:**

**Attendance:** Attended 11 of 11 meetings (100%) from June 21, 2011 through February 13, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member board consists of:

- One member who is an architect licensed pursuant to chapter 481, one engineer licensed pursuant to chapter 471, or a contractor licensed pursuant to chapter 489 and who is not employed by a municipal, county, or state government agency;
- Two members serving as building code administrators;
- Two members serving as building code inspectors;
- One member serving as a plans examiner;
- One member who is a representative of a city or a charter county; and
- Two consumer members who are not, and have never been, members of a profession regulated under this part, chapters 471, 481, or 489, and neither of whom is an employee of a municipal, county, or state governmental agency.

One consumer member must be a person with a disability or a representative of an organization which represents persons with disabilities.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

- Notes:**
- Number 6 - Mr. McCormick served in the U.S. Army Reserves from 1968 to 1978.
  - Number 8 - Licensed Building Code Administrator
  - Number 11 - The Commission on Ethics reported two complaints (12-063) and (12-081) were filed against Mr. McCormick. Both complaints alleged Mr. McCormick had violated s.112.313(6), F. S. Complaint 12-063 alleged Mr. McCormick had underpaid his license renewal fees. Complaint 12-081 alleged Mr. McCormick while serving as a member of the Florida Building Code Administrators and Inspectors Board, failed to recuse himself from the discussion of rules relating to licensing fees. Complaint 12-063 was dismissed for legal insufficiency on 6/20/2012 and Complaint 12-081 was dismissed on 8/1/2012 for legal insufficiency.
  - Number 19 - Mr. McCormick was employed by the City of Orlando from 1966-1996 as a Building Official.



**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

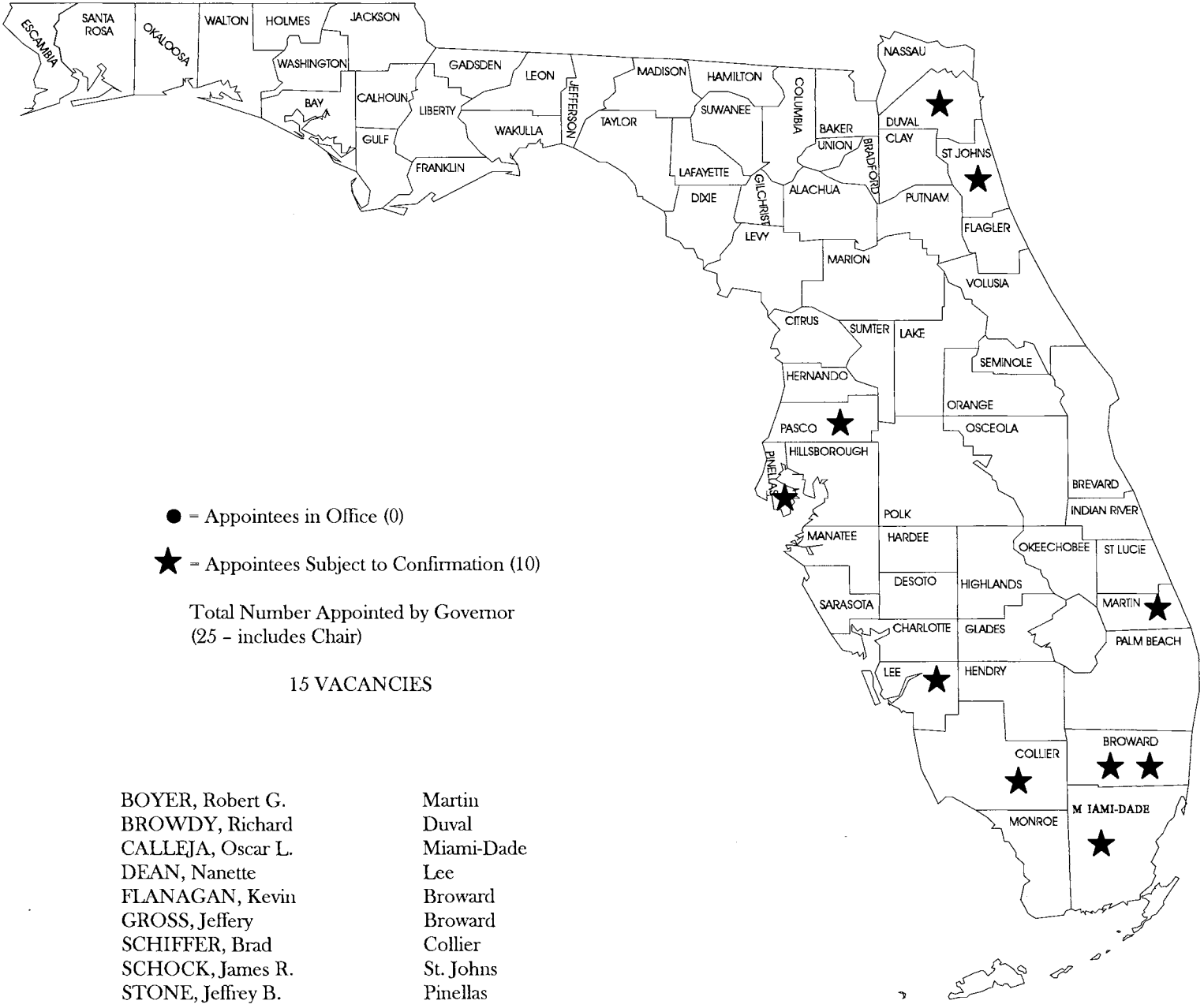
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Building Commission



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Boyer, Robert G.

Appointed: 11/30/2012

Term: 11/30/2012 – 07/26/2015

Prior Term: 11/05/2008 - 07/26/2011

City/County: Palm City/Martin

Office: Florida Building Commission, Member

Authority: 553.74, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/18/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office			
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Codes, Products and Training Coordinator/Building Division for the Palm Beach County BCC

**Attendance:** Attended 26 of 26 meetings (100%) from November 5, 2008 through February 11, 2013.

**Compensation:** Members of the board serve without compensation, but shall be entitled to reimbursement for per diem and travel expenses as provided by s. 112.061, F.S.

**Requirements:** The 25 member commission shall be composed of the following:

- One architect registered to practice in this state and actively engaged in the profession;
- One structural engineer registered to practice in this state and actively engaged in the profession;
- One mechanical contractor certified to do business in this state and actively engaged in the profession;
- One electrical contractor certified to do business in this state and actively engaged in the profession;
- One member from fire protection engineering or technology who is actively engaged in the profession;
- One general contractor certified to do business in this state and actively engaged in the profession;
- One plumbing contractor licensed to do business in this state and actively engaged in the profession;
- One roofing, sheet metal, or air-conditioning contractor certified to do business in this state and actively engaged in the profession;
- One residential contractor licensed to do business in this state and actively engaged in the profession;
- Three members who are municipal or district codes enforcement officials, one of whom is also a fire official;
- One member who represents the Department of Insurance;
- One member who is a county codes enforcement official;
- One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state;
- One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry;
- One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession;
- One member who is a representative of a municipality or a charter county;
- One member of the building products manufacturing industry who is authorized to do business in this state and actively engaged in the industry;
- One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management;
- One member who is a representative of the insurance industry; and,
- One member who is a representative of public education;
- One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession; and
- One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, or a LEED-accredited professional;
- One member who shall be chair.

**Additional Requirements:** All appointments shall be for terms of four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Boyer served in the US Army from 1969 to 1971.  
Number 8 - Representative of a charter county.  
Number 19 - Mr. Boyer has been employed by the Palm Beach County Board of County Commissioners since 1986.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Flanagan, Kevin M.

Appointed: 11/30/2012

Term: 11/30/2012 – 01/30/2015

Prior Term:

City/County: Ft. Lauderdale/Broward

Office: Florida Building Commission, Member

Authority: 553.74, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/17/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Electrical Contractor & President of C&F Electric of Ft. Lauderdale, Inc.

**Compensation:** Members of the board serve without compensation, but shall be entitled to reimbursement for per diem and travel expenses as provided by s. 112.061, F.S.

**Requirements:** The 25 member commission shall be composed of the following:

- One architect registered to practice in this state and actively engaged in the profession;
- One structural engineer registered to practice in this state and actively engaged in the profession;
- One mechanical contractor certified to do business in this state and actively engaged in the profession;
- One electrical contractor certified to do business in this state and actively engaged in the profession;
- One member from fire protection engineering or technology who is actively engaged in the profession;
- One general contractor certified to do business in this state and actively engaged in the profession;
- One plumbing contractor licensed to do business in this state and actively engaged in the profession;
- One roofing, sheet metal, or air-conditioning contractor certified to do business in this state and actively engaged in the profession;
- One residential contractor licensed to do business in this state and actively engaged in the profession;
- Three members who are municipal or district codes enforcement officials, one of whom is also a fire official;
- One member who represents the Department of Insurance;
- One member who is a county codes enforcement official;
- One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state;
- One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry;
- One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession;
- One member who is a representative of a municipality or a charter county;
- One member of the building products manufacturing industry who is authorized to do business in this state and actively engaged in the industry;
- One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management;
- One member who is a representative of the insurance industry; and,
- One member who is a representative of public education;
- One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession; and
- One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, or a LEED-accredited professional;
- One member who shall be chair.

**Additional Requirements:** All appointments shall be for terms of four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Electrical Contractor  
Number 15 - Mr. Flanagan disclosed in his questionnaire that his company has an electrical contractor services contract with the Broward County School Board.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Schiffer, Brad

Appointed: 11/30/2012

Term: 12/30/2012 – 08/11/2015

Prior Term:

City/County: Naples/Collier

Office: Florida Building Commission, Member

Authority: 553.74, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/26/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President of TAXIS, Inc. (Architect)

**Compensation:** Members of the board serve without compensation, but shall be entitled to reimbursement for per diem and travel expenses as provided by s. 112.061, F.S.

**Requirements:** The 25 member commission shall be composed of the following:

- One architect registered to practice in this state and actively engaged in the profession;
- One structural engineer registered to practice in this state and actively engaged in the profession;
- One mechanical contractor certified to do business in this state and actively engaged in the profession;
- One electrical contractor certified to do business in this state and actively engaged in the profession;
- One member from fire protection engineering or technology who is actively engaged in the profession;
- One general contractor certified to do business in this state and actively engaged in the profession;
- One plumbing contractor licensed to do business in this state and actively engaged in the profession;
- One roofing, sheet metal, or air-conditioning contractor certified to do business in this state and actively engaged in the profession;
- One residential contractor licensed to do business in this state and actively engaged in the profession;
- Three members who are municipal or district codes enforcement officials, one of whom is also a fire official;
- One member who represents the Department of Insurance;
- One member who is a county codes enforcement official;
- One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state;
- One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry;
- One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession;
- One member who is a representative of a municipality or a charter county;
- One member of the building products manufacturing industry who is authorized to do business in this state and actively engaged in the industry;
- One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management;
- One member who is a representative of the insurance industry; and,
- One member who is a representative of public education;
- One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession; and
- One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, or a LEED-accredited professional;
- One member who shall be chair.

**Additional Requirements:** All appointments shall be for terms of four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Registered Architect  
Number 18 - Mr. Schiffer served on the Collier County Planning Commission from March 2003 to October 2012.



The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

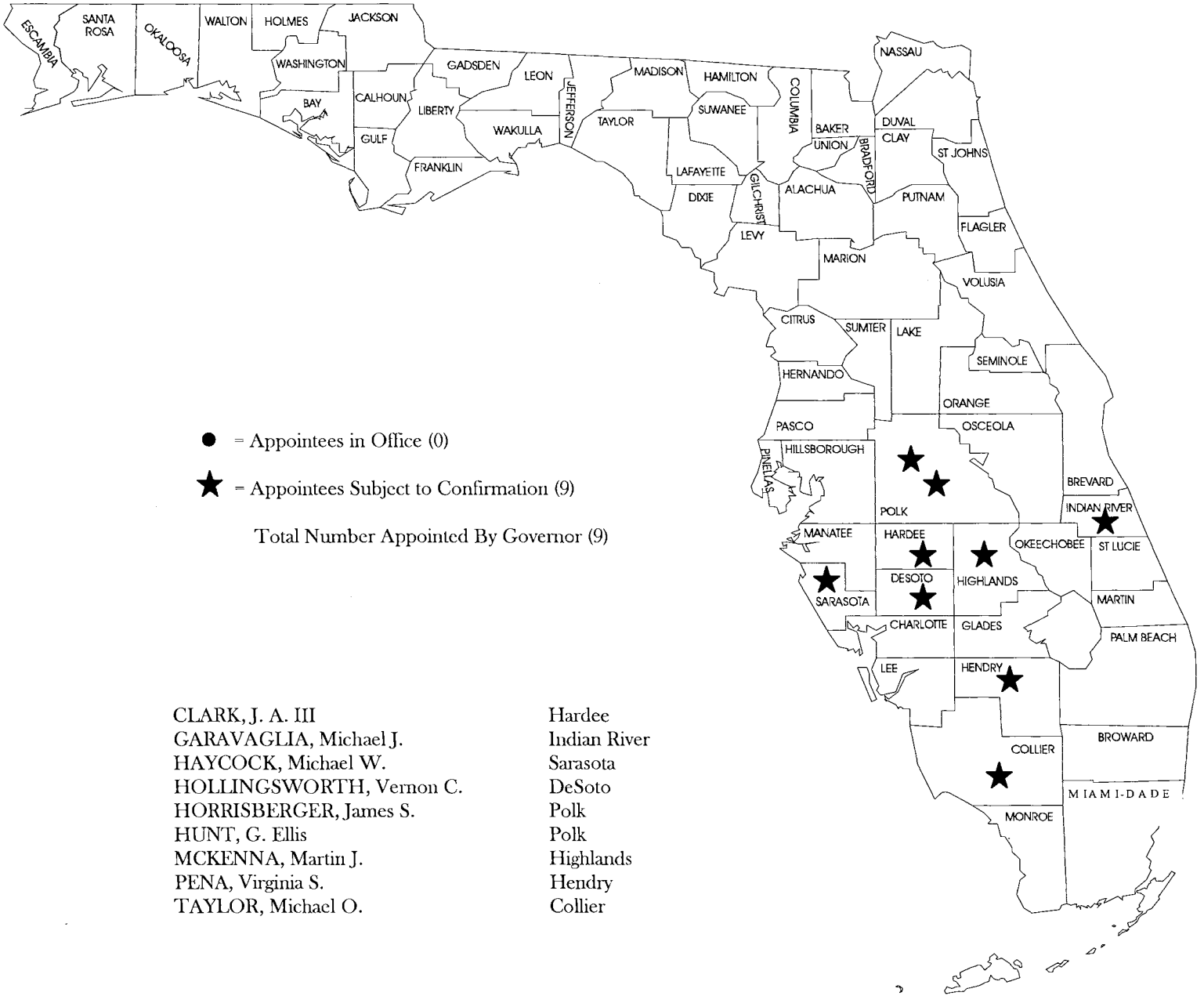
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Citrus Commission



CLARK, J. A. III  
 GARAVAGLIA, Michael J.  
 HAYCOCK, Michael W.  
 HOLLINGSWORTH, Vernon C.  
 HARRISBERGER, James S.  
 HUNT, G. Ellis  
 MCKENNA, Martin J.  
 PENA, Virginia S.  
 TAYLOR, Michael O.

Hardee  
 Indian River  
 Sarasota  
 DeSoto  
 Polk  
 Polk  
 Highlands  
 Hendry  
 Collier

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Clark, J. A., III

Appointed: 04/23/2012

Term: 04/23/2012 – 06/30/2013

Prior Term: 07/01/2011 - 05/31/2014

City/County: Wauchula/Hardee

Office: Florida Citrus Commission, Member

Authority: 601.04, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 7/6/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Citrus Grower (Owner of Clark Farms)

**Attendance:** Attended 14 of 14 meetings (100%) from July 1, 2011 through January 29, 2013.

**Compensation:** Twenty-five dollars for each day traveling to or from meetings, or in transacting other business; reimbursed for per diem and expenses pursuant to s. 112.061, F.S.

**Requirements:** The Florida Citrus Commission is composed of nine members appointed by the Governor. Each member must be a resident citizen of the state who is and has been actively engaged in the growing, growing and shipping, or growing and processing of citrus fruit in the state for at least 5 years immediately before appointment to the commission and has, during that 5-year period:

1. Derived a major portion of her or his income from such growing, growing and shipping, or growing and processing of citrus fruit; or
2. Been the owner of, member of, officer of, or paid employee of a corporation, firm, or partnership that has, during that 5-year period, derived the major portion of its income from such growing, growing and shipping, or growing and processing of citrus fruit.

- Six members of the commission shall be classified as grower members and shall be primarily engaged in the growing of citrus fruit as an individual owner; as the owner of, or as stockholder of, a corporation; or as a member of a firm or partnership primarily engaged in citrus growing. Such members may not receive any compensation from any licensed citrus fruit dealer or handler, as defined in s. 601.03, other than gift fruit shippers, but any of the grower members shall not be disqualified as a member if, individually, or as the owner of, a member of, an officer of, or a stockholder of a corporation, firm, or partnership primarily engaged in citrus growing which processes, packs, and markets its own fruit and whose business is primarily not purchasing and handling fruit grown by others.

- Three members of the commission shall be classified as grower-handler members and shall be engaged as owners, or as paid officers or employees, of a corporation, firm, partnership, or other business unit engaged in handling citrus fruit. One such member shall be primarily engaged in the fresh fruit business, and two such members shall be primarily engaged in the processing of citrus fruits.

In addition, three commission members shall be appointed from each of the three citrus districts designated in s. 601.09. Members appointed from the same citrus district shall serve staggered terms, such that the term of one of the district's three members expires each year. Each member must reside in the district from which she or he was appointed. For the purposes of this section, a member's residence is her or his actual physical and permanent residence.

The state is divided into three Citrus districts composed of:

(1) Citrus District One: Levy, Alachua, Brevard, Putnam, St. Johns, St. Lucie, Flagler, Indian River, Marion, Seminole, Orange, Okeechobee, Polk, Volusia, and Osceola Counties.

(2) Citrus District Two: Hardee, DeSoto, Highlands, and Glades Counties.

(3) Citrus District Three: Charlotte, Citrus, Collier, Hernando, Hendry, Hillsborough, Lake, Lee, Manatee, Monroe, Martin, Pasco, Palm Beach, Pinellas, Sarasota, Sumter, Broward, and Miami-Dade Counties.

**Additional Requirements:**

The members shall be appointed to terms of 3 years each.

To establish staggered terms of members from each citrus district, the terms of members appointed before July 1, 2012, shall be shortened as follows:

- The term of one member from each citrus district shall expire June 30, 2012, and her or his successor shall be appointed to a term beginning July 1, 2012, and expiring May 31, 2015.
- The term of one member from each citrus district shall expire June 30, 2013, and her or his successor shall be appointed to a term beginning July 1, 2013, and expiring May 31, 2016.
- The term of one member from each citrus district shall expire June 30, 2014, and her or his successor shall be appointed to a term beginning July 1, 2014, and ending May 31, 2017.

Subsequent appointments shall be made in accordance with this section.

Appointments shall be made by February 1 preceding the commencement of the term and are subject to confirmation by the Senate in the following legislative session. Each member is eligible for reappointment and shall serve until her or his successor is appointed and qualified. The regular terms begin on June 1 and expire on May 31 of the third year after such appointment.

- Notes:** Number 6 - Mr. Clark served in the National Guard from 1968 to 1974.  
Number 8 - Grower/District 2

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Garavaglia, Michael J., Jr.

Appointed: 04/23/2012

Term: 04/23/2012 – 06/30/2013

Prior Term: 07/01/2011 - 05/31/2014

City/County: Vero Beach/Indian River

Office: Florida Citrus Commission, Member

Authority: 601.04, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/11/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** The Packers of Indian River, Ltd Principal

**Attendance:** Attended 13 of 14 meetings (93%) from July 1, 2011 through February 6, 2013.

**Compensation:** Twenty-five dollars for each day traveling to or from meetings, or in transacting other business; reimbursed for per diem and expenses pursuant to s. 112.061, F.S.

**Requirements:** The Florida Citrus Commission is composed of nine members appointed by the Governor. Each member must be a resident citizen of the state who is and has been actively engaged in the growing, growing and shipping, or growing and processing of citrus fruit in the state for at least 5 years immediately before appointment to the commission and has, during that 5-year period:

1. Derived a major portion of her or his income from such growing, growing and shipping, or growing and processing of citrus fruit; or
2. Been the owner of, member of, officer of, or paid employee of a corporation, firm, or partnership that has, during that 5-year period, derived the major portion of its income from such growing, growing and shipping, or growing and processing of citrus fruit.

- Six members of the commission shall be classified as grower members and shall be primarily engaged in the growing of citrus fruit as an individual owner; as the owner of, or as stockholder of, a corporation; or as a member of a firm or partnership primarily engaged in citrus growing. Such members may not receive any compensation from any licensed citrus fruit dealer or handler, as defined in s. 601.03, other than gift fruit shippers, but any of the grower members shall not be disqualified as a member if, individually, or as the owner of, a member of, an officer of, or a stockholder of a corporation, firm, or partnership primarily engaged in citrus growing which processes, packs, and markets its own fruit and whose business is primarily not purchasing and handling fruit grown by others.

- Three members of the commission shall be classified as grower-handler members and shall be engaged as owners, or as paid officers or employees, of a corporation, firm, partnership, or other business unit engaged in handling citrus fruit. One such member shall be primarily engaged in the fresh fruit business, and two such members shall be primarily engaged in the processing of citrus fruits.

In addition, three commission members shall be appointed from each of the three citrus districts designated in s. 601.09. Members appointed from the same citrus district shall serve staggered terms, such that the term of one of the district's three members expires each year. Each member must reside in the district from which she or he was appointed. For the purposes of this section, a member's residence is her or his actual physical and permanent residence.

The state is divided into three Citrus districts composed of:

(1) Citrus District One: Levy, Alachua, Brevard, Putnam, St. Johns, St. Lucie, Flagler, Indian River, Marion, Seminole, Orange, Okeechobee, Polk, Volusia, and Osceola Counties.

(2) Citrus District Two: Hardee, DeSoto, Highlands, and Glades Counties.

(3) Citrus District Three: Charlotte, Citrus, Collier, Hernando, Hendry, Hillsborough, Lake, Lee, Manatee, Monroe, Martin, Pasco, Palm Beach, Pinellas, Sarasota, Sumter, Broward, and Miami-Dade Counties.

**Additional Requirements:**

The members shall be appointed to terms of 3 years each.

To establish staggered terms of members from each citrus district, the terms of members appointed before July 1, 2012, shall be shortened as follows:

- The term of one member from each citrus district shall expire June 30, 2012, and her or his successor shall be appointed to a term beginning July 1, 2012, and expiring May 31, 2015.
- The term of one member from each citrus district shall expire June 30, 2013, and her or his successor shall be appointed to a term beginning July 1, 2013, and expiring May 31, 2016.
- The term of one member from each citrus district shall expire June 30, 2014, and her or his successor shall be appointed to a term beginning July 1, 2014, and ending May 31, 2017.

Subsequent appointments shall be made in accordance with this section.

Appointments shall be made by February 1 preceding the commencement of the term and are subject to confirmation by the Senate in the following legislative session. Each member is eligible for reappointment and shall serve until her or his successor is appointed and qualified. The regular terms begin on June 1 and expire on May 31 of the third year after such appointment.

- Notes:** Number 8 - Grower/Handler District 1  
Number 10 - AG 2011-130



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Haycock, Michael W.

Appointed: 10/29/2012

Term: 10/19/2012 – 05/31/2015

Prior Term: 04/23/2012 - 06/30/2012

City/County: Longboat Key/Sarasota

Office: Florida Citrus Commission, Member

Authority: 601.04, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/23/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Vice President of Operations, Tropicana

**Attendance:** Attended 3 of 3 meetings (100%) from April 23, 2012 through February 7, 2013.

**Compensation:** Twenty-five dollars for each day traveling to or from meetings, or in transacting other business; reimbursed for per diem and expenses pursuant to s. 112.061, F.S.

**Requirements:** The Florida Citrus Commission is composed of nine members appointed by the Governor. Each member must be a resident citizen of the state who is and has been actively engaged in the growing, growing and shipping, or growing and processing of citrus fruit in the state for at least 5 years immediately before appointment to the commission and has, during that 5-year period:

1. Derived a major portion of her or his income from such growing, growing and shipping, or growing and processing of citrus fruit; or
2. Been the owner of, member of, officer of, or paid employee of a corporation, firm, or partnership that has, during that 5-year period, derived the major portion of its income from such growing, growing and shipping, or growing and processing of citrus fruit.

- Six members of the commission shall be classified as grower members and shall be primarily engaged in the growing of citrus fruit as an individual owner; as the owner of, or as stockholder of, a corporation; or as a member of a firm or partnership primarily engaged in citrus growing. Such members may not receive any compensation from any licensed citrus fruit dealer or handler, as defined in s. 601.03, other than gift fruit shippers, but any of the grower members shall not be disqualified as a member if, individually, or as the owner of, a member of, an officer of, or a stockholder of a corporation, firm, or partnership primarily engaged in citrus growing which processes, packs, and markets its own fruit and whose business is primarily not purchasing and handling fruit grown by others.

- Three members of the commission shall be classified as grower-handler members and shall be engaged as owners, or as paid officers or employees, of a corporation, firm, partnership, or other business unit engaged in handling citrus fruit. One such member shall be primarily engaged in the fresh fruit business, and two such members shall be primarily engaged in the processing of citrus fruits.

In addition, three commission members shall be appointed from each of the three citrus districts designated in s. 601.09. Members appointed from the same citrus district shall serve staggered terms, such that the term of one of the district's three members expires each year. Each member must reside in the district from which she or he was appointed. For the purposes of this section, a member's residence is her or his actual physical and permanent residence.

The state is divided into three Citrus districts composed of:

(1) Citrus District One: Levy, Alachua, Brevard, Putnam, St. Johns, St. Lucie, Flagler, Indian River, Marion, Seminole, Orange, Okeechobee, Polk, Volusia, and Osceola Counties.

(2) Citrus District Two: Hardee, DeSoto, Highlands, and Glades Counties.

(3) Citrus District Three: Charlotte, Citrus, Collier, Hernando, Hendry, Hillsborough, Lake, Lee, Manatee, Monroe, Martin, Pasco, Palm Beach, Pinellas, Sarasota, Sumter, Broward, and Miami-Dade Counties.

**Additional Requirements:**

The members shall be appointed to terms of 3 years each.

To establish staggered terms of members from each citrus district, the terms of members appointed before July 1, 2012, shall be shortened as follows:

- The term of one member from each citrus district shall expire June 30, 2012, and her or his successor shall be appointed to a term beginning July 1, 2012, and expiring May 31, 2015.
- The term of one member from each citrus district shall expire June 30, 2013, and her or his successor shall be appointed to a term beginning July 1, 2013, and expiring May 31, 2016.
- The term of one member from each citrus district shall expire June 30, 2014, and her or his successor shall be appointed to a term beginning July 1, 2014, and ending May 31, 2017.

Subsequent appointments shall be made in accordance with this section.

Appointments shall be made by February 1 preceding the commencement of the term and are subject to confirmation by the Senate in the following legislative session. Each member is eligible for reappointment and shall serve until her or his successor is appointed and qualified. The regular terms begin on June 1 and expire on May 31 of the third year after such appointment.

- Notes:** Number 8 - Grower/Handler/Processor - District 3  
Number 18 - Mr. Haycock previously served on the Florida Citrus Commission, 2007-2010.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Pena, Virginia S.

Appointed: 04/23/2012

Term: 04/23/2012 – 06/30/2014

Prior Term: 07/01/2011 - 05/31/2014

City/County: Clewiston/Hendry

Office: Florida Citrus Commission, Member

Authority: 601.04, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 8/27/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Controller, Southern Gardens Citrus Processing

**Attendance:** Attended 11 of 14 meetings (79%) from July 1, 2011 through February 7, 2013.

**Compensation:** Twenty-five dollars for each day traveling to or from meetings, or in transacting other business; reimbursed for per diem and expenses pursuant to s. 112.061, F.S.

**Requirements:** The Florida Citrus Commission is composed of nine members appointed by the Governor. Each member must be a resident citizen of the state who is and has been actively engaged in the growing, growing and shipping, or growing and processing of citrus fruit in the state for at least 5 years immediately before appointment to the commission and has, during that 5-year period:

1. Derived a major portion of her or his income from such growing, growing and shipping, or growing and processing of citrus fruit; or
2. Been the owner of, member of, officer of, or paid employee of a corporation, firm, or partnership that has, during that 5-year period, derived the major portion of its income from such growing, growing and shipping, or growing and processing of citrus fruit.

- Six members of the commission shall be classified as grower members and shall be primarily engaged in the growing of citrus fruit as an individual owner; as the owner of, or as stockholder of, a corporation; or as a member of a firm or partnership primarily engaged in citrus growing. Such members may not receive any compensation from any licensed citrus fruit dealer or handler, as defined in s. 601.03, other than gift fruit shippers, but any of the grower members shall not be disqualified as a member if, individually, or as the owner of, a member of, an officer of, or a stockholder of a corporation, firm, or partnership primarily engaged in citrus growing which processes, packs, and markets its own fruit and whose business is primarily not purchasing and handling fruit grown by others.

- Three members of the commission shall be classified as grower-handler members and shall be engaged as owners, or as paid officers or employees, of a corporation, firm, partnership, or other business unit engaged in handling citrus fruit. One such member shall be primarily engaged in the fresh fruit business, and two such members shall be primarily engaged in the processing of citrus fruits.

In addition, three commission members shall be appointed from each of the three citrus districts designated in s. 601.09. Members appointed from the same citrus district shall serve staggered terms, such that the term of one of the district's three members expires each year. Each member must reside in the district from which she or he was appointed. For the purposes of this section, a member's residence is her or his actual physical and permanent residence.

The state is divided into three Citrus districts composed of:

(1) Citrus District One: Levy, Alachua, Brevard, Putnam, St. Johns, St. Lucie, Flagler, Indian River, Marion, Seminole, Orange, Okeechobee, Polk, Volusia, and Osceola Counties.

(2) Citrus District Two: Hardee, DeSoto, Highlands, and Glades Counties.

(3) Citrus District Three: Charlotte, Citrus, Collier, Hernando, Hendry, Hillsborough, Lake, Lee, Manatee, Monroe, Martin, Pasco, Palm Beach, Pinellas, Sarasota, Sumter, Broward, and Miami-Dade Counties.

**Additional Requirements:**

The members shall be appointed to terms of 3 years each.

To establish staggered terms of members from each citrus district, the terms of members appointed before July 1, 2012, shall be shortened as follows:

- The term of one member from each citrus district shall expire June 30, 2012, and her or his successor shall be appointed to a term beginning July 1, 2012, and expiring May 31, 2015.
- The term of one member from each citrus district shall expire June 30, 2013, and her or his successor shall be appointed to a term beginning July 1, 2013, and expiring May 31, 2016.
- The term of one member from each citrus district shall expire June 30, 2014, and her or his successor shall be appointed to a term beginning July 1, 2014, and ending May 31, 2017.

Subsequent appointments shall be made in accordance with this section.

Appointments shall be made by February 1 preceding the commencement of the term and are subject to confirmation by the Senate in the following legislative session. Each member is eligible for reappointment and shall serve until her or his successor is appointed and qualified. The regular terms begin on June 1 and expire on May 31 of the third year after such appointment.

**Notes:** Number 8 - Grower - District 3

Number 18 - Ms. Pena previously served on the Florida Citrus Commission, 7/2005-5/31/2011

Number 19 - Ms. Pena was a Finance Director for the Clerk of the Circuit Court, in Hendry County from 1989 to 1994.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

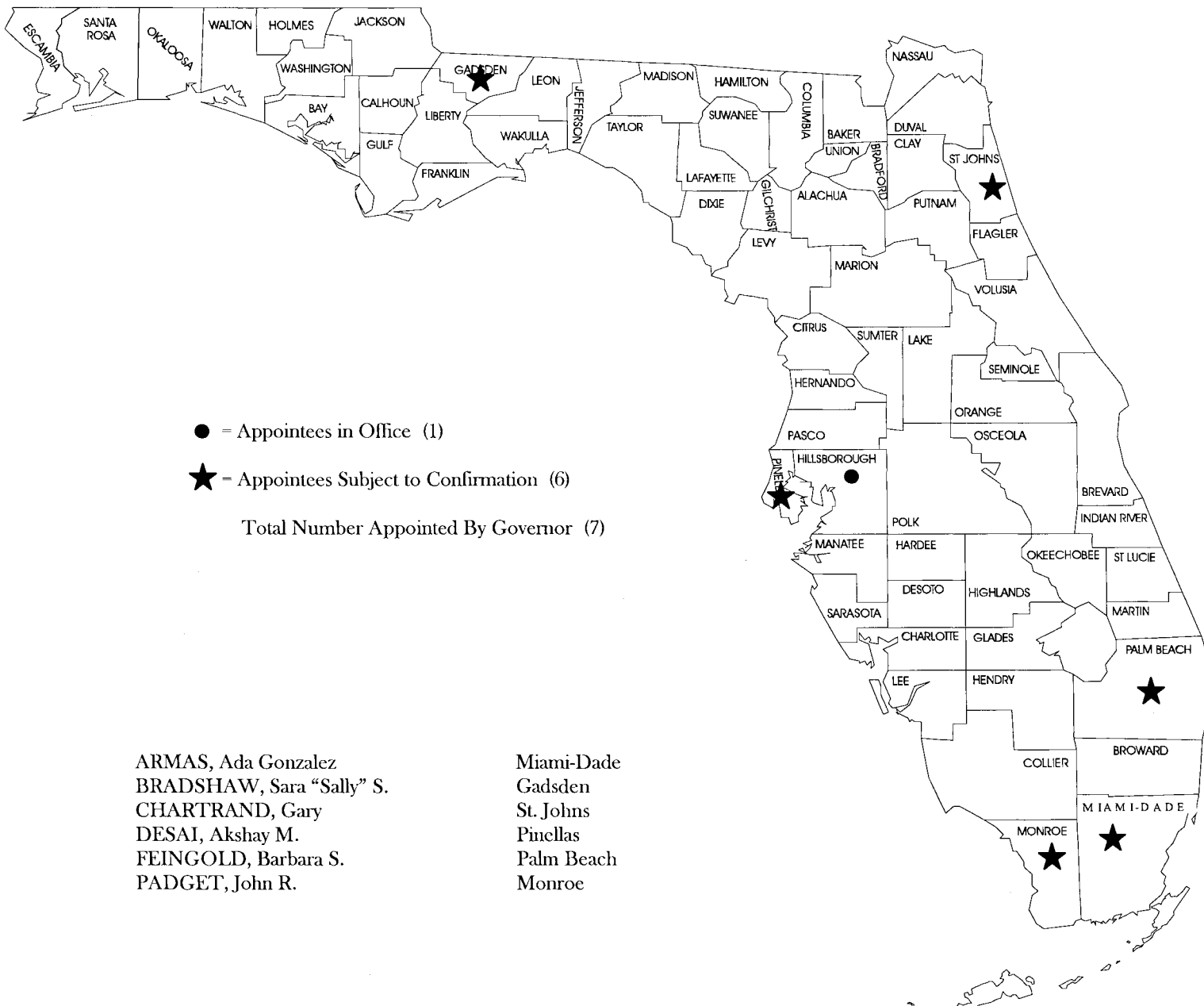
**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

7

A585B

# State Board of Education



- = Appointees in Office (1)
- ★ = Appointees Subject to Confirmation (6)
- Total Number Appointed By Governor (7)

ARMAS, Ada Gonzalez  
 BRADSHAW, Sara "Sally" S.  
 CHARTRAND, Gary  
 DESAI, Akshay M.  
 FEINGOLD, Barbara S.  
 PADGET, John R.

Miami-Dade  
 Gadsden  
 St. Johns  
 Pinellas  
 Palm Beach  
 Monroe



The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**RECEIVED**  
MAR 13 2013

**COMMITTEE:** Committee on Education  
**MEETING DATE:** Tuesday, March 12, 2013  
**TIME:** 2:00 —4:30 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**COMMITTEE ON  
ETHICS AND ELECTIONS**

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** State Board of Education

**Appointee:** Bradshaw, Sara "Sally" S.

**Term:** 4/23/2012-12/31/2013

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bradshaw, Sara "Sally" S.

Appointed: 04/23/2012

Term: 04/23/2012 – 12/31/2013

Prior Term: 09/06/2011 - 12/31/2013

City/County: Havana/Gadsden

Office: State Board of Education, Member

Authority: 1001.01(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Education-Recommend Confirm-03/12/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/12/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Consultant, Committee for a Conservative House (CCE)

**Attendance:** Attended 24 of 25 meetings (96%) from September 6, 2011 through January 29, 2013.

**Compensation:** Members of the board shall serve without compensation, but shall be entitled to reimbursement of travel and per diem expenses in accordance with s. 112.061, F.S.

**Requirements:** The Florida Board of Education consists of seven members who are residents of the state. Members are appointed by the Governor, subject to confirmation by the Senate.

**Additional Requirements:** Members of the board shall be appointed to staggered 4-year terms and may be reappointed by the Governor for additional terms not to exceed 8 years of consecutive service. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 18 - Ms. Bradshaw served on the State Board of Education from 2003 to 2004.  
Number 19 - Ms. Bradshaw was the Chief of Staff in the Executive Office of the Governor from 1/99 - 1/01. She also was the Staff Director of the Republican Office, Florida House of Representatives from 11/92 - 07/93.  
Education verified.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

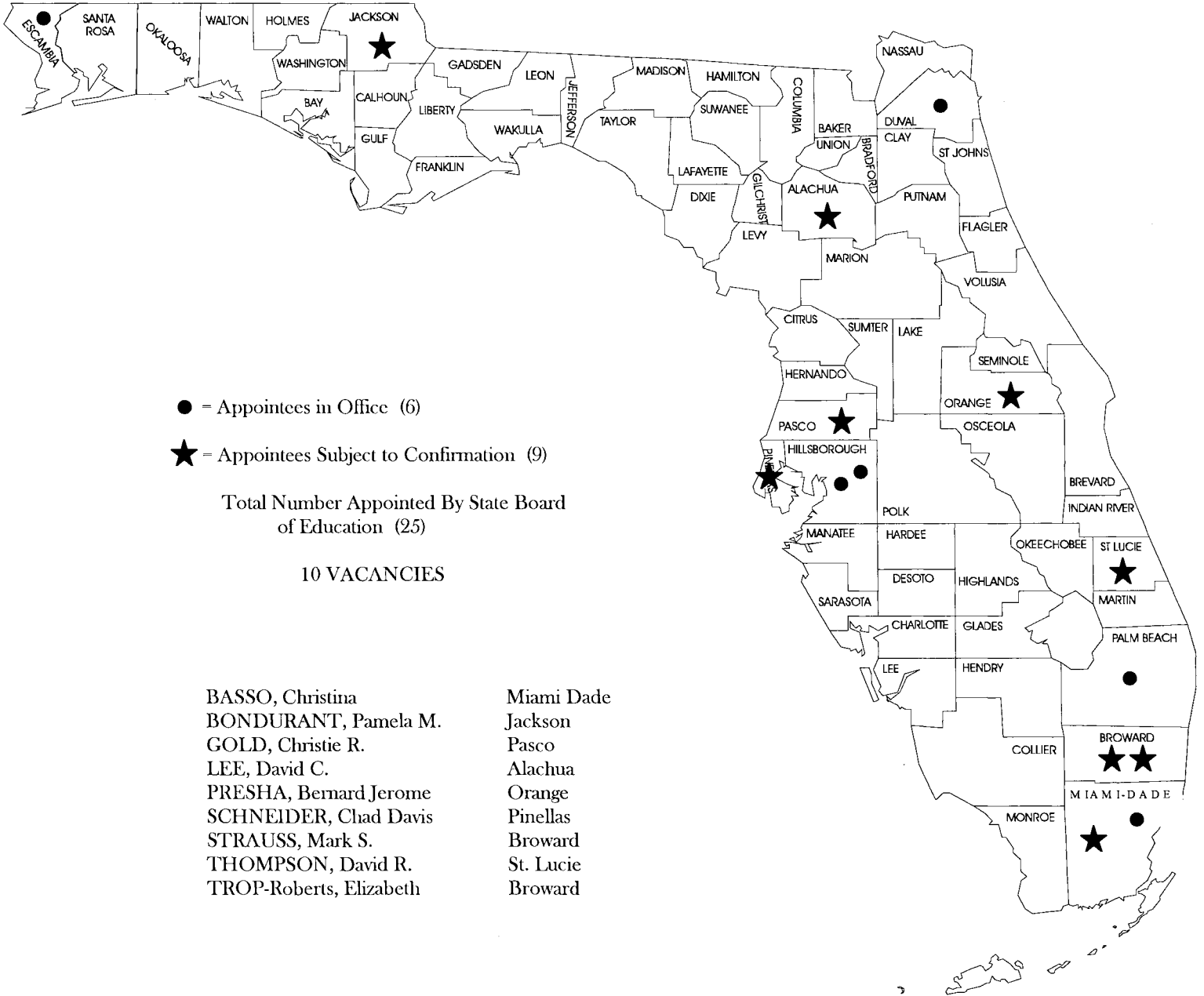
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Education Practices Commission



- = Appointees in Office (6)
- ★ = Appointees Subject to Confirmation (9)

Total Number Appointed By State Board  
of Education (25)

**10 VACANCIES**

BASSO, Christina  
 BONDURANT, Pamela M.  
 GOLD, Christie R.  
 LEE, David C.  
 PRESHA, Bernard Jerome  
 SCHNEIDER, Chad Davis  
 STRAUSS, Mark S.  
 THOMPSON, David R.  
 TROP-Roberts, Elizabeth

Miami Dade  
 Jackson  
 Pasco  
 Alachua  
 Orange  
 Pinellas  
 Broward  
 St. Lucie  
 Broward

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Presha, Bernard Jerome

Appointed: 07/31/2012

Term: 08/19/2012 – 08/18/2016

Prior Term: 08/19/2008 - 08/18/2012

City/County: Orlando/Orange

Office: Education Practices Commission, Member

Authority: 1012.79(1), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 9/4/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Detective with the Orange-Osceola State Attorney's Office

**Attendance:** Attended 23 of 23 meetings (100%) from August 19, 2008 through March 31, 2013.

**Compensation:** Reimbursed for expenses pursuant to s. 1012.79(10), F.S.

**Requirements:** The 25-member commission consists of persons appointed by the State Board of Education, from nominations made by the Commissioner of Education, with an effort toward achieving equal geographical representation, as follows:

- Eight teacher members who are certified to teach, and who have practiced the profession for at least five years immediately preceding their appointment;
- Five school administrator members, with at least one of whom shall represent a private school. School administrator members must have an endorsement on the educator certificate in the area of school administration or supervision and must have been practicing school administrators for at least five years immediately preceding their appointment;
- Seven lay members, five of whom shall be parents of public school students and who are unrelated to public school employees and two of whom are former district school board members; and
- Five sworn law enforcement officials (each must have served in the profession for at least five years immediately preceding appointment and have background expertise in child safety).

All members shall be residents of the state.

**Additional Requirements:** Members shall serve four-year staggered terms. A member may not serve more than eight years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Presha served in the U.S. Army from 4/71-1/73.  
Number 8 - Law Enforcement Official  
Number 19 - Mr. Presha is currently a Detective with the Orange-Osceola State Attorney's Office, 8/11-Present. Mr. Presha was a deputy sheriff with the Orange County Sheriff's Office from 11/76-7/11.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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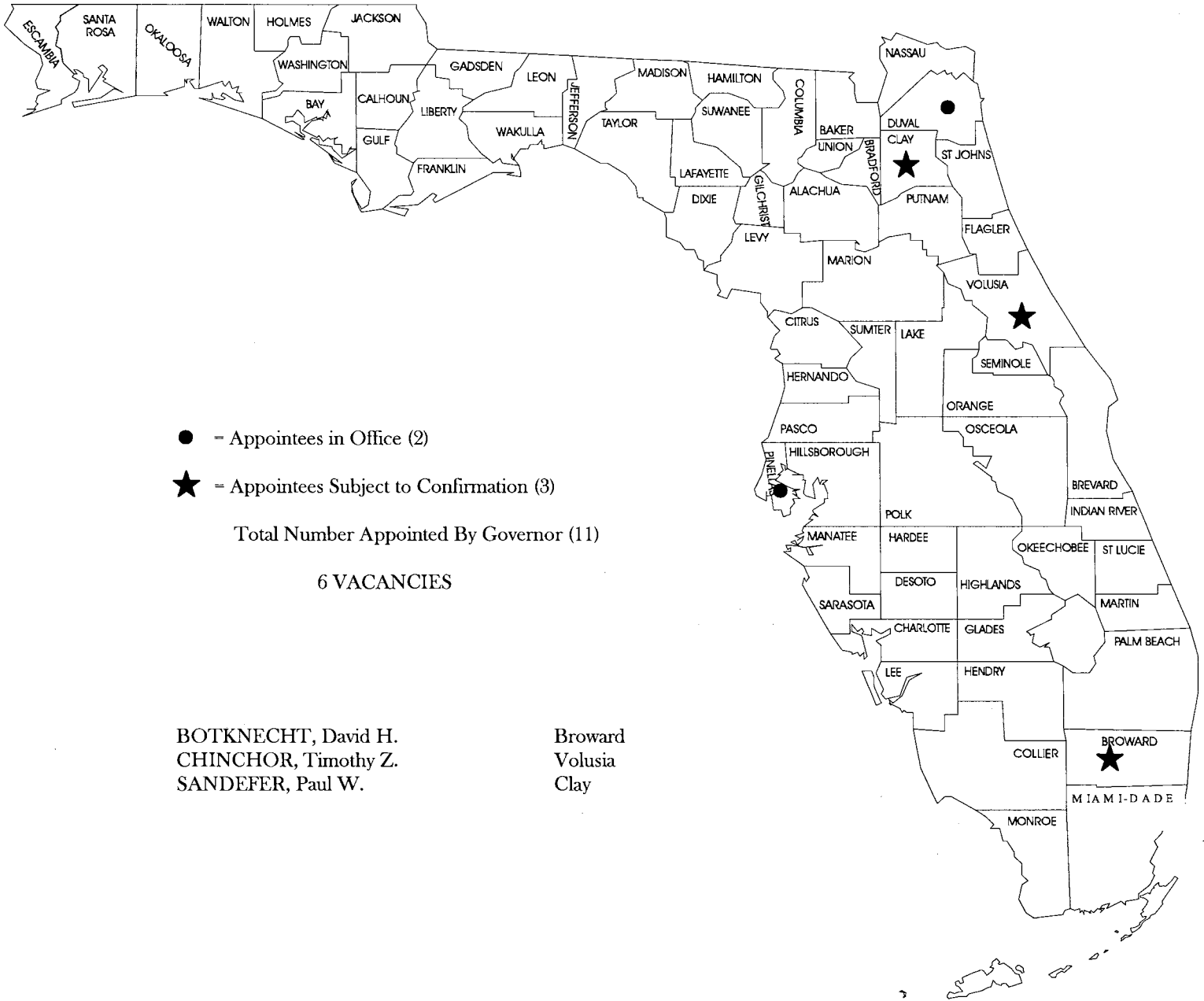
**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building



# Electrical Contractors Licensing Board



● = Appointees in Office (2)

★ = Appointees Subject to Confirmation (3)

Total Number Appointed By Governor (11)

6 VACANCIES

BOTKNECHT, David H.  
 CHINCHOR, Timothy Z.  
 SANDEFER, Paul W.

Broward  
 Volusia  
 Clay

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Botknecht, David H.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2013

Prior Term: 06/21/2011 - 10/31/2013

City/County: Hollywood/Broward

Office: Electrical Contractors' Licensing Board, Member

Authority: 489.507, F.S. & 20.165(4)(a)7, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/7/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** CEO of HW Automation, Inc.

**Attendance:** Attended 8 of 10 meetings (80%) from June 21, 2011 through March 11, 2013.

**Attendance** Absences were reported as excused.

**Notes:**

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of persons who are citizens and residents of the state as follows:

- Seven members who are certified electrical contractors;
- Two members who are certified alarm system contractors I; and
- Two members who are lay persons who are not and have never been electrical contractors or members of any closely related profession or occupation.

Each of the contractor members must be certified by the board in the category with respect to which they have been appointed, be actively engaged in the construction business, and have been so engaged for a period of not fewer than five consecutive years prior to the date of appointment.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Alarm System Contractor

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Chinchor, Timothy Z.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2014

Prior Term: 06/21/2011 - 10/31/2014

City/County: Deltona/Volusia

Office: Electrical Contractors' Licensing Board, Member

Authority: 489.507, F.S. & 20.165(4)(a)7, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/26/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Contractor/Owner of Chinchor Electric Inc.

**Attendance:** Attended 8 of 10 meetings (80%) from June 21, 2011 through March 11, 2013.

**Attendance** Absences were reported as excused.

**Notes:**

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of persons who are citizens and residents of the state as follows:

- Seven members who are certified electrical contractors;
- Two members who are certified alarm system contractors I; and
- Two members who are lay persons who are not and have never been electrical contractors or members of any closely related profession or occupation.

Each of the contractor members must be certified by the board in the category with respect to which they have been appointed, be actively engaged in the construction business, and have been so engaged for a period of not fewer than five consecutive years prior to the date of appointment.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Electrical Contractor  
Number 15 - Mr. Chinchor's company is an electrical project contractor for various government agencies.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Sandefer, Paul W.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2013

Prior Term: 01/30/2012 - 10/31/2013

City/County: Orange Park/Clay

Office: Electrical Contractors' Licensing Board, Member

Authority: 489.507, F.S. & 20.165(4)(a)7, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 5/9/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Vice President/Miller Electric Co. (electrical contractor)

**Attendance:** Attended 20 of 23 meetings (87%) from January 30, 2012 through February 21, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of persons who are citizens and residents of the state as follows:

- Seven members who are certified electrical contractors;
- Two members who are certified alarm system contractors I; and
- Two members who are lay persons who are not and have never been electrical contractors or members of any closely related profession or occupation.

Each of the contractor members must be certified by the board in the category with respect to which they have been appointed, be actively engaged in the construction business, and have been so engaged for a period of not fewer than five consecutive years prior to the date of appointment.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 6 - Mr. Sandefer served in the USAF from 1967 to 1971 and in the Florida Air National Guard from 1972 to 1994.  
Number 8 - Electrical Contractor.  
Number 15 - Mr. Sandefer is the vice president of a company that submits competitive bids to government agencies for construction contracts.  
Number 18 - Mr. Sandefer served on the Electrical Contractors' Licensing Board, 2/02 - 10/05.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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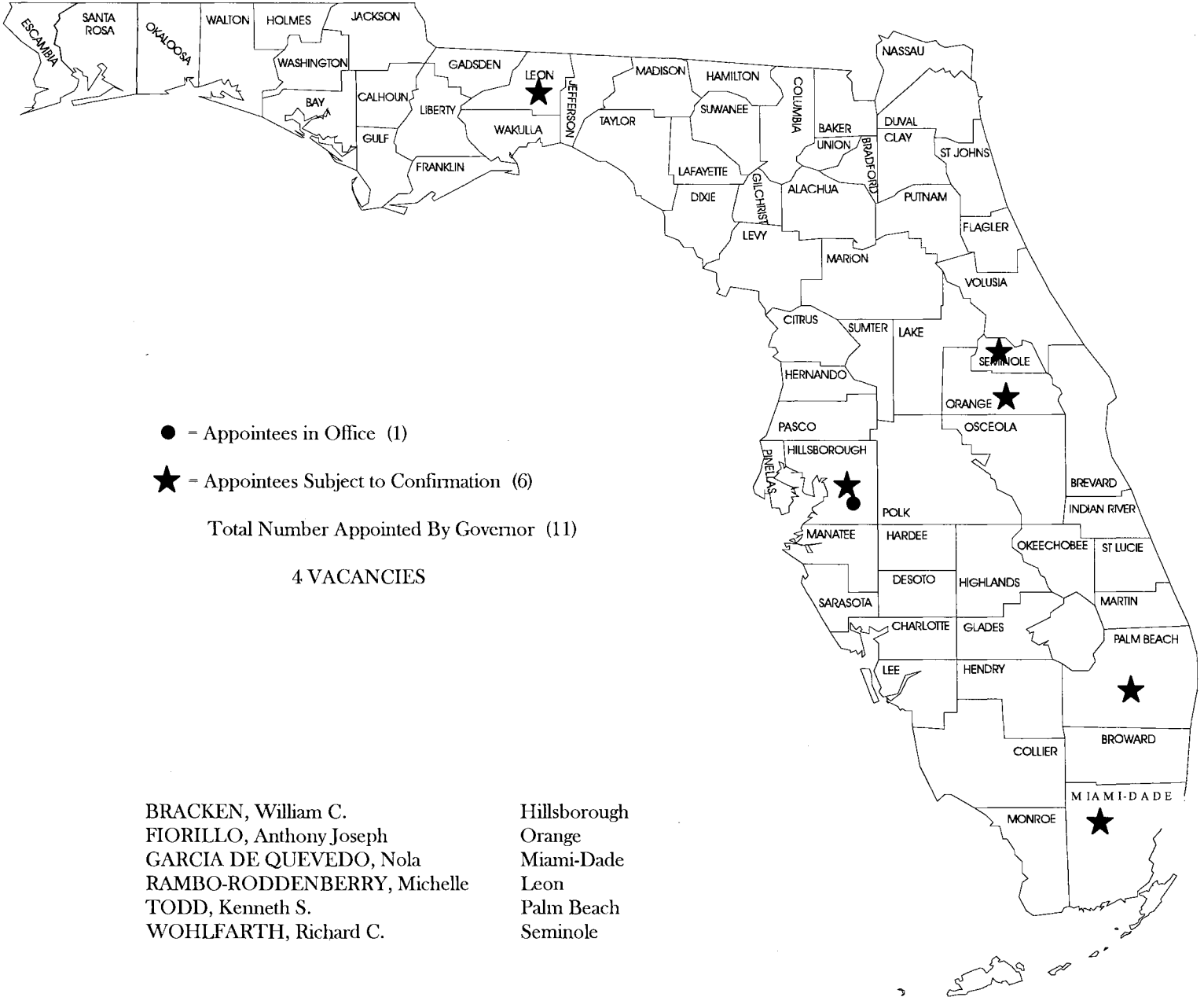
**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building



# Board of Professional Engineers



● = Appointees in Office (1)

★ = Appointees Subject to Confirmation (6)

Total Number Appointed By Governor (11)

4 VACANCIES

BRACKEN, William C.  
 FIORILLO, Anthony Joseph  
 GARCIA DE QUEVEDO, Nola  
 RAMBO-RODDENBERRY, Michelle  
 TODD, Kenneth S.  
 WOHLFARTH, Richard C.

Hillsborough  
 Orange  
 Miami-Dade  
 Leon  
 Palm Beach  
 Seminole

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Garcia de Quevedo, Nola A.

Appointed: 03/29/2012

Term: 03/27/2012 – 10/31/2014

Prior Term: 06/16/2008 - 10/31/2010

City/County: Miami/Miami-Dade

Office: Board of Professional Engineers, Member

Authority: 471.007, F.S. & 20.165(4)(a)12, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/16/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 12/27/12
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** StatBot Inc. & CEO of United State Alliance for Technological Literacy

**Attendance:** Attended 41 of 55 meetings (75%) from June 16, 2008 through January 4, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of:

- Three members who are civil engineers;
- One member who is a structural engineer;
- One member who is either an electrical or electronic engineer;
- One member who is a mechanical engineer;
- One member who is an industrial engineer;
- One member who is an engineering educator;
- One member who is from any engineering discipline other than civil engineering; and
- Two members who are lay persons who are not and have never been engineers or members of any closely related profession or occupation.

The nine engineer members shall be licensed engineers.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Lay Member

Number 19 - Mrs. Garcia de Quevedo was a Pre-College Programs Coordinator for the Florida International University, 1998-2000.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

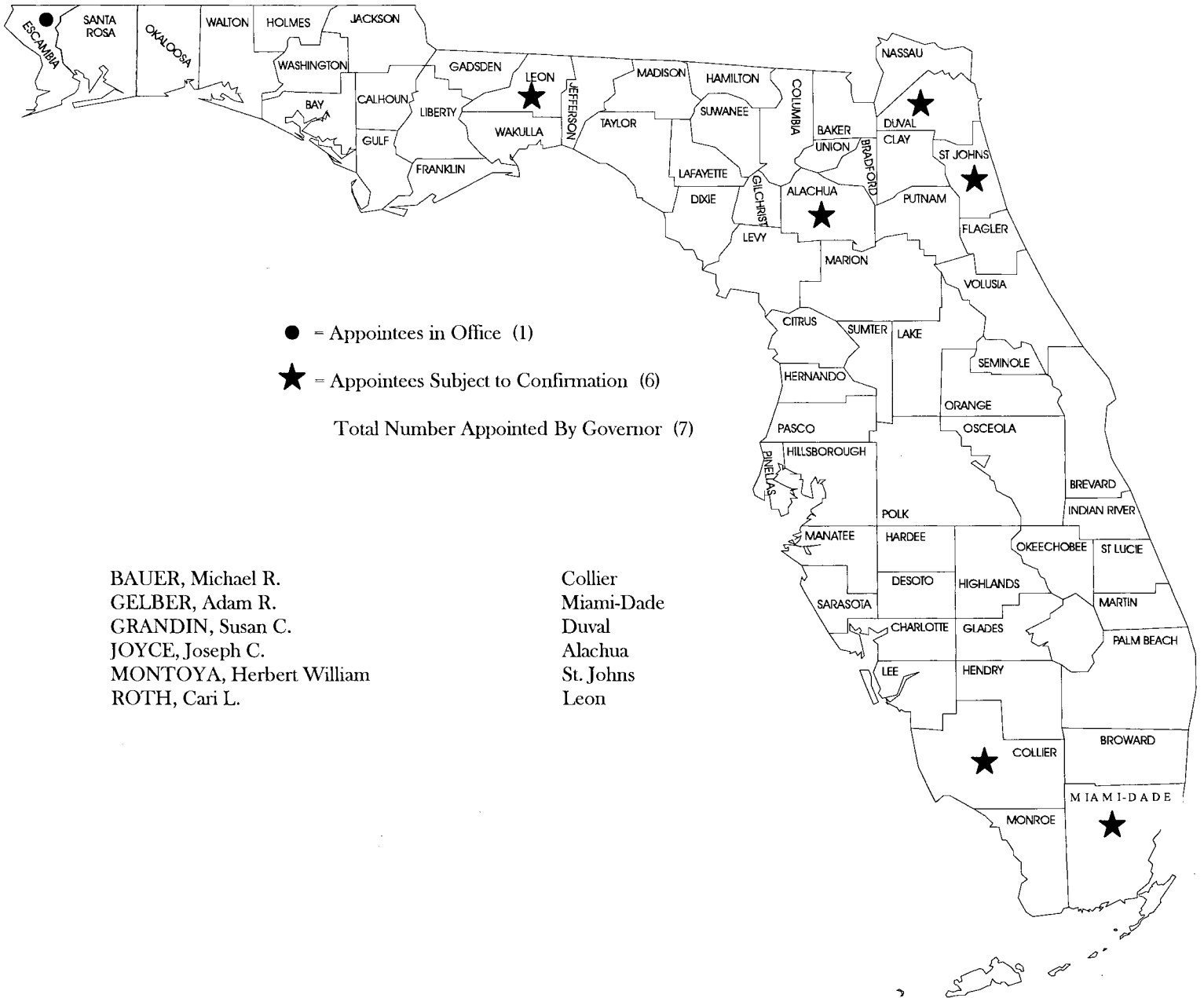
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Environmental Regulation Commission



- = Appointees in Office (1)
  - ★ = Appointees Subject to Confirmation (6)
- Total Number Appointed By Governor (7)

BAUER, Michael R.  
 GELBER, Adam R.  
 GRANDIN, Susan C.  
 JOYCE, Joseph C.  
 MONTOYA, Herbert William  
 ROTH, Cari L.

Collier  
 Miami-Dade  
 Duval  
 Alachua  
 St. Johns  
 Leon

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Environmental Preservation and Conservation  
**MEETING DATE:** Wednesday, February 06, 2013  
**TIME:** 3:00 —5:00 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Environmental Regulation Commission  
**Appointee:** Bauer, Michael R.  
**Term:** 4/23/2012-7/1/2013

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bauer, Michael R.

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2013

Prior Term: 12/22/2011 - 07/01/2013

City/County: Naples/Collier

Office: Environmental Regulation Commission, Member

Authority: 20.255(6), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Environmental Preservation and Conservation-Recommend Confirm-02/06/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 1/23/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)			Not Applicable
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Natural Resources Manager for the City of Naples

**Attendance:** Attended 3 of 3 meetings (100%) from December 22, 2011 through January 4, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission shall be composed of seven residents of this state who represent:

- agriculture,
- the development industry,
- local government,
- the environmental community,
- lay citizens, and
- members of the scientific and technical community who have expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.

In making appointments, the Governor shall provide reasonable representation from all sections of the state.

**Additional Requirements:** Terms are for four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Representative of Local Government  
Number 19 - Dr. Bauer works for the City of Naples as a Natural Resources Manager (since 2005). Dr. Bauer worked for the South Florida Management District from 2003 to 2004.  
Education Verified



The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Environmental Regulation Commission

**Appointee:** Gelber, Adam R.

**Term:** 4/23/2012-7/1/2015

After inquiry and due consideration, the committee recommends that the Senate confirm the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Gelber, Adam R.

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2015

Prior Term: 10/10/2011 - 07/01/2015

City/County: Miami Beach/Miami-Dade

Office: Environmental Regulation Commission, Member

Authority: 20.255(6), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/24/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Group Manager/ Senior Scientist for A&E Corporation

**Attendance:** Attended 5 of 5 meetings (100%) from October 10, 2011 through January 22, 2012.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission shall be composed of seven residents of this state who represent:

- agriculture,
- the development industry,
- local government,
- the environmental community,
- lay citizens, and
- members of the scientific and technical community who have expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.

In making appointments, the Governor shall provide reasonable representation from all sections of the state.

**Additional Requirements:** Terms are for four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Representative of scientific and technical community  
Number 15 - Mr. Gelber's employer Atkins North America, Inc. is a vendor/contractor providing coastal issues consulting contract services to government agencies.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Environmental Preservation and Conservation  
**MEETING DATE:** Wednesday, February 06, 2013  
**TIME:** 3:00 --5:00 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Environmental Regulation Commission  
**Appointee:** Joyce, Joseph C.  
**Term:** 4/23/2012-7/1/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Joyce, Joseph C.

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2015

Prior Term: 10/10/2011 - 07/01/2015

City/County: Gainesville/Alachua

Office: Environmental Regulation Commission, Member

Authority: 20.255(6), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-02/06/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable; See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 5/19/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Executive Associate Vice President of University of Florida/IFAS

**Attendance:** Attended 5 of 5 meetings (100%) from October 10, 2011 through January 4, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission shall be composed of seven residents of this state who represent:

- agriculture,
- the development industry,
- local government,
- the environmental community,
- lay citizens, and
- members of the scientific and technical community who have expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.

In making appointments, the Governor shall provide reasonable representation from all sections of the state.

**Additional Requirements:** Terms are for four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Dr. Joyce has served in the US Army Reserves from 1972 to 2001. Dr. Joyce is currently an inactive reservist as a Brigadier General.  
Number 8 - Represents Agriculture  
Number 18 - Dr. Joyce served on the Lake Okeechobee Technical Advisory Council from 1987-1989. From 1993-1995 he served on the Florida Pesticide Review Council.  
Number 19 - Dr. Joyce is employed by the University of Florida, 1983-Present. He currently holds the position of Executive Associate Vice President for Agriculture and Natural Resources and is responsible for internal administrative affairs for UF/IFAS.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Environmental Regulation Commission

**Appointee:** Montoya, Herbert William

**Term:** 4/23/2012-7/1/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Montoya, Herbert William

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2015

Prior Term: 08/26/2011 - 07/01/2015

City/County: Ponte Vedra Beach/St. Johns

Office: Environmental Regulation Commission, Member

Authority: 20.255(6), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/4/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Owner of Montoya Financial Services, Inc & Owner of Montoya and Associates, LLC

**Attendance:** Attended 6 of 6 meetings (100%) from August 26, 2011 through January 24, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.



**Requirements:** The commission shall be composed of seven residents of this state who represent:

- agriculture,
- the development industry,
- local government,
- the environmental community,
- lay citizens, and
- members of the scientific and technical community who have expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.

In making appointments, the Governor shall provide reasonable representation from all sections of the state.

**Additional Requirements:** Terms are for four years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Lay Member  
Number 18 - Mr. Montoya served from 2000 to 2004 on the Municipal Service District of Ponte Vedra (Seat 3/Vice Chair).

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Environmental Regulation Commission

**Appointee:** Roth, Cari L.

**Term:** 4/23/2012-7/1/2013

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Roth, Cari L.

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2013

Prior Term: 06/21/2011 - 07/01/2013

City/County: Tallahassee/Leon

Office: Environmental Regulation Commission, Member

Authority: 20.255(6), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 8/21/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist			See Below

**Occupation:** Attorney/Shareholder at Bryant Miller Olive P.A.

**Attendance:** Attended 5 of 6 meetings (83%) from June 21, 2011 through January 18, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission shall be composed of seven residents of this state who represent:

- agriculture,
- the development industry,
- local government,
- the environmental community,
- lay citizens, and
- members of the scientific and technical community who have expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.

In making appointments, the Governor shall provide reasonable representation from all sections of the state.

**Additional Requirements:** Terms are for four years. Required to file Form 1 with the Commission on Ethics.

- Notes:**
- Number 8 - Representative of Development Industry
  - Number 15 - Ms. Roth indicated that she is a shareholder of Bryant Miller Olive P.A., who has been retained by many local governments in the past years. Ms. Roth stated her work and her firm's work involves direct dealings with many state and local governments but no direct dealings with the Environmental Regulation Commission.
  - Number 18 - Ms. Roth previously served on the Environmental Regulation Commission.
  - Number 19 - Ms. Roth was the Assistant Secretary for the Florida Department of Community Affairs from 3/2003-7/2003. In addition, she was the General Counsel for the Florida Department of Community Affairs from 7/1999-3/2003. In 1980 Ms. Roth was a Legislative Assistant to State Representative R. Dale Patchett. Ms. Roth was a Legislative Intern in 1978.
  - Number 20 - Executive and Legislative Lobbyist  
Education verified.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Tampa-Hillsborough County Expressway Authority

**Appointee:** Diaco, Stephen C.

**Term:** 4/23/2012-7/1/2014

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Diaco, Stephen C.

Appointed: 04/23/2012

Term: 04/23/2012 – 07/01/2014

Prior Term: 06/21/2011 - 07/01/2014

City/County: Tampa/Hillsborough

Office: Tampa-Hillsborough County Expressway Authority, Member

Authority: 348.52(2)(a), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Transportation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 6 filed as of 5/31/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney at Adams & Diaco, P.A., Law Firm

**Attendance:** Attended 18 of 20 meetings (90%) from June 21, 2011 through January 24, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The authority consists of seven members, as follows:

- Four members who are appointed by the Governor subject to Senate confirmation;
- One member who is the Mayor of Tampa or the mayor's designee, serving as a member ex officio;
- One member who is a member of the Board of County Commissioners of Hillsborough County, serving as a member ex officio; and
- One member who is a district secretary of the Department of Transportation from the district which contains Hillsborough County, serving as a member ex officio.

**Additional** Terms are for four years.

**Requirements:** As of July 1, 2009, required to file Form 6 with SOE's office.

**Notes:** Number 8 - Governor's Appointment  
Education verified.



**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

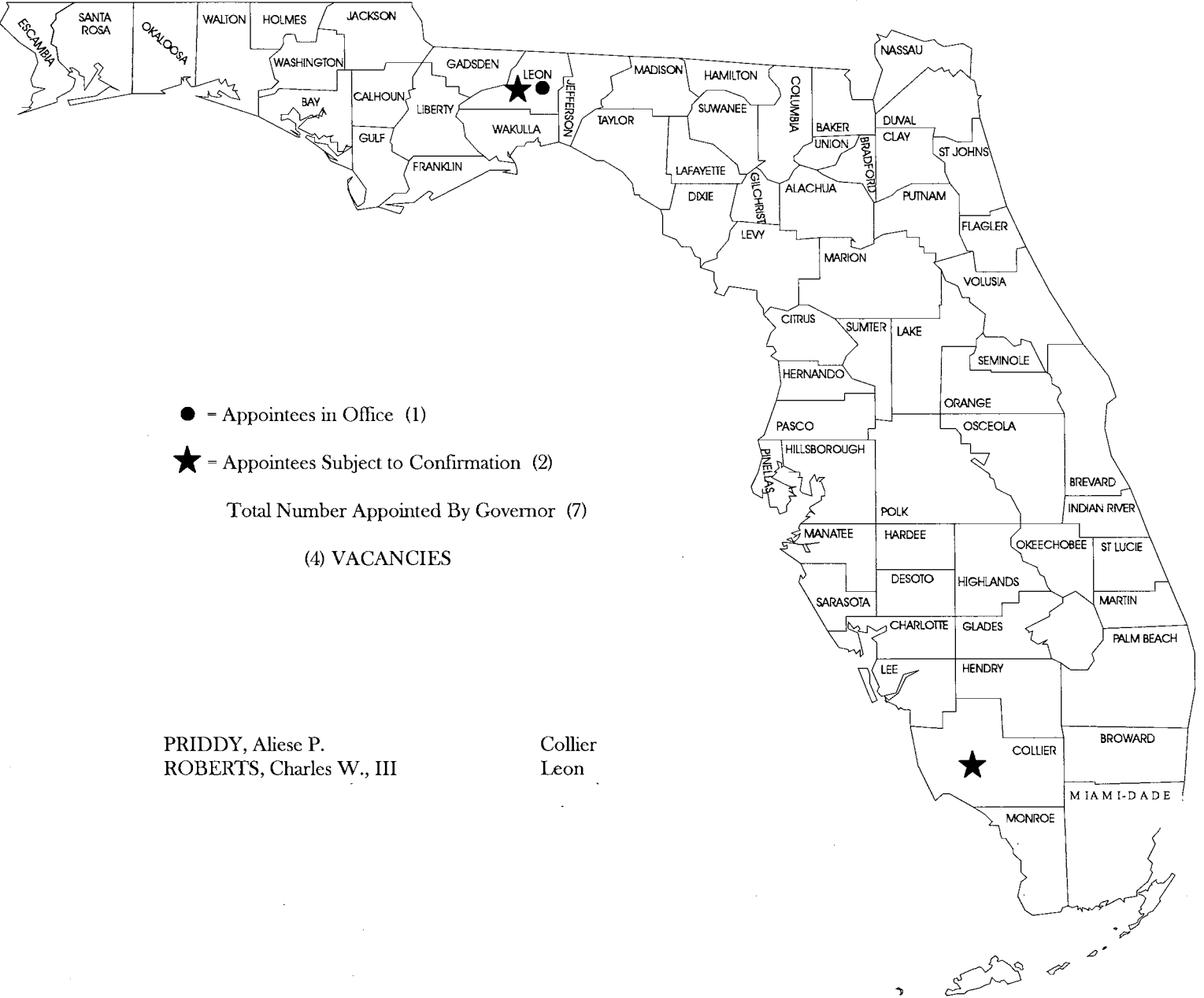
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Fish and Wildlife Conservation Commission



The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Fish and Wildlife Conservation Commission

**Appointee:** Roberts III, Charles W.

**Term:** 4/23/2012-8/1/2016

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Roberts, Charles W., III  
 Term: 04/23/2012 – 08/01/2016

Appointed: 04/23/2012  
 Prior Term: 09/01/2011 - 08/01/2016

City/County: Tallahassee/Leon

Office: Fish and Wildlife Conservation Commission, Member

Authority: 20.331(2) & 379.102(1), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/26/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President of C.W. Roberts Contracting, Inc.

**Attendance:** Attended 6 of 7 meetings (86%) from September 1, 2011 through January 22, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission consists of seven members appointed by the Governor and subject to Senate confirmation.

**Additional Requirements:** Members shall be appointed for staggered 5-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 15 - Mr. Roberts disclosed that within the last four years his company has had contractual dealings with the Department of Transportation, the Department of Management Services, and the Department of Corrections. His company is a contract provider of road construction services to various state and local government agencies.  
Number 18 - Mr. Roberts was appointed to serve the remainder of an unexpired term on the Liberty County School Board in 1978. Mr. Roberts also served on the Northwest Florida Water Management District from 1989 to 2001.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

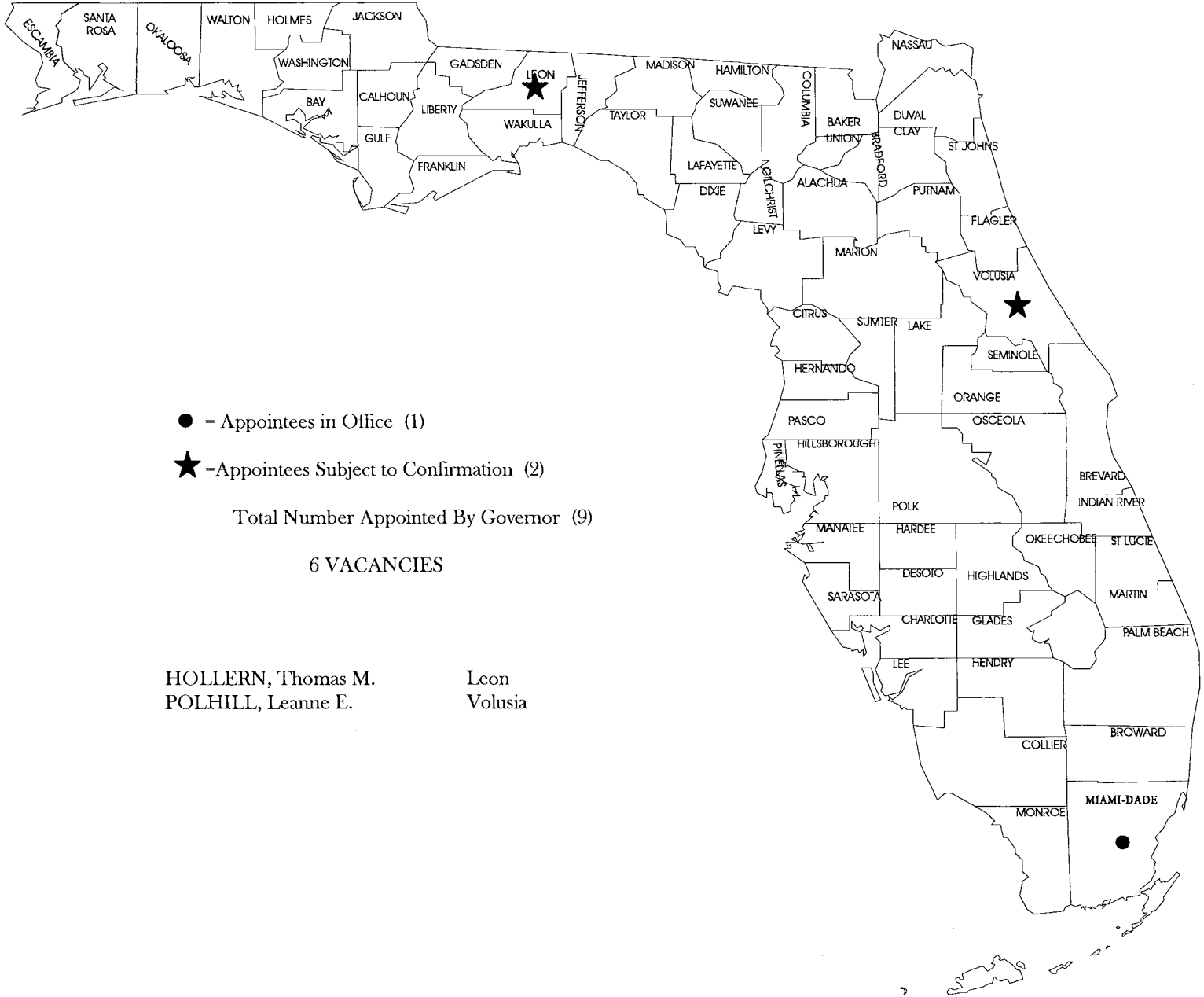
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Board of Hearing Aid Specialists



● = Appointees in Office (1)  
 ★ = Appointees Subject to Confirmation (2)  
 Total Number Appointed By Governor (9)  
 6 VACANCIES

HOLLERN, Thomas M.                      Leon  
 POLHILL, Leanne E.                      Volusia

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hollern, Thomas M.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2013

Prior Term: 06/21/2011 - 10/31/2013

City/County: Tallahassee/Leon

Office: Board of Hearing Aid Specialists, Member

Authority: 484.042(1), F.S. & 20.43(3)(g)25, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/18/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Education Supervisor for Leon County Schools

**Attendance:** Attended 4 of 5 meetings (80%) from July 1, 2010 through February 6, 2013.

**Attendance** Absence was reported as excused.

**Notes:**

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.



**Requirements:** The nine-member board consists of:

- Five members who are licensed hearing aid specialists who have been practicing in Florida for at least the preceding four years; and
- Four members who are lay persons who do not derive economic benefit from the fitting or dispensing of hearing aids, with the following requirements:

One lay member who is a hearing aid user, but is not and has never been a hearing aid specialist or a licensee of a closely related profession;

One lay member who is an otolaryngologist licensed pursuant to chapter 458, F.S., or chapter 459, F.S.; and

One lay member who is sixty-five years of age or older.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Lay Member

Number 19 - Mr. Hollern served as a Supervisor in the Florida Department of Education from 1999 to 2005. Mr. Hollern served as a Supervisor for the Gadsden County School System from 2005 to 2007. Mr. Hollern is currently a Food Services Supervisor with the Leon County School System, 2007-Present.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

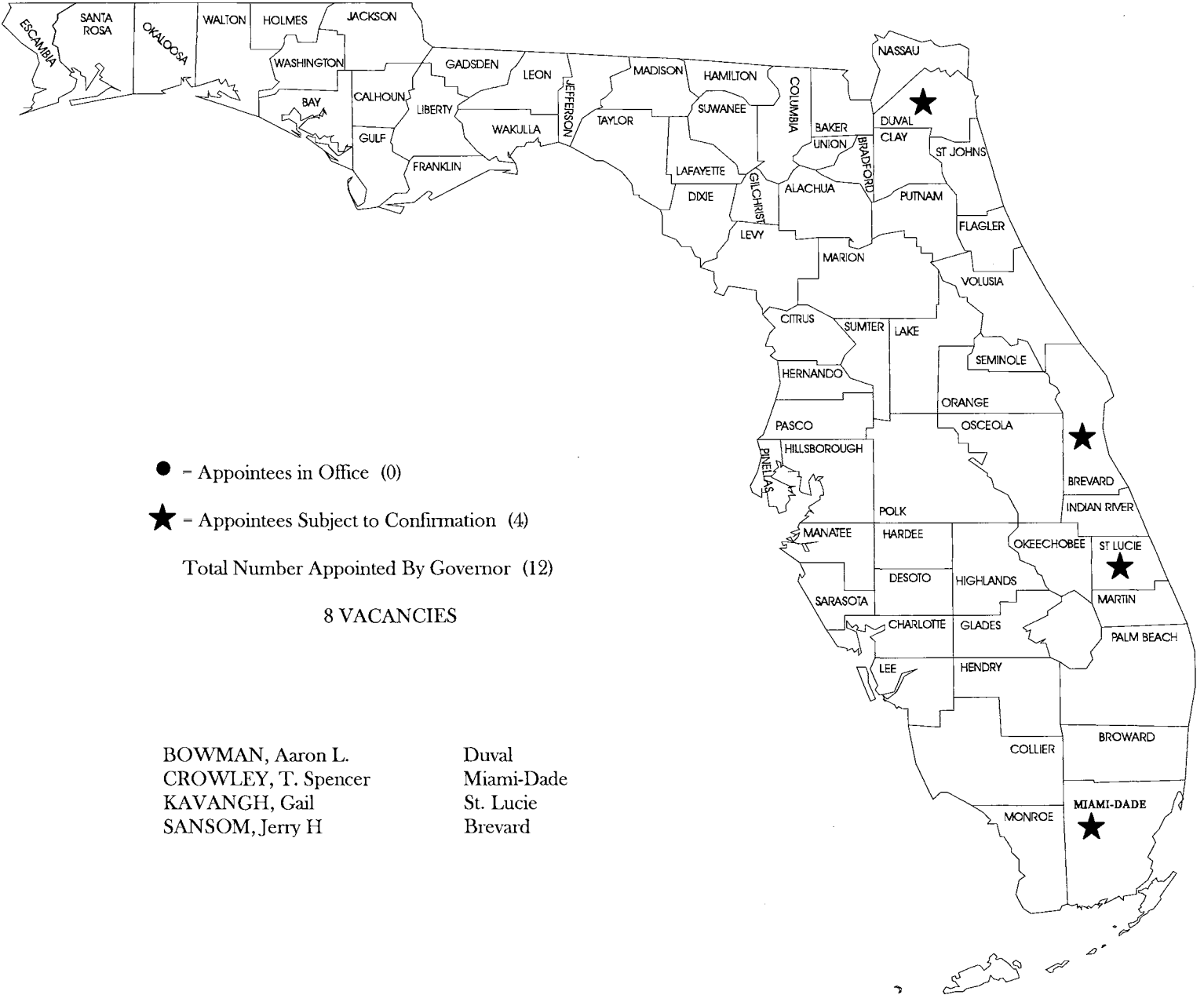
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Inland Navigation District



● = Appointees in Office (0)

★ = Appointees Subject to Confirmation (4)

Total Number Appointed By Governor (12)

8 VACANCIES

BOWMAN, Aaron L.  
 CROWLEY, T. Spencer  
 KAVANGH, Gail  
 SANSOM, Jerry H

Duval  
 Miami-Dade  
 St. Lucie  
 Brevard

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kavanagh, Gail

Appointed: 04/23/2012

Term: 04/23/2012 – 01/09/2015

Prior Term: 01/26/2012 - 01/09/2015

City/County: Port St. Lucie/St. Lucie

Office: Florida Inland Navigation District, Member

Authority: 374.983, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/22/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Consultant at Treasure Coast Builder Assoc.

**Attendance:** Attended 15 of 15 meetings (100%) from January 26, 2012 through February 6, 2013.

**Compensation:** Reimbursed for per diem and travel expenses as provided in s. 112.061, F.S.

**Requirements:** The Florida Inland Navigation District is a special taxing district composed of 12 members, appointed by the Governor, and confirmed by the Senate.

One member shall be appointed for each of the following counties:

- Broward;
- Miami-Dade;
- Duval;
- Flagler;
- Indian River;
- Martin;
- Nassau;
- Palm Beach;
- St. Johns;
- St. Lucie; and
- Volusia.

No two members shall reside in the same county in the district.

**Additional Requirements:** Terms are for four years. Commencing on January 10, 1997, the Governor shall appoint the Commissioners from Broward, Indian River, Martin, St. Johns, and Volusia Counties. On January 10, 1999, the Governor shall appoint the Commissioners from Brevard, Dade, Duval, Flagler, Palm Beach, and St. Lucie Counties. Required to file Form 1 with the SOE's office.

**Notes:** Number 8 - St. Lucie County Resident

Number 18 - Mrs. Kavanagh served on the St. Lucie County Expressway and Bridge Authority from 2001-2004. She also served on the Ft. Pierce Harbor Advisory Board from 2000-2006.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

16

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Ethics and Elections

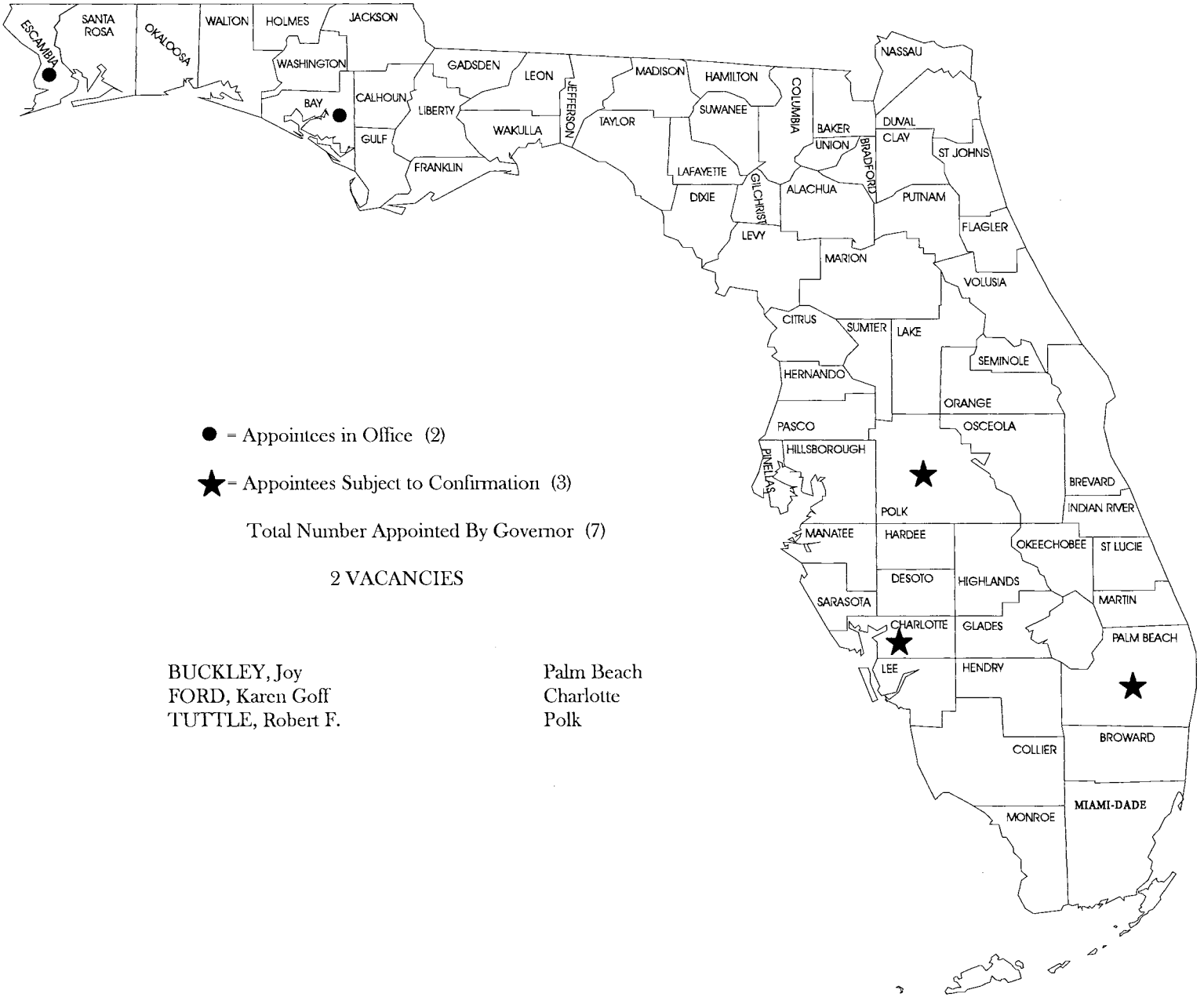
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Board of Massage Therapy



- = Appointees in Office (2)
- ★ = Appointees Subject to Confirmation (3)

Total Number Appointed By Governor (7)

2 VACANCIES

BUCKLEY, Joy  
 FORD, Karen Goff  
 TUTTLE, Robert F.

Palm Beach  
 Charlotte  
 Polk

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Ford, Karen Goff

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2015

Prior Term: 01/30/2012 - 10/31/2015

City/County: Punta Gorda/Charlotte

Office: Board of Massage Therapy, Member

Authority: 480.035(1), F.S. and 20.43(3)(g)21, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/6/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)			Not Applicable
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Self Employed, Massage Therapist

**Attendance:** Attended 8 of 8 meetings (100%) from January 30, 2012 through January 3, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.



**Requirements:** The seven-member board consists of United States' citizens, who have been Florida residents for not fewer than five years, and who are high school graduates or who have received graduate equivalency diplomas, as follows:

- Five members who are licensed massage therapists who have been engaged in the practice of massage for not fewer than five consecutive years prior to their appointment; and
- Two members who are lay members who are not, and have never been, members or practitioners of the profession regulated by such board or of any closely related profession.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Massage Therapist  
Number 18 - Mrs. Ford served briefly on the Board of Athletic Trainers in 2000.  
Number 19 - Mrs. Ford was an administrative assistant with the Department of Business and Professional Regulation from 1992-1995.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

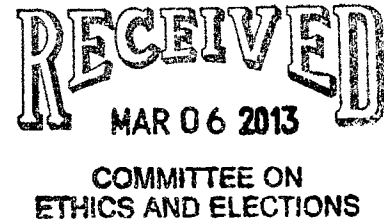
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Criminal Justice  
**MEETING DATE:** Monday, March 04, 2013  
**TIME:** 3:30 —5:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Criminal Justice



The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Parole Commission

**Appointee:** Cohen Sr., Bernard R.

**Term:** 3/20/2012-6/30/2014

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor and Cabinet

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cohen, Bernard R., Sr.

Appointed: 03/26/2012

Term: 03/20/2012 – 06/30/2014

Prior Term: 01/18/2012 - 06/30/2014

City/County: Tallahassee/Leon

Office: Parole Commission, Member

Authority: 947.01, F.S. & 947.02, F.S.

Reference(s): Committee on Communications, Energy, and Public Utilities  
 Committee on Ethics and Elections  
 Committee on Criminal Justice-Recommend Confirm-03/04/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 3/5/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Parole Commissioner

**Compensation:** \$90,723.96 per year as of March 11, 2013.

Reimbursed for travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission consists of three members who are residents of this state, appointed by the Governor and Cabinet from a list of qualified applicants submitted by the parole qualifications committee, and shall include representation from minority persons.

**Additional Requirements:** Terms are for six years.

Upon the expiration of the term of any member of the commission, a successor shall be appointed for a term of 6 years and may not be appointed for more than two consecutive 6-year terms.

One member shall be designated as chair by the Governor and Cabinet.

Required to file Form 1 with the Commission on Ethics.

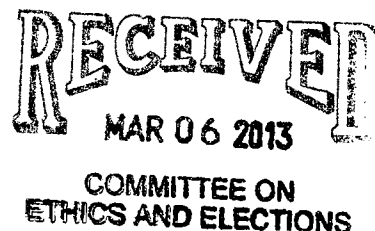
**Notes:** Number 6 - Mr. Cohen served in the United States Army from 1980 to 1990.  
Number 19 - Mr. Cohen worked for the Department of Corrections from 1974 to 2007.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Criminal Justice  
**MEETING DATE:** Monday, March 04, 2013  
**TIME:** 3:30 —5:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President  
**FROM:** Criminal Justice



The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Parole Commission  
**Appointee:** Coonrod, Melinda N.  
**Term:** 7/1/2012-6/30/2018

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor and Cabinet

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Coonrod, Melinda N.

Appointed: 07/30/2012

Term: 07/01/2012 – 06/30/2018

Prior Term:

City/County: Tallahassee/Leon

Office: Parole Commission, Member

Authority: 947.01, F.S. & 947.02, F.S.

Reference(s): Committee on Criminal Justice-Recommend Confirm-03/04/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/20/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/28/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Parole Commissioner

**Compensation:** \$90,723.96 per year as of March 11, 2013.

Reimbursed for travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission consists of three members who are residents of this state, appointed by the Governor and Cabinet from a list of qualified applicants submitted by the parole qualifications committee, and shall include representation from minority persons.

**Additional Requirements:** Terms are for six years.

Upon the expiration of the term of any member of the commission, a successor shall be appointed for a term of 6 years and may not be appointed for more than two consecutive 6-year terms.

One member shall be designated as chair by the Governor and Cabinet.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 19 - Mrs Coonrod was a Senior Attorney/Hearing Officer for the Department of Agriculture from 2008 to 2012. Mrs. Coonrod was employed as an Assistant State Attorney for the Office of the State Attorney, 2nd Circuit, 1992 to 1998, and 2007. Also, from 1992-1993, Mrs. Coonrod was employed by Florida Senate as a legislative analyst. Mrs. Coonrod worked for the Florida State University as an Adjunct Instructor from 2006 to 2007 and 2009.  
Education verified.



The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

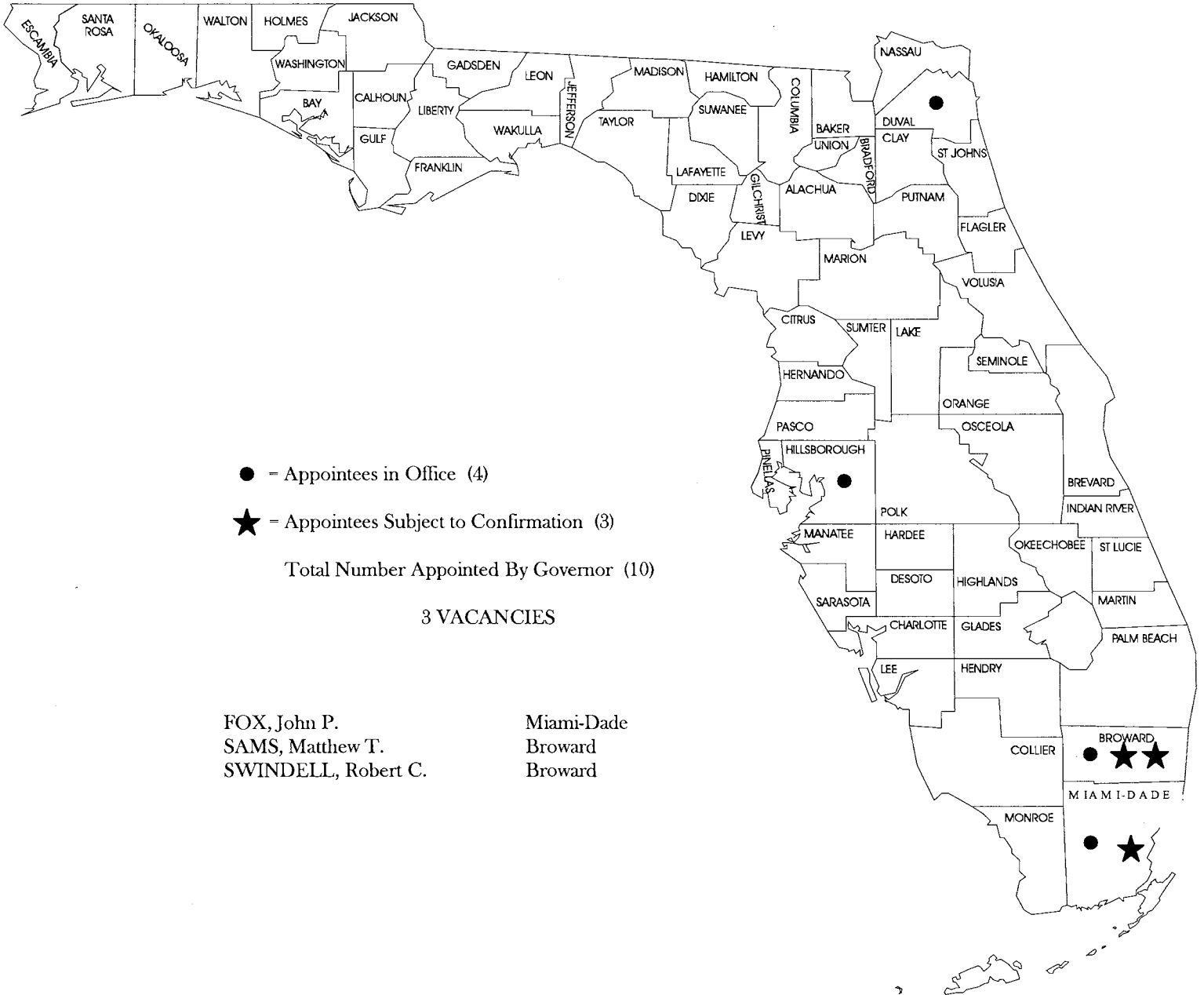
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Board of Pilot Commissioners



● = Appointees in Office (4)  
 ★ = Appointees Subject to Confirmation (3)  
 Total Number Appointed By Governor (10)  
 3 VACANCIES

FOX, John P.  
 SAMS, Matthew T.  
 SWINDELL, Robert C.

Miami-Dade  
 Broward  
 Broward

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Swindell, Robert C.

Appointed: 11/08/2012

Term: 11/07/2012 – 10/31/2014

Prior Term:

City/County: Ft. Lauderdale/Broward

Office: Board of Pilot Commissioners, Member

Authority: 310.011, F.S. & 20.165(5)( F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/3/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/11/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President/CEO of Greater Fort Lauderdale Alliance, Economic Development

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The ten-member board consists of:
- Five licensed state pilots who are actively practicing their profession. The Governor shall appoint:
    - one member from the state at large;
    - one member from any of the following ports: Pensacola, Panama City, or Port St. Joe;
    - one member from any of the following ports: Tampa Bay, Boca Grande, Punta Gorda, Charlotte Harbor or Key West;
    - one member from any of the following ports: Fernandina, Jacksonville, or Port Canaveral; and
    - one member from any of the following ports: Ft. Pierce, Miami, Port Everglades, or Palm Beach.
  - Five members who are citizens of the state who are not licensed pilots, three of whom are not involved in or monetarily interested in the piloting profession, the maritime industry or marine shipping, one whom shall be actively involved in a professional or business capacity in maritime or marine shipping, and one who shall be a user of piloting services. The "user of piloting services" may be an owner, manager, or employee of a business which regularly uses the piloting services of licensed state pilots.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 8 - Lay Member  
Number 17 - Mr. Swindell serves on the Florida Atlantic Research & Development Authority, a special district, 2005-Present  
Number 18 - Mr. Swindell served on Board of Pilot Commissioners from 1990 to 1995. Mr. Swindell served on the Pilotage Rate Review Board, 1994 - 2000. In addition, Mr. Swindell served on the Fort Lauderdale City Commission Parks and Recreation Board 1992 to 1994 and the Beach Advisory Board 1990 to 1992. From 1984-1987, Mr. Swindell also served on the Oakland Park Civil Service Board.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Poole, Donna Maggert  
 Term: 02/06/2013 – 01/01/2014

Appointed: 02/06/2013  
 Prior Term: 07/27/2011 - 01/01/2014

City/County: Tallahassee/Leon

Office: Public Employees Relations Commission

Authority: 447.205, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/28/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 3/8/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Commissioner/Public Employees Relations Commission

**Compensation:** \$45,362.04 ((part-time) per year as of March 13, 2013.

Reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The Commission, shall be composed of a chair and two part-time members to be appointed by the Governor, subject to confirmation by the Senate and from persons representative of the public and known for their objective and independent judgment, who shall not be employed by, or hold any commission with, any governmental unit in the state or any employee organization, as defined in this part, while in such office.

- In no event shall more than one appointee be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employers; and
- in no event shall more than one such appointee be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employees or employee organizations.

The part-time members shall not engage in any business, vocation, or employment that conflicts with their duties while in such office.

**Additional** Terms are for four years.

**Requirements:** Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 18 - Mrs. Poole served as the chair of the Public Employees Relations Commission (PERC) from 1999 to 2008. In addition, Mrs. Poole was a member of PERC, 1988-1990 and in 1998 she served temporarily on PERC to review one case. She also served on the North Florida Community College Board of Trustees, 4/26/99-7/22/99.  
Number 19 - From 1987 to 1988, Mrs. Poole was employed as General Counsel for the Department of Labor and Employment Security.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hogan, Mike

Appointed: 02/11/2013

Term: 02/06/2013 – 01/01/2016

Prior Term: 01/02/2012 - 01/01/2016

City/County: Jacksonville/Duval

Office: Chair, Public Employees Relations Commission, Member

Authority: 447.205, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/29/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 3/8/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Chair, Public Employees Relations Commission

**Compensation:** \$95,789.04 per year as of March 13, 2013.

Reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The commission is composed of a chairman and two part-time members chosen from persons representative of the public and known for their objective and independent judgment, who shall not be employed by, or hold any commission with, any governmental unit in the state or any employee organization, while in such office.

The chair of the commission shall devote full time to commission duties and shall not engage in any other business, vocation, or employment while in such office.

In no event shall more than one appointee be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employers; and in no event shall more than one such appointee be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employees or employee organizations.

**Additional Requirements:** Terms are four years.

The term of the chairman begins January 1 of the second year following the general election of the Governor.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 18 - Mr. Hogan served as a State Representative, Florida House of Representatives from 2000 to 2003. Mr. Hogan served as the Duval County Tax Collector from 2003 to 2011. Mr. Hogan served as a City Councilman for the City of Jacksonville from 1991 to 1999.  
Number 19 - Mr. Hogan was a Health Inspector for Duval and Clay counties from 10/73-4/75.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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A2060H

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Ethics and Elections

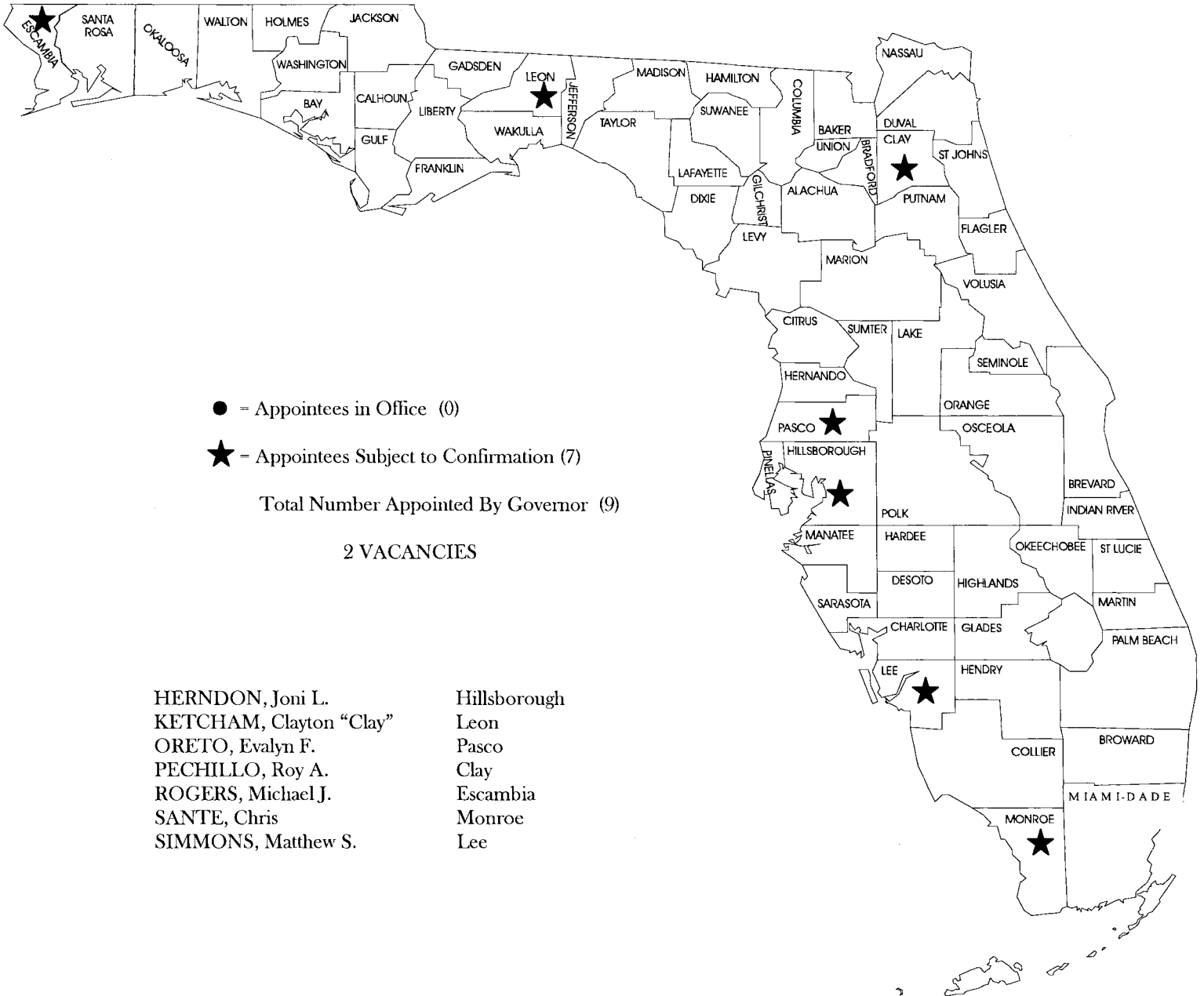
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Real Estate Appraisal Board



● = Appointees in Office (0)

★ = Appointees Subject to Confirmation (7)

Total Number Appointed By Governor (9)

2 VACANCIES

HERNDON, Joni L.  
 KETCHAM, Clayton "Clay"  
 ORETO, Evalyn F.  
 PECHILLO, Roy A.  
 ROGERS, Michael J.  
 SANTE, Chris  
 SIMMONS, Matthew S.

Hillsborough  
 Leon  
 Pasco  
 Clay  
 Escambia  
 Monroe  
 Lee

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Herndon, Joni L.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2013

Prior Term: 06/21/2011 - 10/31/2013

City/County: Tampa/Hillsborough

Office: Florida Real Estate Appraisal Board, Member

Authority: 475.613, F.S. & 20.165(4)(b)1, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/25/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			No Report
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Real Estate Appraiser for Gulf Coast Real Estate Appraiser

**Attendance:** Attended 12 of 12 meetings (100%) from June 21, 2011 through March 5, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The nine-member board consists of:
- Four members of the board must be real estate appraisers who have been engaged in the general practice of appraising real property in this state for at least five years immediately preceding appointment. Two of the members must be licensed or certified residential real estate appraisers and two of the members must be certified general real estate appraisers at the time of the appointment;
  - Two members of the board must represent the appraisal management industry;
  - One member who represents organizations that use appraisals for the purpose of eminent domain proceedings, financial transactions, or mortgage insurance; and
  - Two members who are representatives of the general public and shall not be connected in any way with the practice of real estate appraisal.

In appointing the real estate appraisers, while not excluding other appraisers, the Governor shall give preference to real estate appraisers who are not primarily engaged in real estate brokerage or mortgage lending activities. The appraiser members shall be as representative of the entire industry as possible, and membership in a nationally recognized or state-recognized appraisal organization shall not be a prerequisite to membership on the board. To the extent possible, no more than two members of the board shall be primarily affiliated with any one particular national or state appraisal association.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Certified Residential Real Estate Appraiser  
Number 18 - Ms. Herndon served on the Florida Real Estate Appraisal Board from 2/2006-10/2009.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Ketcham, Clayton "Clay" Blane

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2014

Prior Term: 11/08/2011 - 10/31/2014

City/County: Tallahassee/Leon

Office: Florida Real Estate Appraisal Board, Member

Authority: 475.613, F.S. & 20.165(4)(b)1, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/19/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Real Estate Appraiser, Ketcham Appraisal Group, Inc.

**Attendance:** Attended 8 of 8 meetings (100%) from November 8, 2011 through March 6, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The nine-member board consists of:
- Four members of the board must be real estate appraisers who have been engaged in the general practice of appraising real property in this state for at least five years immediately preceding appointment. Two of the members must be licensed or certified residential real estate appraisers and two of the members must be certified general real estate appraisers at the time of the appointment;
  - Two members of the board must represent the appraisal management industry;
  - One member who represents organizations that use appraisals for the purpose of eminent domain proceedings, financial transactions, or mortgage insurance; and
  - Two members who are representatives of the general public and shall not be connected in any way with the practice of real estate appraisal.

In appointing the real estate appraisers, while not excluding other appraisers, the Governor shall give preference to real estate appraisers who are not primarily engaged in real estate brokerage or mortgage lending activities. The appraiser members shall be as representative of the entire industry as possible, and membership in a nationally recognized or state-recognized appraisal organization shall not be a prerequisite to membership on the board. To the extent possible, no more than two members of the board shall be primarily affiliated with any one particular national or state appraisal association.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 8 - Real Estate Appraiser  
Number 17 - Mr. Ketcham serves on the Tallahassee Downtown Redevelopment Commission, 2009 – Present.  
Number 18 - Mr. Ketcham served on the Florida Real Estate Appraisal Board from 1995 to 1998.  
Number 19 - Mr. Ketcham worked for the Department of Natural Resources from 1981 to 1984. Mr. Ketcham also worked for the Leon County Property Appraiser's Office from 1976 to 1981.



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Pechillo, Roy A.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/31/2015

Prior Term: 11/01/2011 - 10/31/2015

City/County: Orange Park/Clay

Office: Florida Real Estate Appraisal Board, Member

Authority: 475.613, F.S. & 20.165(4)(b)1, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/6/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Senior Regional Manager of Rels Valuation (appraisal management company)

**Attendance:** Attended 7 of 8 meetings (88%) from November 1, 2011 through March 5, 2013.

**Attendance** Absence was reported as excused.

**Notes:**

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The nine-member board consists of:
- Four members of the board must be real estate appraisers who have been engaged in the general practice of appraising real property in this state for at least five years immediately preceding appointment. Two of the members must be licensed or certified residential real estate appraisers and two of the members must be certified general real estate appraisers at the time of the appointment;
  - Two members of the board must represent the appraisal management industry;
  - One member who represents organizations that use appraisals for the purpose of eminent domain proceedings, financial transactions, or mortgage insurance; and
  - Two members who are representatives of the general public and shall not be connected in any way with the practice of real estate appraisal.

In appointing the real estate appraisers, while not excluding other appraisers, the Governor shall give preference to real estate appraisers who are not primarily engaged in real estate brokerage or mortgage lending activities. The appraiser members shall be as representative of the entire industry as possible, and membership in a nationally recognized or state-recognized appraisal organization shall not be a prerequisite to membership on the board. To the extent possible, no more than two members of the board shall be primarily affiliated with any one particular national or state appraisal association.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Represents Appraisal Management

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

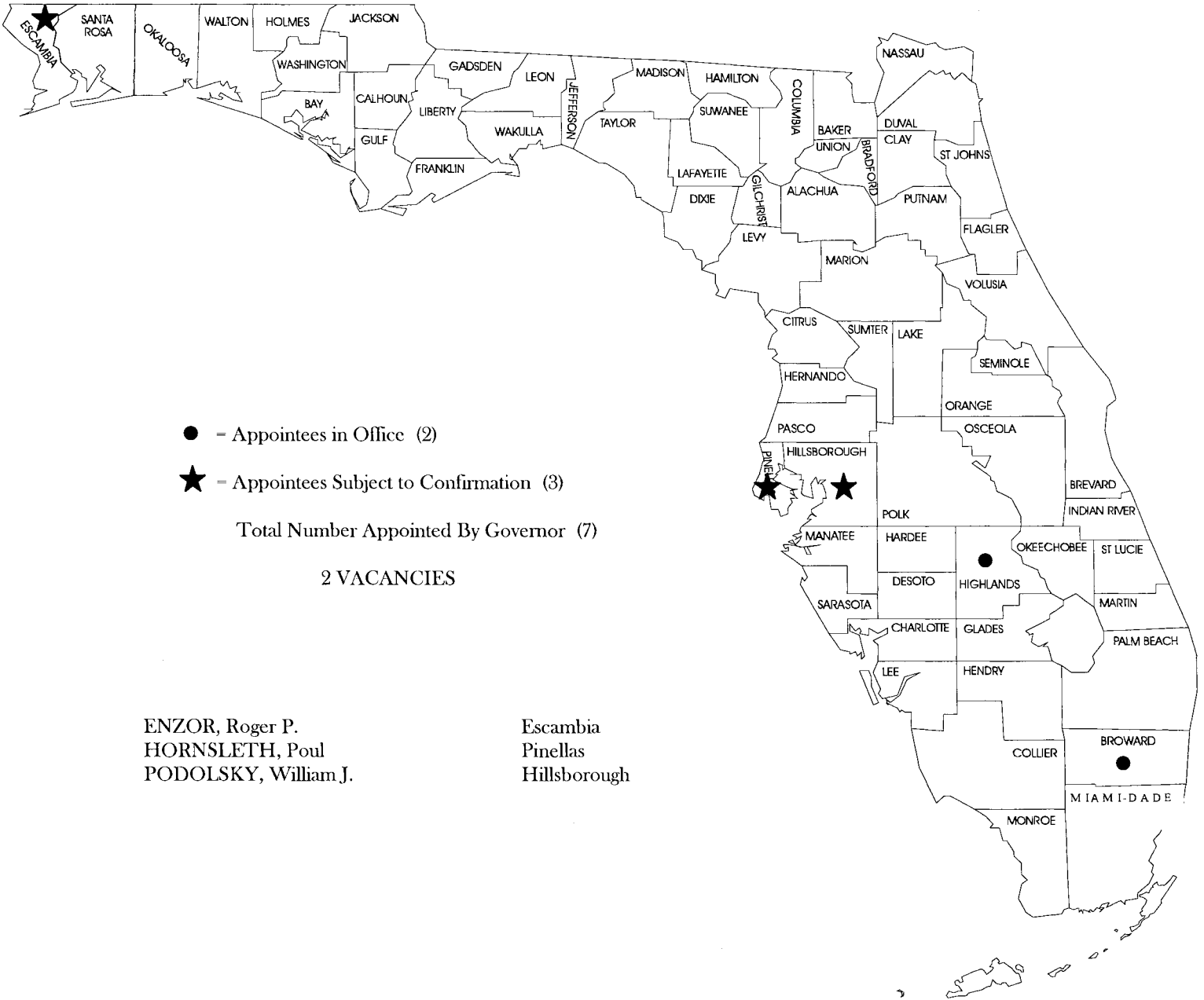
**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

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A2080P

# Florida Real Estate Commission



ENZOR, Roger P.  
 HORNSLETH, Poul  
 PODOLSKY, William J.

Escambia  
 Pinellas  
 Hillsborough

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Podolsky, William J., III  
 Term: 04/23/2012 – 10/31/2014

Appointed: 04/23/2012  
 Prior Term: 12/07/2011 - 10/31/2014

City/County: Tampa/Hillsborough

Office: Florida Real Estate Commission, Member

Authority: 475.02, F.S. & 20.165(4)(b)2, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/25/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	See Below
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney, Phelps, Dunbar, LLP

**Attendance:** Attended 12 of 15 meetings (80%) from December 7, 2011 through February 21, 2013.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The seven-member commission consists of:

- Four members who are licensed brokers who have held an active license for the five years preceding appointment;
- One member who is a licensed broker or a licensed sales associate who has held an active license for the two years preceding appointment; and
- Two members who are persons who are not and have never been brokers or salespersons.

At least one member of the commission must be 60 years of age or older. Notwithstanding s. 112.313, any member of the commission who is a licensed real estate broker or sales associate and who holds an active real estate school permit, chief administrator permit, school instructor permit, or any combination of such permits issued by the department, to the extent authorized pursuant to such permit, may offer, conduct, or teach any course prescribed or approved by the commission or the department.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Lay Member  
Number 9 - Mr. Podolsky disclosed that he was cited for underage possession of alcohol. This violation did not appear in the FDLE report.  
Number 18 - Mr. Podolsky served on the Barrio Latino Commission from 2009 to 2011.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Schock, Timothy E.

Appointed: 04/23/2012

Term: 04/23/2012 – 10/01/2013

Prior Term: 02/01/2012 - 10/01/2013

City/County: Tampa/Hillsborough

Office: Tampa Bay Regional Planning Council, Region 8, Member

Authority: 186.504, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/8/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President at DGRT Software

**Attendance:** Attended 9 of 11 meetings (82%) from February 1, 2012 through February 6, 2013.

**Compensation:** The Florida Statutes make no provision for compensation.



**Requirements:** No less than two-thirds of the representatives serving as voting members on the governing bodies of regional planning councils shall be elected officials of local general-purpose governments chosen by the cities and counties of the region, provided each county shall have at least one vote. The remaining one-third of the voting members on the governing board shall be appointed by the Governor, to include one elected school board member, subject to confirmation by the Senate, and shall reside in the region from each of the following counties:

- Hillsborough;
- Manatee;
- Pasco; and
- Pinellas.

The elected school board member, appointed by the Governor, will be nominated by the Florida School Board Association.

No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor's appointee.

Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds is composed of locally elected officials.

**Additional** The Florida Statutes make no provision for terms.

**Requirements:**

Each county shall be a member of the Regional Planning Council created within the comprehensive planning district encompassing the county.

Required to file Form 1 with SOE's office.

**Notes:** Number 8 - Hillsborough County Resident

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

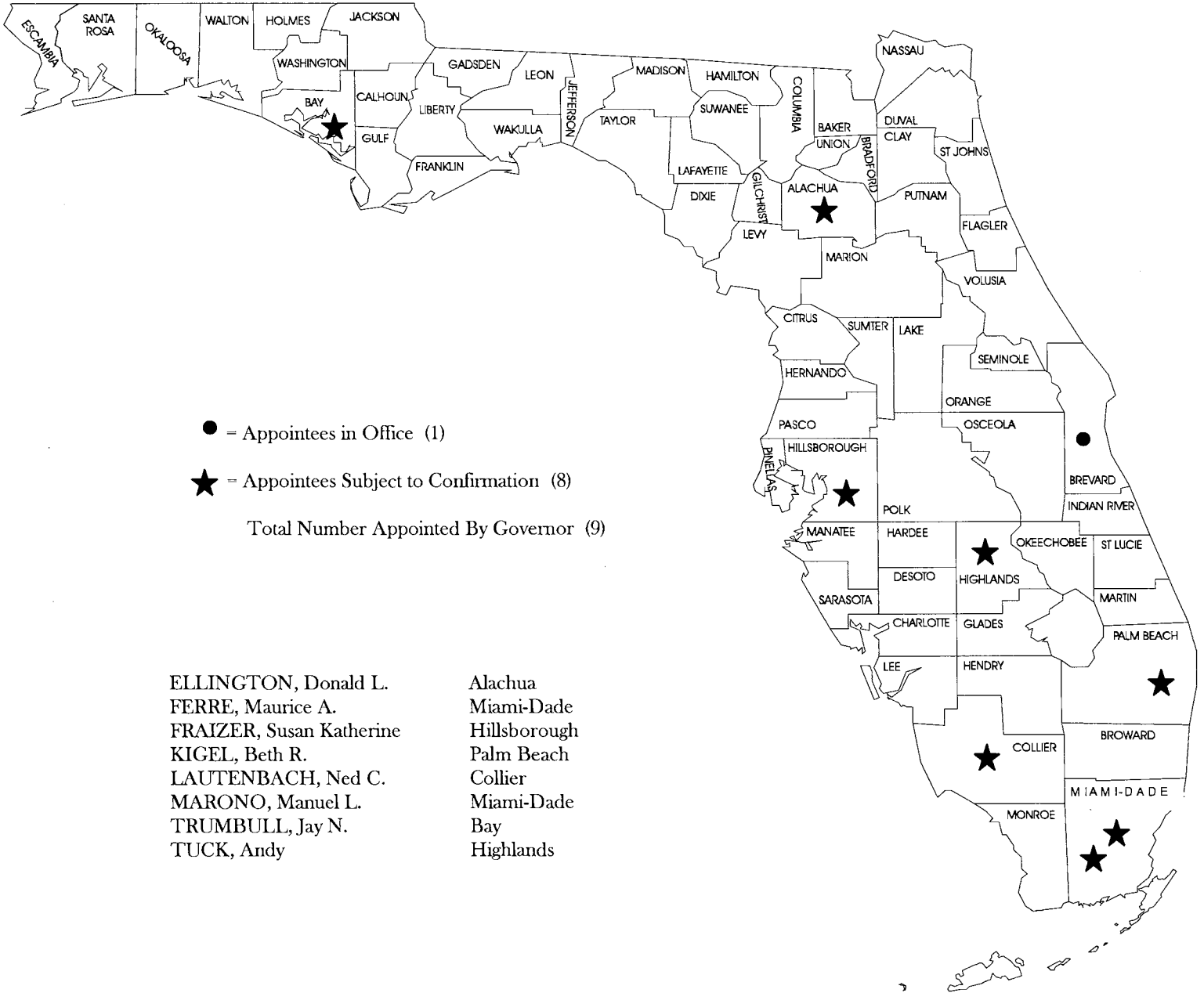
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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Florida Transportation Commission



- = Appointees in Office (1)
- ★ = Appointees Subject to Confirmation (8)
- Total Number Appointed By Governor (9)

ELLINGTON, Donald L.	Alachua
FERRE, Maurice A.	Miami-Dade
FRAIZER, Susan Katherine	Hillsborough
KIGEL, Beth R.	Palm Beach
LAUTENBACH, Ned C.	Collier
MARONO, Manuel L.	Miami-Dade
TRUMBULL, Jay N.	Bay
TUCK, Andy	Highlands

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Ellington, Donald L.

**Term:** 4/23/2012-9/30/2013

After inquiry and due consideration, the committee recommends that the Senate confirm the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Ellington, Donald L.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2013

Prior Term: 09/26/2011 - 09/30/2013

City/County: Gainesville/Alachua

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Transportation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/27/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Engineer, (Part-time), George F. Young, Inc. Engineer, (Part-time as needed) St. Johns River State College; and Taylor County BOCC

**Attendance:** Attended 7 of 7 meetings (100%) from September 26, 2011 through January 25, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional Requirements:** Terms are for four years.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 19 - Mr. Ellington is a part-time as needed Engineer for the St. Johns River State College and for the Taylor County Board of County Commissioners.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

---

**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Frazier, Susan Katherine

**Term:** 4/23/2012-9/30/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Frazier, Susan Katherine  
 Term: 04/23/2012 – 09/30/2015

Appointed: 04/23/2012  
 Prior Term: 12/22/2011 - 09/30/2015

City/County: Tampa/Hillsborough

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Transportation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/2/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney, Hill Ward Henderson Law Firm

**Attendance:** Attended 6 of 7 meetings (86%) from December 22, 2011 through January 29, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.



**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional Requirements:** Terms are for four years.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

---

**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Kigel, Beth R.

**Term:** 4/23/2012-9/30/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kigel, Beth R.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2015

Prior Term: 01/23/2012 - 09/30/2015

City/County: Lake Worth/Palm Beach

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Transportation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 1/24/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President, Northern Palm Beach County Chamber of Commerce

**Attendance:** Attended 6 of 6 meetings (100%) from January 23, 2012 through January 31, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional** Terms are for four years.

**Requirements:** Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 18 - Ms. Kigel served on the Palm Beach County Groundwater and Natural Resources Protection Board from 2005 to 2008. Ms. Kigel served on the Palm Beach County Sports Commission from 2007 to 2008. Ms. Kigel served 10 months on the Criminal Justice Commission in 2010. Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Marono, Manuel L.

**Term:** 4/23/2012-9/30/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Marono, Manuel L.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2015

Prior Term: 10/31/2011 - 09/30/2015

City/County: Sweetwater/Miami-Dade

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Transportation-Recommend Confirm-03/14/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 10/19/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Mayor of Sweetwater

**Attendance:** Attended 5 of 7 meetings (71%) from October 31, 2011 through January 4, 2013.

**Attendance** Mr. Marono was unable to attend meetings due to prior commitments.

**Notes:**

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional** Terms are for four years.

**Requirements:** Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 17 - Mr. Marono is the Mayor of Sweetwater and was first elected in 1995.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Trumbull, Jay N.

**Term:** 4/23/2012-9/30/2015

After inquiry and due consideration, the committee recommends that the Senate confirm the aforesaid executive appointment made by the Governor.



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Trumbull, Jay N.

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2015

Prior Term: 10/31/2011 - 09/30/2015

City/County: Panama City/Bay

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Transportation-Recommend Confirm-03/14/2013  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/12/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Owner/Trumbull Bottled Water/Culligan Water

**Attendance:** Attended 7 of 7 meetings (100%) from October 31, 2011 through January 31, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional Requirements:** Terms are for four years.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 15 - Mr. Trumbull disclosed that his company is a bottled water vendor and provides vendor services to government agencies.

Number 18 - Mr. Trumbull Served on the Bay County Planning Commission from 2006 to 2010. Mr. Trumbull also served on the Panama City Housing Authority from 2007 to 2011 and the Panama City Code Enforcement Board from 2000 to 2004.

Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Transportation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Florida Transportation Commission

**Appointee:** Tuck, Andy

**Term:** 4/23/2012-9/30/2014

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Tuck, Andy

Appointed: 04/23/2012

Term: 04/23/2012 – 09/30/2014

Prior Term: 09/26/2011 - 09/30/2014

City/County: Sebring/Highlands

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Ethics and Elections

Committee on Transportation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 6 filed as of 7/9/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Production Manager, C. Elton Crews, Inc.

**Attendance:** Attended 8 of 8 meetings (100%) from September 26, 2011 through January 31, 2013.

**Compensation:** Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

**Additional Requirements:** Terms are for four years.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 17 - Mr. Tuck is a Highlands County School Board Member, 9/5/06-Present. In addition, he also serves on the Central Florida Regional Planning Council, 2010-Present.  
Education verified.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Monday, March 18, 2013

**TIME:** 1:00—3:00 p.m.

**PLACE:** Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Brown, Kevin W.

**Term:** 4/23/2012-3/1/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Brown, Kevin W.

Appointed: 04/23/2012

Term: 04/23/2012 – 03/01/2015

Prior Term: 06/03/2011 - 03/01/2015

City/County: Alachua/Alachua

Office: Governing Board of the Suwannee River Water Management District, Member

Authority: 373.073 & 373.073(2)(b), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/25/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Appraiser for Farm Credit of Florida

**Attendance:** Attended 19 of 20 meetings (95%) from June 3, 2011 through February 6, 2013.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.



- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

- Notes:** Number 8 - Mr. Brown resides in the Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River.  
Number 19 - Mr. Brown was employed as an agriculture technician at the University of Florida from 1984 to 1986.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

---

**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Cole, George M.

**Term:** 4/23/2012-3/1/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cole, George M.

Appointed: 04/23/2012

Term: 04/23/2012 – 03/01/2015

Prior Term: 06/03/2011 - 03/01/2015

City/County: Monticello/Jefferson

Office: Governing Board of the Suwannee River Water Management District, Member

Authority: 373.073 & 373.073(2)(b), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 5/23/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/25/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Adjunct Professor at The Florida State University

**Attendance:** Attended 19 of 20 meetings (95%) from June 3, 2011 through February 6, 2013.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

**Notes:** Number 6 - Mr. Cole served in the U.S. Coast & Geodetic Survey from 1961 to 1968.  
Number 8 - Mr. Cole resides in the Aucilla River Basin hydrologic unit.  
Number 18 - Mr. Cole served on the Jefferson County Planning Commission from 10/08-9/11.  
Number 19 - Mr. Cole was a teacher in Duval County from 1969 to 1971. Mr. Cole then worked for the Jacksonville Electric Authority as a Field Engineer from 1971 to 1974. From 1975 through 1981, Mr. Cole was a Bureau Chief for the Florida Department of Natural Resources. From 1994 to 2002, Mr. Cole was a Professional Engineer Administrator for the Department of Transportation. Mr. Cole is currently an Adjunct Professor for the Florida State University, 2009-Present.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

---

**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Curtis III, Donald Raymond "Ray"

**Term:** 4/23/2012-3/1/2015

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Curtis, Donald Raymond "Ray", III

Appointed: 04/23/2012

Term: 04/23/2012 – 03/01/2015

Prior Term: 06/03/2011 - 03/01/2015

City/County: Perry/Taylor

Office: Governing Board of the Suwannee River Water Management District, Member

Authority: 373.073 & 373.073(2)(b), F.S.

Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/22/12
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Attorney

**Attendance:** Attended 15 of 20 meetings (75%) from June 3, 2011 through February 6, 2013.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

- Notes:** Number 10 - Resides in the Coastal River Basin area  
Number 18 - Mr. Curtis served on the following boards: City of Perry Zoning and Planning Board, 2008-2012; City of Perry Board of Adjustment, 2008-2012; and City of Perry Code Enforcement Board, 2008-2012.  
Number 19 - Mr. Curtis was a Public Defender for the 3rd Judicial Circuit from 2007 to 2009.  
Education verified.

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

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**TO:** The Honorable Don Gaetz, President

**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Jones, Gary F.

**Term:** 11/7/2012-3/1/2016

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Jones, Gary F.

Appointed: 12/08/2012

Term: 11/07/2012 – 03/01/2016

Prior Term:

City/County: Old Town/Dixie

Office: Governing Board of the Suwannee River Water Management District, Member

Authority: 373.073 & 373.073(2)(b), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/14/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		See Below
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Coach/Dixie County High School

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

- Notes:** Number 8 - Member at Large - Dixie County  
Number 9 - Mr. Jones disclosed that he plead "no contest" in 1982 to a game violation in Dixie County. FDLE did not report this violation.  
Number 18 - Mr. Jones served as a "Board Member from 2008 to 2011."  
Number 19 - Mr. Jones is a varsity girls softball coach with the Dixie County High School, 2007-Present. Mr. Jones was a State of Florida Law Enforcement Officer from 1973 to 2008.  
Education Verified

The Florida Senate  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Thursday, March 14, 2013  
**TIME:** 11:00 a.m.—1:30 p.m.  
**PLACE:** Toni Jennings Committee Room, 110 Senate Office Building

---

**TO:** The Honorable Don Gaetz, President  
**FROM:** Committee on Environmental Preservation and Conservation

The committee was referred the following executive appointment subject to confirmation by the Senate:

**Office:** Governing Board of the Suwannee River Water Management District  
**Appointee:** Quincey, Donald "Don"  
**Term:** 8/16/2012-3/1/2016

After inquiry and due consideration, the committee recommends that the Senate confirm the aforesaid executive appointment made by the Governor.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Quincey, Donald "Don"

Appointed: 08/16/2012

Term: 08/16/2012 – 03/01/2016

Prior Term: 04/10/2008 - 03/01/2012

City/County: Chiefland/Levy

Office: Governing Board of the Suwannee River Water Management District, Member

Authority: 373.073 & 373.073(2)(b), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Environmental Preservation and Conservation-Recommend Confirm-03/14/2013

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/2/12
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/6/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Owner/President - Quincey Cattle Co.

**Attendance:** Attended 58 of 59 meetings (98%) from April 10, 2008 through February 6, 2013.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

**Notes:** Number 8 - Mr. Quincey resides in the Lower Suwannee River Basin.  
Number 19 - Mr. Quincey was a Levy County Sheriff's Deputy from 1975-1977.  
Education verified.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-2013

Meeting Date

Topic Confirmation

Bill Number Tab # 17a  
(if applicable)

Name Bernard R. Cohen

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Commissioner

Address 4070 Esplanade Way

Phone \_\_\_\_\_

Street

Tallahassee FL 33952-2450 E-mail bernardcohen@FPC.  
City State Zip

Fl. state

Speaking:  For  Against  Information

Representing Florida Parole Commission

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13

Meeting Date

Topic Confirmation - Melinda Coonrod

Bill Number Tab # 176  
(if applicable)

Name Melinda Coonrod

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Commissioner

Address 4070 Esplanade Way  
Street

Phone 487-1987

Tallahassee FL 33952-2450  
City State Zip

E-mail melinda.coonrod@fpc.fl.state.us

Speaking:  For  Against  Information

Representing Florida Parole Commission

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: CS/SB 538

INTRODUCER: Community Affairs Committee; Senators Ring and Negron

SUBJECT: Special Districts

DATE: March 13, 2013                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Toman	Yeatman	CA	<b>Fav/CS</b>
2.	Roberts	Roberts	EE	<b>Pre-meeting</b>
3.			AFT	
4.			AP	
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 538 establishes the following provisions for certain single-county independent special districts wholly located within a county. These districts must:

- commence administrative consolidation efforts with a local general purpose government,
- present the district’s proposed budget, financial audit report, and any tax levy, fee or special assessment to a local government for review,
- have future governing board members appointed by the general-purpose local government,
- restrict district health care or retirement benefit packages to value levels not exceeding comparable packages provided by the local government.

In addition, the bill requires all special districts to comply with state provisions on per diem and travel expenses and to post district board member names and contact information on websites.

The bill also requires community development districts to present their proposed budget, financial audit report, and any tax levy, fee or special assessment to local governing authorities and to make proposed, amended and final budgets available on district websites.

The bill creates section 189.4052 of the Florida Statutes.



The bill amends sections 189.4035, 189.404, 189.412, 189.416, and 190.008 of the Florida Statutes.

## II. Present Situation:

### Special Districts

Special Districts are governed by the Uniform Special District Accountability Act of 1989 in Chapter 189, F.S.<sup>1</sup> Section 189.403(1), F.S., defines a “special district” as a confined local government unit established for a special purpose.<sup>2</sup> The public policy intent of special districts is to provide private and public sectors an alternative governing method to “manage, own, operate, construct and finance basic capital infrastructure, facilities and services.”<sup>3</sup> A special district can be created by general law, special act, local ordinance, or by Governor or Cabinet rule.<sup>4</sup> A special district does not include:

- a school district,
- a community college district,
- a special improvement district (Seminole and Miccosukee Tribes under s. 285.17, F.S.),
- a municipal service taxing or benefit unit (MSTU/MSBU), or
- a political subdivision board of a municipality providing electrical service.<sup>5</sup>

While special districts have similar governing powers and restrictions as counties and municipalities,<sup>6</sup> they do not have “local home rule” power that has been granted to general-purpose governments. Special districts have only the explicit authority granted by statute.<sup>7</sup> Like other forms of local government, special districts operate through a governing board and can “enter contracts, employ workers . . . issue debt, impose taxes, levy assessments and . . . charge fees for their services.”<sup>8</sup> Special districts are held accountable to the public and are therefore subject to public sunshine laws and financial reporting requirements.<sup>9</sup>

### Dependent vs. Independent Special Districts

There are two types of special districts in Florida: dependent special districts and independent special districts. With some exceptions, dependent special districts are districts created by individual counties and municipalities that meet at least one of the following characteristics:

<sup>1</sup> Chapter 189, F.S.; *see s.* 189.401, F.S.

<sup>2</sup> Section 189.403(1), F.S.

<sup>3</sup> Section 189.402(4), F.S.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Mizany, Kimia and April Manatt, WHAT’S SO SPECIAL ABOUT SPECIAL DISTRICTS? CITIZENS GUIDE TO SPECIAL DISTRICTS IN CALIFORNIA, 3rd ed., 2 (Feb. 2002). Districts do not have “local home rule” power that has been granted to general-purpose governments; they have only the explicit authority granted by statute.

<sup>7</sup> *See Roach v. Loxahatchee Groves Water Control District*, 417 So. 2d 814 (Fla. 4<sup>th</sup> DCA 1982).

<sup>8</sup> *See supra* note 5. (alteration to original) (citation omitted).

<sup>9</sup> Presentation by Jack Gaskins Jr., from the Division of Community Development in the Department of Economic Opportunity, SPECIAL DISTRICT BASICS PRESENTATION (October 4, 2011) (on file with the Senate Committee on Community Affairs). *See also* ss. 189.417 and 189.418, F.S.

- the membership of its governing body is identical to the governing body of a single county or municipality,
- all members of its governing body are appointed by the governing body of a single county or municipality,
- during their unexpired terms, members of the special district's governing body are subject to removal at will by the governing body of a single county or municipality,
- the district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or municipality.<sup>10</sup>

Section 189.403(3), F.S., defines an independent special district as a district that does not meet the statutory classifications of a dependent special district.<sup>11</sup> Except as otherwise authorized by general law, only the Legislature may create independent special districts.<sup>12</sup>

General laws or special acts that create or authorize the creation of independent special districts must address and require the following in their charters:

- powers, functions, and duties of the district regarding ad valorem taxation, bond issuance, other revenue-raising capabilities and budget preparation and approval,
- membership, organization and compensation of the governing board of the district,
- if authorized to do so, the procedures and requirements for issuing bonds,
- procedures for conducting any district elections or referenda required,
- if authorized to levy ad valorem taxes, the authorized millage rate,<sup>13</sup> and
- methods for collecting non-ad valorem assessments, fees, or service charges.<sup>14</sup>

### **The Special District Information Program**

The Special District Information Program (SDIP), administered by the Division of Community Development in the Department of Economic Opportunity (DEO or Department), is designed to collect, update, and share detailed information on Florida's special districts with state and local agencies.<sup>15</sup> The Department also maintains an official master list of special districts throughout the state.<sup>16</sup> The list includes information on district creation methods, sources of revenue, governing board types and categorizes districts into 73 functions of interest.

Examples of district functions include but are not limited to water management districts, community development districts, housing authority districts, fire control and rescue districts,

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<sup>10</sup> Section 189.403(2)(a)-(d), F.S. Dependent districts functionally operate as an arm of either a municipality, county or state agency.

<sup>11</sup> Section 189.403(3), F.S.

<sup>12</sup> Section 189.404(4), F.S.

<sup>13</sup> The maximum millage rate authorized for independent district ad valorem taxes varies depending on district type and the rate authority specified in general laws or special acts.

<sup>14</sup> See s. 189.404(3), F.S.

<sup>15</sup> Florida Department of Economic Opportunity, *Special Districts Information Program*, available at <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/special-district-information-program> (last visited Mar. 7, 2013).

<sup>16</sup> Sections 189.412(2) and 189.4035, F.S. See also Florida Department of Economic Opportunity, *Official List of Special Districts Online*, (available online at <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/index.cfm>) (last visited on Mar. 7, 2013).

mosquito control districts, and transportation districts.<sup>17</sup> As of March 2, 2013, SDIP listed the following statewide numbers of special districts:

- Total: 1,648
- Independent: 1,005
- Dependent: 643
- Single County: 1,577
- Multicounty: 71
- Active: 1,631
- Inactive: 17<sup>18</sup>

Utilizing the SDIP's *Create Your Own Customized List of Special Districts* webpage yields the following independent district information related to revenue sources:<sup>19</sup>

- Active Independent Districts reporting Ad Valorem as a Revenue Source: 143<sup>20</sup>
- Active Independent Districts reporting Assessments as a Revenue Source: 653<sup>21</sup>
- Active Independent Districts reporting Fees as a Revenue Source: 71<sup>22</sup>

### Oversight Review Process

Section 189.428, F.S., provides local governments with an oversight review process for special districts serving within their boundaries. This procedure is permissive but can lead to a modification, dissolution or merger of the district.<sup>23</sup>

The oversight review process is performed in conjunction with the special district's public facilities report and the local governmental evaluation and appraisal report prescribed in ss. 189.415(2) and 163.3191, F.S.<sup>24</sup> Depending upon whether the independent special district is a single- or multi-county district, the oversight review may be conducted by the county or municipality where the special district is located, or by the government that created the special district.<sup>25</sup>

During the oversight review process, the reviewing authority must consider certain criteria, including, but not limited to:

- the degree to which current services are essential or contribute to the well-being of the community;
- the extent of continuing need for current services;

<sup>17</sup> *Id.*

<sup>18</sup> Florida Department of Economic Opportunity, *Official List of Special Districts Online: Statewide Totals*, available at <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/StateTotals.cfm> (last visited Mar. 7, 2013).

<sup>19</sup> See <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/> (last visited Mar 7, 2013).

<sup>20</sup> District functions include children's services, community development, downtown development authorities, fire control, hospital, mosquito control, and water management.

<sup>21</sup> District functions include community development, drainage, water control, fire control, and parks and recreation.

<sup>22</sup> District functions include airport authorities, community development districts, hospital districts, port authorities, soil and water conservation and utilities authorities.

<sup>23</sup> Merger and dissolution procedures for special districts are outlined in s. 189.4042, F.S. There are specific methods for 'voluntary' and 'involuntary' processes. Referendum approval is required in certain mergers and dissolutions.

<sup>24</sup> Section 189.428(2), F.S.

<sup>25</sup> Section 189.428(3), F.S. Note: dependent special districts are reviewed by the local government entity that they are dependent upon, *see* s. 189.428(3) (a), F.S.

- current or possible municipal annexation or incorporation and its impact on the delivery of district services;
- whether there is a less costly alternative method of delivering the services that would adequately provide district services to district residents; and
- whether the transfer of services would jeopardize the district's existing contracts.<sup>26</sup>

The reviewing authority's final oversight report must be filed with the government that created the district, and shall serve as a basis for any modification, dissolution or merger of the district.<sup>27</sup> If a legislative dissolution or merger is proposed in the final report, subsection (8) of s. 189.428, F.S., further provides that:

- (8) . . . the reviewing government shall also propose a plan for the merger or dissolution, and the plan shall address the following factors in evaluating the proposed merger or dissolution:
- a) Whether, in light of independent fiscal analysis, level-of-service implications, and other public policy considerations, the proposed merger or dissolution is the best alternative for delivering services and facilities to the affected area.
  - b) Whether the services and facilities to be provided pursuant to the merger or dissolution will be compatible with the capacity and uses of existing local services and facilities.
  - c) Whether the merger or dissolution is consistent with applicable provisions of the state comprehensive plan, the strategic regional policy plan, and the local government comprehensive plans of the affected area.
  - d) Whether the proposed merger adequately provides for the assumption of all indebtedness.<sup>28</sup>

### **Executive Order 12-10: Review of Special Districts**

Executive Order 12-10, issued on January 11, 2012, directs the Governor's Office of Policy and Budget (GOPB) to conduct a review of special districts in the state and make recommendations on the role of districts.<sup>29</sup> The executive order provides that the review is to determine whether special districts are:

- serving a legitimate purpose,
- governed efficiently,
- levying taxes, fees, and assessments appropriately,
- being held accountable to the taxpayers whose lives they directly impact,
- operating in a transparent manner, and
- prudently spending taxpayer dollars.

<sup>26</sup> See s. 189.428(5) (a)-(i), F.S., for a full list of the statutory criteria that is evaluated during the oversight review process.

<sup>27</sup> Section 189.428(7), F.S.

<sup>28</sup> Section 189.428(8), F.S.

<sup>29</sup> State of Florida, Office of The Governor, *Executive Order 12-10: Review of Special Districts*, available at <http://www.flgov.com/wp-content/uploads/2012/01/EO-12-10.pdf> (last visited Mar. 3, 2013).

According to the GOPB, all 70+ special district function types will be reviewed within the Governor's current term.<sup>30</sup> The review of mosquito control districts has been released and the review of fire control districts is near completion. Reviews of expressway and transit authorities and community redevelopment districts are in process.

### **Ad valorem Tax and Special Districts**

Local governments may levy ad valorem taxes subject to the following limitations:

- ten mills for county purposes,
- ten mills for municipal purposes,
- ten mills for school purposes,
- a millage fixed by law for a county furnishing municipal services,
- a millage authorized by law and approved by voters for special districts.<sup>31</sup>

County government millages are composed of four categories of millage rates:<sup>32</sup>

- the nonvoted county millage rate set by the county's governing body,
- county debt service millage,
- county voted millage,
- county dependent special district millage as set by the county's governing body.

Municipal government millages are composed of four similar categories of millage rates which includes any municipal dependent special district millage as set by the municipality's governing body.<sup>33</sup>

Independent special district millages are the rates set by the district's governing body, and the following issues must be addressed.<sup>34</sup>

- Whether the millage authorized by a special act is approved by the electors pursuant to Section 9(b), Art. VII, State Constitution; authorized pursuant to Section 15, Art. XII, State Constitution; or otherwise authorized.
- Whether the tax is to be levied countywide, less than countywide, or on a multicounty basis.

### **III. Effect of Proposed Changes:**

**Section 1** creates s. 189.4052, F.S., related to the administrative consolidation of independent special districts. "Administrative functions" is defined to mean, but is not limited to, staffing and personal, assorted management operations and leasehold interests. Single-county independent districts affected by administrative consolidation are segregated (districts wholly within a municipality vs. other county districts) and exemptions from this affected group are provided for airport and aviation facilities, children's services districts, emergency medical services districts, fire control districts, hospital districts, port districts and the Reedy Creek Improvement District.

<sup>30</sup> Conversation with Jeff Woodburn, Governor's Office of Policy and Budget (Mar. 4, 2013). The office is currently developing a website that will provide access to all reviews generated by the executive order.

<sup>31</sup> See Section 9, Article VII, Florida Constitution, Chapters 192-197 and 200, Florida Statutes.

<sup>32</sup> Section 200.001(1), F.S.

<sup>33</sup> Section 200.001(2), F.S.

<sup>34</sup> Section 200.001(4), F.S.

This section directs the SDIP to notify districts and local governments of their consolidation partners, i.e., the municipality or county, by September 1, 2013.

Given the parameters for determining affected districts, it is estimated that approximately 300 single-county districts would be subject to the provisions outlined in this section of the bill. The types of districts affected include those addressing beach facilities, downtown development, drainage and water control, housing authority, mosquito control, and transportation systems.<sup>35</sup>

Notwithstanding any general law, special act, ordinance or charter provision, an affected single-county district shall commence administrative consolidation with its respective municipality or county by October 1, 2013. The consolidation is managed and directed by the respective local government and must result in increased efficiencies and cost savings in the provision of special district services. If an affected single county district fails to comply with the consolidation efforts, the applicable local government shall send notice to the Speaker of the House of Representatives and the President of the Senate which can lead to the repeal of the district's enabling special act. If the local government determines that efficiencies or cost savings are not achievable, it shall notify the Speaker and the President of this finding and no consolidation is required.

Notwithstanding any general law, special act, ordinance or charter provision, this section also addresses an affected district's governing board and, if offered, its health and retirement benefits. Upon expiration of the term of a district governing board member, the applicable municipality or county shall appoint the member's replacement. Over time, this board member replacement provision will effectively convert affected single-county independent special districts into dependent districts. This will include district boards that may have previously been popularly elected. In addition, a district's provision for life, health, accident, hospitalization, or annuity or retirement benefits, if provided, may not exceed the value of comparable insurance and benefits provided by the district's county or municipality consolidation partner.

This section also requires each affected district, effective with the fiscal year beginning on October 1, 2013, to annually present, at a duly noticed public meeting, the district's proposed budget, financial audit report, and any tax levy, fee, or special assessment to the appropriate county or municipality for review.

Any existing general laws, special acts, ordinances or charter provisions that may conflict with this section appear to be resolved by bill language that 'notwithstands' such laws, acts, ordinances, or provisions.

**Section 2** amends s. 189.4035, F.S., to require the DEO to include the names and contact information of current special district governing board members in its official list of special districts.

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<sup>35</sup> The *Create Your Own Customized List of Special Districts* available online at <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/index.cfm> provides a way to identify special districts by certain criteria.

**Section 3** amends s. 189.404, F.S., to make special district reimbursement for travel and per diem expenses of officers and employees consistent with s. 112.061(6) and (7), F.S., for public officers and employees.

**Section 4** amends s. 189.412, F.S., to have the SDIP's master list of independent and dependent special districts provide links to special district websites.

**Section 5** amends s. 189.416, F.S., to require special district submission of the names and contact information of current and future board members to the DEO for inclusion on the department's official list of special districts and for posting on the district's respective local governing authority's website.

**Section 6** amends s. 190.008, F.S., to require a CDD to present its proposed annual budget, any long-term financial plan, any financial audit, and any tax levy, fee, or special assessment at a noticed meeting of the local governing authorities that have jurisdiction over the area included in the district. Currently, a CDD is only required to *submit* the proposed budget and any long-term financial plan to local governing authorities. The budget and revenue presentation must occur at least two weeks prior to budget adoption. The current submission of a budget must occur at least 60 days prior to budget adoption.

This section also requires CDDs to post certain district information on websites in a manner similar to that specified in the special districts general provisions of s. 189.418, F.S. The section requires a proposed budget to be posted on the district's website two days prior to consideration; a budget amendment must be posted within five days of adoption; the final budget must be posted within 30 days after adoption. If the district does not operate a website, provisions are included to have a local general-purpose government post the documents on its website.

**Section 7** provides an effective date of July 1, 2013.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Article VII, s 18(a), Florida Constitution, states that no county or municipality shall be bound by any general law requiring such county or municipality to spend funds or to take an action requiring the expenditure of funds unless the Legislature has determined that such law fulfills an important state interest and it meets one of these exceptions:

- The Legislature appropriates funds or provides a funding source not available for such county or municipality on February 1, 1989;
- The expenditure is required to comply with a law that applies to all persons similarly situated, including the state and counties or municipalities; or
- The law is required to comply with a federal requirement.

Subsection 18(d) provides an additional applicable exemption. Laws determined to have an "insignificant fiscal impact," which means an amount not greater than the average

statewide population for the applicable fiscal year times \$0.10 (which is \$1.9 million for FY 2012-13<sup>36</sup>) are exempt.

The extent of this bill's fiscal impact has not yet been determined; however, if the costs incurred by counties or municipalities are greater than \$1.9 million, the law may be unenforceable unless passed by two-thirds in each house of the Legislature.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

The board member replacement provision of the bill, over time, will effectively convert affected single-county independent special districts into dependent districts. When a previously independent district becomes a dependent district, any existing millage attributable to the district would be subject to the constitutional ad valorem millage caps for the municipality (ten mills) or the county (ten mills) to which it would now be dependent. It is unknown if there would be instances where the conversion from an independent to dependent district would impact a municipal or county millage cap.

**B. Private Sector Impact:**

The Revenue Estimating Conference has not reviewed the bill. To the extent that administrative consolidations between affected special districts and local governments occur, increased efficiencies in district services may result in indeterminate cost savings to district residents.

**C. Government Sector Impact:**

The Revenue Estimating Conference has not reviewed the bill. Initial indeterminate costs may arise for affected special districts and local governments as they begin administrative consolidation. These initial costs are intended to be recouped through the increased efficiencies provided by consolidation. Because the bill conditions any consolidation on cost savings, a municipality or county would determine if it is in their best interests to incur short-term initial costs that would then lead to long-term savings.

As discussed above in the Tax/Fee section, the board conversion provision ultimately converts independent districts into dependent districts within a municipality or county.

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<sup>36</sup> Based on the Demographic Estimating Conference's final population estimate for April 1, 2012, which was adopted on November 7, 2012. The Executive Summary can be found at: <http://edr.state.fl.us/Content/conferences/population/demographicsummary.pdf>.



Upon conversion, existing independent special district bonds would become part of the local government's debt portfolio. How this might affect a local government's credit or debt rating would depend upon the specific financial circumstances of each affected district and its conversion partner.

Affected special districts and local governments may also incur indeterminate costs related to scheduling and implementing the budget and revenue presentations required under the bill.

The Special District Information Program, administered by the Division of Community Development in the Department of Economic Opportunity will incur indeterminate costs related to the identification and notification of consolidation partners. In addition, there may be costs related to updating the Program master lists and websites with the newly required board member information, but the costs are indeterminate at this time.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

The bill's provisions specify that a district that serves an area beyond the boundaries of a single municipality shall commence administrative consolidation with the county. In some instances, the vast majority of an affected district's service area lies within a municipality with only a small area reaching beyond. The increased efficiencies and cost savings sought through consolidation may be better realized by partnering with the municipality in these cases.

#### **VIII. Additional Information:**

##### **A. Committee Substitute – Statement of Substantial Changes:** (Summarizing differences between the Committee Substitute and the prior version of the bill.)

##### **CS by Community Affairs on March 7, 2013:**

- Establishes a process for local governments to consider administratively consolidating with certain single-county independent special districts.
- Requires an affected single-county district to present its proposed budget, financial audit report, and any tax levy, fee or special assessment to a local government for review.
- Requires an affected single-county district to have future board members appointed by the general-purpose local government.
- Restricts an affected single-county district's health care or retirement benefit packages to value levels not exceeding comparable packages provided by the local government.
- Requires all special districts to comply with state provisions on per diem and travel expenses.
- Requires all special districts to post district board member names and contact information on websites.

- Requires a community development district to present its proposed budget, financial audit report, and any tax levy, fee or special assessment to local governing authorities;
- Requires a community development district make proposed and final budgets and any budget amendments available on district websites.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
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The Committee on Ethics and Elections (Diaz de la Portilla) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 55 - 137  
and insert:

(b) "Single-county district" or "district" means an independent special district that is geographically located within a single county. The term does not include districts for airport and aviation facilities established pursuant to chapter 332; children's services districts and juvenile welfare boards established pursuant to part V of chapter 125; community development districts established pursuant to chapter 190; emergency medical services districts created by general law or



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13 special act; independent special fire control districts  
14 established pursuant to chapter 191; hospital districts or  
15 health care districts created by general law or special act;  
16 port districts established pursuant to chapter 315; districts  
17 where a majority of the governing board is composed of municipal  
18 or county commissioners; the Reedy Creek Improvement District;  
19 and a district designated as an improvement district and created  
20 pursuant to chapter 298 or designated as a stewardship district  
21 and created pursuant to s. 189.404, which provides at least four  
22 of the following services: water, sewer, solid waste, drainage,  
23 roads, transportation, public works, fire and rescue, street  
24 lighting, parks and recreation, or library or cultural  
25 facilities.

26 (2) By September 1, 2013, the department's Special District  
27 Information Program shall notify each county or municipality and  
28 each single-county district of the municipality or county with  
29 which it is required to commence administrative consolidation  
30 under this section. A district that serves a geographic area of  
31 which at least 60 percent of the district is within the  
32 boundaries of a single municipality shall commence consolidation  
33 with the municipality. All other districts shall commence  
34 consolidation with the county.

35 (3) Notwithstanding any general law, special act,  
36 ordinance, or charter provision, and except as provided in  
37 paragraph (a), each district shall commence consolidation of  
38 administrative functions with its respective municipality or  
39 county on or before October 1, 2013. The administrative  
40 consolidation shall be managed and directed by the respective  
41 municipality or county and must result in increased efficiencies



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42 and cost savings in the provision of special district services.

43 (a) If the municipality or county determines that it is  
44 demonstrably unable to increase efficiencies or generate cost  
45 savings through administrative consolidation, this subsection  
46 does not apply. The county or municipality shall send a letter  
47 to the President of the Senate and the Speaker of the House of  
48 Representatives demonstrating this determination by March 1,  
49 2014.

50 (b) Except for consolidations determined not to result in  
51 increased efficiencies or cost savings under paragraph (a), all  
52 consolidations must be completed by October 1, 2014.

53 (4) If a single-county district created by special act of  
54 the Legislature fails to comply with subsection (3), the  
55 applicable county or municipality shall send notice of that  
56 failure to the President of the Senate and the Speaker of the  
57 House of Representatives. The notice is sufficient, under s. 10,  
58 Art. III of the State Constitution, to authorize the Legislature  
59 to repeal the district's enabling special act. If a district  
60 created by a county or municipality fails to comply with this  
61 section, the applicable county or municipality may dissolve the  
62 district.

63 (5) Notwithstanding any general law, special act,  
64 ordinance, or charter provision, upon expiration of the term of  
65 a district governing board member, the applicable municipality  
66 or county shall appoint the member's replacement.

67 (6) Notwithstanding any general law, special act,  
68 ordinance, or charter provision, the district's provision for  
69 life, health, accident, hospitalization, or annuity or  
70 retirement benefits for its officers and employees and their



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71 dependents, if provided, may not exceed the value of comparable  
72 insurance and benefits provided by the district's county or  
73 municipality consolidation partner. The Auditor General shall  
74 conduct an operational audit of the accounts and records of a  
75 district that guarantees the total costs for lifetime health  
76 benefits for an officer or employee or their dependents, and  
77 present a written report on the audit to the President of the  
78 Senate and the Speaker of the House of Representatives by  
79 February 1, 2014.

80 (7) Effective with the fiscal year beginning on October 1,  
81 2013, each single-county district shall annually present, at a  
82 duly noticed public meeting, the district's proposed budget,  
83 financial audit report, and any tax levy, fee, or special  
84 assessment to the appropriate county or municipality for review.

85 Section 2. Subsection (1) of section 189.4035, Florida  
86 Statutes, is amended to read:

87 189.4035 Preparation of official list of special  
88 districts.—

89 (1) The department of ~~Economic Opportunity~~ shall compile  
90 the official list of special districts. The ~~official~~ list must  
91 ~~of special districts shall~~ include all special districts in this  
92 state, ~~and shall~~ indicate the independent or dependent status of  
93 each district, and include the names and contact information of  
94 current special district governing board members. All special  
95 districts in the list must ~~shall~~ be sorted by county. The  
96 definitions in s. 189.403 shall be the criteria for determining  
97 ~~determination of~~ the independent or dependent status of each  
98 special district on the official list. ~~The status of~~ Community  
99 development districts shall be listed as independent districts



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100 on the official list of special districts.

101

102

103 ===== T I T L E A M E N D M E N T =====

104 And the title is amended as follows:

105 Delete line 13

106 and insert:

107 its officers and employees; requiring the Auditor  
108 General to conduct an operational audit of certain  
109 districts relating to lifetime health benefits and  
110 provide a written report to the Legislature; requiring  
111 the district to

By the Committee on Community Affairs; and Senators Ring and Negrón

578-02028-13

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1 A bill to be entitled  
 2 An act relating to special districts; creating s.  
 3 189.4052, F.S.; providing definitions; requiring  
 4 certain single-county independent special districts to  
 5 administratively consolidate with the municipality or  
 6 county in which they are located if such consolidation  
 7 will result in increased efficiencies; providing for  
 8 the dissolution of the district for failure to comply;  
 9 providing that the municipality or county appoint all  
 10 future district board members; limiting the insurance  
 11 benefits of district officers and employees to the  
 12 benefits provided by the local governing authority to  
 13 its officers and employees; requiring the district to  
 14 make an annual presentation to the municipality or  
 15 county; amending s. 189.4035, F.S.; requiring the  
 16 official list of districts to include the names and  
 17 contact information of governing board members;  
 18 amending s. 189.404, F.S.; providing limitations on  
 19 reimbursement for travel and per diem for district  
 20 officers and employees; amending s. 189.412, F.S.;  
 21 requiring the Special District Information Program to  
 22 provide a link to each special district website;  
 23 amending s. 189.416, F.S.; requiring each district to  
 24 provide the names of and contact information for its  
 25 board members for posting on the local governing  
 26 authority's website or the Department of Economic  
 27 Opportunity's master list of districts; amending s.  
 28 190.008, F.S.; revising the information that must be  
 29 presented by a community development district to the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 local governing authority and requiring the  
 31 information to be provided at a publicly noticed  
 32 meeting; requiring a district's proposed budget,  
 33 adopted amendments, and final adopted budget to be  
 34 posted on its website or the website of the local  
 35 general-purpose government; providing an effective  
 36 date.  
 37  
 38 Be It Enacted by the Legislature of the State of Florida:  
 39  
 40 Section 1. Section 189.4052, Florida Statutes, is created  
 41 to read:  
 42 189.4052 Administrative consolidation of independent  
 43 districts.-  
 44 (1) As used in this section, the term:  
 45 (a) "Administrative functions" includes, but is not limited  
 46 to:  
 47 1. Staffing and personnel.  
 48 2. Contracting or purchasing responsibilities and  
 49 practices.  
 50 3. Facilities management.  
 51 4. Information systems.  
 52 5. Fleet management.  
 53 6. Risk management.  
 54 7. Leasehold interests.  
 55 (b) "Single-county district" or "district" means an  
 56 independent special district that is geographically located  
 57 within a single county. The term does not include districts for  
 58 airport and aviation facilities established pursuant to chapter

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59 332, children's services districts established pursuant to part  
 60 V of chapter 125, community development districts established  
 61 pursuant to chapter 190, emergency medical services districts  
 62 created by general law or special act, independent special fire  
 63 control districts established pursuant to chapter 191, hospital  
 64 districts created by general law or special act, port districts  
 65 established pursuant to chapter 315, and the Reedy Creek  
 66 Improvement District.

67 (2) By September 1, 2013, the department's Special District  
 68 Information Program shall notify each county or municipality and  
 69 each single-county district of the municipality or county with  
 70 which it is required to commence administrative consolidation  
 71 under this section.

72 (a) A district that serves an area wholly within the  
 73 boundaries of a single municipality shall commence consolidation  
 74 with the municipality.

75 (b) A district that serves an area that extends beyond the  
 76 boundaries of a single municipality or that serves an  
 77 exclusively unincorporated area shall commence consolidation  
 78 with the county.

79 (3) Notwithstanding any general law, special act,  
 80 ordinance, or charter provision, and except as provided in  
 81 paragraph (a), each district shall commence consolidation of  
 82 administrative functions with its respective municipality or  
 83 county on or before October 1, 2013. The administrative  
 84 consolidation shall be managed and directed by the respective  
 85 municipality or county and must result in increased efficiencies  
 86 and cost savings in the provision of special district services.

87 (a) If the municipality or county determines that it is

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88 demonstrably unable to increase efficiencies or generate cost  
 89 savings through administrative consolidation, this subsection  
 90 does not apply. The county or municipality shall send a letter  
 91 to the Speaker of the House of Representatives and the President  
 92 of the Senate demonstrating this determination by March 1, 2014.

93 (b) Except for consolidations determined not to result in  
 94 increased efficiencies or cost savings under paragraph (a), all  
 95 consolidations must be completed by October 1, 2014.

96 (4) If a single-county district created by special act of  
 97 the Legislature fails to comply with subsection (3), the  
 98 applicable county or municipality shall send notice of that  
 99 failure to the Speaker of the House of Representatives and the  
 100 President of the Senate. The notice is sufficient, under s. 10,  
 101 Art. III of the State Constitution, to authorize the Legislature  
 102 to repeal the district's enabling special act. If a district  
 103 created by a county or municipality fails to comply with this  
 104 section, the applicable county or municipality may dissolve the  
 105 district.

106 (5) Notwithstanding any general law, special act,  
 107 ordinance, or charter provision, upon expiration of the term of  
 108 a district governing board member, the applicable municipality  
 109 or county shall appoint the member's replacement.

110 (6) Notwithstanding any general law, special act,  
 111 ordinance, or charter provision, the district's provision for  
 112 life, health, accident, hospitalization, or annuity or  
 113 retirement benefits for its officers and employees and their  
 114 dependents, if provided, may not exceed the value of comparable  
 115 insurance and benefits provided by the district's county or  
 116 municipality consolidation partner.

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117 (7) Effective with the fiscal year beginning on October 1,  
 118 2013, each single-county district shall annually present, at a  
 119 duly noticed public meeting, the district's proposed budget,  
 120 financial audit report, and any tax levy, fee, or special  
 121 assessment to the appropriate county or municipality for review.

122 Section 2. Subsection (1) of section 189.4035, Florida  
 123 Statutes, is amended to read:

124 189.4035 Preparation of official list of special  
 125 districts.-

126 (1) The department ~~of Economic Opportunity~~ shall compile  
 127 the official list of special districts. The ~~official~~ list must  
 128 ~~of special districts shall~~ include all special districts in this  
 129 state, ~~and shall~~ indicate the independent or dependent status of  
 130 each district, and include the names and contact information of  
 131 current special district governing board members. All special  
 132 districts in the list must shall be sorted by county. The  
 133 definitions in s. 189.403 shall be the criteria for determining  
 134 ~~determination of~~ the independent or dependent status of each  
 135 special district on the official list. ~~The status of~~ Community  
 136 development districts shall be listed as independent districts  
 137 on the official list of special districts.

138 Section 3. Subsection (6) is added to section 189.404,  
 139 Florida Statutes, to read:

140 189.404 Legislative intent for the creation of independent  
 141 special districts; special act prohibitions; model elements and  
 142 other requirements; general-purpose local government/Governor  
 143 and Cabinet creation authorizations.-

144 (6) TRAVEL AND PER DIEM.-Reimbursement for the travel and  
 145 per diem expenses of officers and employees must be consistent

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146 with s. 112.061(6) and (7).

147 Section 4. Subsection (2) of section 189.412, Florida  
 148 Statutes, is amended to read:

149 189.412 Special District Information Program; duties and  
 150 responsibilities.-The Special District Information Program of  
 151 the Department of Economic Opportunity is created and has the  
 152 following special duties:

153 (2) The maintenance of a master list of independent and  
 154 dependent special districts, which must shall be available on  
 155 the department's website and provide a link to each special  
 156 district's website.

157 Section 5. Section 189.416, Florida Statutes, is amended to  
 158 read:

159 189.416 Designation of registered office and agent;  
 160 identification of board members.-

161 (1) Within 30 days after the first meeting of its governing  
 162 board, each special district in the state shall designate a  
 163 registered office and a registered agent and file such  
 164 information with the local governing authority or authorities  
 165 and with the department.

166 (a) The registered agent is the shall be an agent of the  
 167 district upon whom any process, notice, or demand required or  
 168 permitted by law to be served upon the district may be served.  
 169 The ~~A~~ registered agent must shall be an individual resident of  
 170 this state whose business address is identical with the  
 171 registered office of the district. The registered office may be,  
 172 but need not be, the same as the place of business of the  
 173 special district.

174 (b) (2) The district may change its registered office or

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175 change its registered agent, or both, upon filing such  
 176 information with the local governing authority or authorities  
 177 and with the department.

178 (2) Each district in existence on July 1, 2013, shall  
 179 submit the names and contact information of its board members to  
 180 the department for inclusion on the department's official list  
 181 of special districts and post the names and information on the  
 182 district's respective local governing authority's website by  
 183 August 1, 2013. Upon creation of a new district, or if a board  
 184 member of a current district is replaced, the district shall  
 185 forward the new board member names and contact information to  
 186 the department and respective local governing authority within  
 187 30 days of appointment.

188 Section 6. Subsection (2) of section 190.008, Florida  
 189 Statutes, is amended to read:

190 190.008 Budget; reports and reviews.—

191 (2) (a) On or before each June 15, the district manager  
 192 shall prepare a proposed budget for the ensuing fiscal year to  
 193 be submitted to the board for board approval. The proposed  
 194 budget ~~must shall~~ include, at the direction of the board, an  
 195 estimate of all necessary expenditures of the district for the  
 196 ensuing fiscal year and an estimate of income to the district  
 197 from the taxes, assessments, and other revenues provided under  
 198 this chapter ~~in this act~~. The proposed budget must be posted on  
 199 the district's official website at least 2 days before it is  
 200 scheduled to be considered at a budget hearing held pursuant to  
 201 s. 200.065 or other law.

202 (a) The board shall consider the proposed budget item by  
 203 item and may ~~either~~ approve the budget as proposed by the

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204 district manager or modify the same in part or in whole. If the  
 205 board amends the budget, the adopted amendment must be posted on  
 206 the official website of the district within 5 days after  
 207 adoption. The board shall indicate its approval of the budget by  
 208 resolution, which must ~~resolution shall~~ provide for a hearing on  
 209 the budget as approved. Notice of the hearing on the budget ~~must~~  
 210 ~~shall~~ be published in a newspaper of general circulation in the  
 211 area of the district once a week for 2 consecutive weeks, except  
 212 that the first publication ~~must be at least shall be not fewer~~  
 213 than 15 days ~~before prior to~~ the date of the hearing. The notice  
 214 must also ~~shall further~~ contain a designation of the day, time,  
 215 and place of the public hearing. At the time and place  
 216 designated in the notice, the board shall hear all objections to  
 217 the budget as proposed and may make such changes as the board  
 218 deems necessary. At the conclusion of the budget hearing, the  
 219 board shall, by resolution, adopt the budget as finally approved  
 220 by the board. The budget ~~must shall~~ be adopted ~~before prior to~~  
 221 October 1 of each year.

222 (b) At least 2 weeks before ~~60 days prior to~~ adoption, the  
 223 district board shall, at a duly noticed public meeting, ~~present~~  
 224 ~~submit~~ to the local governing authorities having jurisdiction  
 225 over the area included in the district; ~~for purposes of~~  
 226 ~~disclosure and information only.~~

227 1. The proposed annual budget for the ensuing fiscal year;  
 228 2. ~~and~~ Any proposed long-term financial plan or program of  
 229 the district for future operations;  
 230 3. Any financial audit report; and  
 231 4. Any tax levy, fee, or special assessment.

232 (c) The local governing authorities may review ~~the proposed~~

578-02028-13

2013538c1

233 ~~annual budget and any long term financial plan or program and~~  
234 ~~may~~ submit written comments relating to any of the items  
235 presented pursuant to paragraph (b) to the board for its  
236 assistance and information ~~in adopting its annual budget and~~  
237 ~~long term financial plan or program.~~

238 (d) The final adopted budget must be posted on the  
239 district's official website within 30 days after adoption.

240 (e) If the district does not operate an official website,  
241 the district shall, within a reasonable period of time as  
242 established by the local general-purpose government or  
243 governments in which the district is located, transmit the  
244 proposed budget, adopted amendments, or final adopted budget to  
245 the manager or administrator of the local general-purpose  
246 government. The manager or administrator shall post the proposed  
247 budget, adopted amendments, or final adopted budget on the  
248 website of the local general-purpose government.

249 Section 7. This act shall take effect July 1, 2013.



# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-13

Meeting Date

Topic Special Districts

Bill Number SB 538  
*(if applicable)*

Name Michael Doyle

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Director, FL Keys Mosquito Control District

Address 5228 College Rd

Phone 305-292-7190

Street

Key West

FL

33040

City

State

Zip

E-mail mdoyle@keysmosquito.org

Speaking:  For  Against  Information

Representing FL Keys Mosq. Control District

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/2013  
Meeting Date

Topic INDEPENDENT SPECIAL TAXING DISTRICTS Bill Number SB 538  
(if applicable)

Name MARK LATHAM Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title DIRECTOR, MANATEE COUNTY MOSQUITO

Address CONTROL DISTRICT  
2317 2<sup>ND</sup> AVE W

Phone 941-722-3720

PALMETTO FL 34221  
City State Zip

E-mail MANATEEMCD@AOL.COM

Speaking:  For  Against  Information

Representing MANATEE COUNTY MOSQUITO CONTROL DISTRICT

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13

Meeting Date

Topic Special Districts

Bill Number SB 538  
*(if applicable)*

Name Terry Lewis

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Attorney

Address 315 S. Calhoun St., Suite 830

Phone 850/222-5702

*Street*  
Tallahassee FL 32301  
*City* *State* *Zip*

E-mail tlewis@llw-law.com

Speaking:  For  Against  Information

Representing Florida Association of Special Districts

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13  
Meeting Date

Topic Special Districts

Bill Number SB538  
(if applicable)

Name Amy Sargent

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Chief Pilot Florida Keys Mosquito Control

Address 5224 College Rd.

Phone 305-289-3700

Key West, FL 33040  
City State Zip

E-mail asargent@keysmosquito.org

Speaking:  For  Against  Information

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13

Meeting Date

Topic SB 538 - ISTD

Bill Number SB 538  
(if applicable)

Name Christopher Jessor

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Assistant Director

Address 2713 2nd Ave West

Phone 941-722-3720

Street PALM BEACH

City FL

State 34221

Zip

E-mail Christopher.jessor@manatee-county.com

Speaking:  For  Against  Information

Representing Manatee County

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

538

3/18/12  
Meeting Date

Topic SPECIAL DISTRICTS

Bill Number SB 602  
(if applicable)

Name CHUCK L. HIGDON

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title L. HIGDON MANUFACTURE

Address 310 W. COLLEGE  
Street

Phone (850) 228-7203

TALL FL 32301  
City State Zip

E-mail chuck@lhr,ohioann.com

Speaking:  For  Against  Information

Representing FLORIDA ENGINEERING SOCIETY  
FLORIDA PORTS COUNCIL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

(WAVE IN OPPOSITION)

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3.18.13

Meeting Date

Topic Special Districts

Bill Number SB 538  
*(if applicable)*

Name Cheryl Stuart

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Attorney Hopping Green & Saws

Address R 119 S. Monroe #300

Phone 222 7500

Street

Tallahassee

FL

32301

City

State

Zip

E-mail \_\_\_\_\_

Speaking:  For  Against  Information

Representing ASSOC. of Florida Community Developers

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

March 18, 2013

Meeting Date

Topic Special districts

Bill Number SB 538  
*(if applicable)*

Name Sarah Bleakley

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Special counsel

Address 1500 Mahan Dr.

Phone 850 224 4070

~~Street~~

Talk FL

E-mail Sbleakley@ngnkw.com

City

State

Zip

Speaking:  For  Against  Information

Representing Florida Association of Counties

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-13

Meeting Date

Topic Special Districts

Bill Number SB 538  
(if applicable)

Name J. Keith Arnold

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Lobbyist

Address 101 W. Monroe St.

Phone 850-68-0811

Street

Tallahassee, FL

E-mail Keith@fourwheels.com

City

State

Zip

Speaking:  For  Against  Information

Representing Lee County Mosquito Control Dist; Lee & Collier Counties, City of Ft. Myers, Lee Man.

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Waived testimony in opposition.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/2013

Meeting Date

Topic SB 538 Special Dist.

Bill Number 538

(if applicable)

Name Cynthia Henderson

Amendment Barcode

(if applicable)

Job Title

Address 108 E. Jefferson St Suite A

Phone 850.210.5385

Street

Tallahassee FL 32301

City

State

Zip

E-mail cyhenderson@me.com

Speaking:  For  Against  Information

Representing

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)



626474

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Soto) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 115 and 116  
insert:

Section 2. Paragraphs (d) and (f) of subsection (2) of section 98.093, Florida Statutes, are amended to read:

98.093 Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, and persons convicted of a felony.—

(2) To the maximum extent feasible, state and local government agencies shall facilitate provision of information and access to data to the department, including, but not limited



626474

13 to, databases that contain reliable criminal records and records  
14 of deceased persons. State and local government agencies that  
15 provide such data shall do so without charge if the direct cost  
16 incurred by those agencies is not significant.

17 (d) The Department of Law Enforcement shall identify and  
18 submit those persons who have been convicted of a felony who  
19 appear in the voter registration records supplied by the  
20 statewide voter registration system to the department for  
21 removal from the statewide voter registration system, in a time  
22 and manner that enables the department to meet its obligations  
23 under state and federal law.

24 (f) The Department of Corrections shall identify those  
25 persons who have been convicted of a felony and committed to its  
26 custody or placed on community supervision. The information must  
27 be provided to the department at a time and in a manner that  
28 enables the department to identify and remove from the statewide  
29 voter registration system registered voters who are convicted  
30 felons and to meet its obligations under state and federal law.

31  
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 4

35 and insert:

36 registration; amending s. 98.093, F.S.; requiring the  
37 Department of Law Enforcement to submit the names of  
38 persons convicted of a felony to the Department of  
39 State; requiring the Department of State to remove  
40 those persons convicted of a felony from the statewide  
41 voter registration system; creating s. 100.032, F.S.;





626474

42

requiring



474422

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Joyner) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 137 and 138  
insert:

Section 4. Section 101.045, Florida Statutes, is amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.-

(1) A person may ~~is not permitted to~~ vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered. However, a person temporarily residing outside the



474422

13 county must ~~shall~~ be registered in the precinct in which the  
14 main office of the supervisor, as designated by the supervisor,  
15 is located if ~~when~~ the person has no permanent address in the  
16 county and if it is the person's intention to remain a resident  
17 of this state ~~Florida~~ and of the county in which he or she is  
18 registered to vote. Such persons who are registered in the  
19 precinct in which the main office of the supervisor, as  
20 designated by the supervisor, is located and who are residing  
21 outside the county with no permanent address in the county are  
22 ~~shall not be~~ registered electors of a municipality and therefore  
23 may not ~~shall not be permitted to~~ vote in any municipal  
24 election.

25 (2) (a) An elector who moves from the precinct in which the  
26 elector is registered may ~~be permitted to~~ vote in the precinct  
27 to which he or she has moved his or her legal residence, ~~if the~~  
28 ~~change of residence is within the same county and~~ the elector  
29 completes an affirmation in substantially the following form:

30  
31 Change of Legal Residence of Registered  
32 Voter  
33

34 Under penalties for false swearing, I, ...(Name of voter)...,  
35 swear (or affirm) that the former address of my legal residence  
36 was ...(Address of legal residence)... in the municipality of  
37 ....., in .... County, Florida, and I was registered to vote in  
38 the .... precinct of .... County, Florida; that I have not voted  
39 in the precinct of my former registration in this election; that  
40 I now reside at ...(Address of legal residence)... in the  
41 Municipality of ....., in .... County, Florida, and am therefore



474422

42 eligible to vote in the .... precinct of .... County, Florida;  
43 and I further swear (or affirm) that I am otherwise legally  
44 registered and entitled to vote.

45  
46 ... (Signature of voter whose address of legal residence has  
47 changed) ...

48  
49 ~~(b) Except for an active uniformed services voter or a~~  
50 ~~member of his or her family, an elector whose change of address~~  
51 ~~is from outside the county may not change his or her legal~~  
52 ~~residence at the polling place and vote a regular ballot;~~  
53 ~~however, such elector is entitled to vote a provisional ballot.~~

54 (b) ~~(e)~~ An elector whose name changes because of marriage or  
55 other legal process may ~~be permitted to vote~~ if the elector,  
56 ~~provided such elector~~ completes an affirmation in substantially  
57 the following form:

58  
59 Change of Name of Registered  
60 Voter

61  
62 Under penalties for false swearing, I, ... (New name of  
63 voter) ..., swear (or affirm) that my name has been changed  
64 because of marriage or other legal process. My former name and  
65 address of legal residence appear on the registration records of  
66 precinct .... as follows:

67 Name.....  
68 Address.....  
69 Municipality.....  
70 County.....



474422

71 Florida, Zip.....  
72 My present name and address of legal residence are as follows:  
73 Name.....  
74 Address.....  
75 Municipality.....  
76 County.....  
77 Florida, Zip.....  
78 and I further swear (or affirm) that I am otherwise legally  
79 registered and entitled to vote.

80  
81                                   ... (Signature of voter whose name has changed) ...  
82

83           (c) ~~(d)~~ Instead of the affirmation contained in paragraph  
84 (a) or paragraph (b) ~~(c)~~, an elector may complete a voter  
85 registration application that indicates the change of name or  
86 change of address of legal residence.

87           (d) ~~(e)~~ Such affirmation or application, when completed and  
88 presented at the precinct in which such elector is entitled to  
89 vote, and upon verification of the elector's registration,  
90 entitles ~~shall entitle~~ such elector to vote as provided in this  
91 subsection. If the elector's eligibility to vote cannot be  
92 determined, he or she is ~~shall be~~ entitled to vote a provisional  
93 ballot, subject to the requirements and procedures in s.  
94 101.048. Upon receipt of an affirmation or application  
95 certifying a change in address of legal residence or name, the  
96 supervisor shall ~~as soon as practicable~~ make the necessary  
97 changes in the statewide voter registration system as soon as  
98 practicable to indicate the change in address of legal residence  
99 or name of such elector.



474422

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111

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 9 and 10

insert:

amending s. 101.045, F.S.; authorizing an elector to  
vote a regular ballot at the polling place in the  
precinct to which he or she has moved by completing an  
affirmation; deleting a requirement that the elector's  
change of residence must occur within the same county  
for the elector to be able to vote in the new  
precinct;



572946

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Soto) recommended the following:

**Senate Amendment**

Delete lines 153 - 154  
and insert:  
than one ballot statement, no ballot summary may exceed 75 words  
in length.



244238

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 184  
and insert:  
placement on the ballot. The revised ballot summary may not exceed

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 12 and 13  
insert:  
providing a limitation on the number of words for





244238

13  
14

revised ballot summaries prepared by the Attorney  
General;



430418

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 567  
and insert:

5. In-person to an elector at the supervisor's office beginning on the 29th day before an election containing state and federal races through the 2nd day before an election containing state and federal races.

6. Except as provided in s. 101.655, the supervisor may not

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:



430418

13           Between lines 46 and 47  
14 insert:  
15           requiring the supervisor to allow an elector to  
16           request an absentee ballot in-person for a specified  
17           timeframe;



391950

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Braynon) recommended the following:

**Senate Amendment**

Delete lines 711 - 736  
and insert:  
designate any suitable location as an early voting site ~~city~~  
~~hall or permanent public library facility as early voting sites;~~  
however, if so designated, the sites must be geographically  
located so as to provide all voters in the county an equal  
opportunity to cast a ballot, insofar as is practicable. Each  
county shall, at a minimum, operate the same total number of  
early voting sites that the county used for the 2012 general  
election. The results or tabulation of votes cast during early



391950

13 voting may not be made before the close of the polls on election  
14 day. Results shall be reported by precinct.

15 (d) Early voting shall begin on the 15th ~~10th~~ day before an  
16 election that contains state or federal races and end on the 2nd  
17 ~~3rd~~ day before the election, and shall be provided for no less  
18 than 12 ~~6~~ hours ~~and no more than 12 hours per day~~ at each site  
19 during the applicable period. The supervisor of elections



318644

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Clemens) recommended the following:

**Senate Amendment**

Delete line 714  
and insert:  
center, government-owned community center, or any building on a college or university campus as early voting



822722

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Soto) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 725  
and insert:  
in that area. Each county shall operate at least one early voting site for each complete set of 50,000 registered voters in the county as of July 1 of each general election year. The results or tabulation of votes cast during

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 58



822722

13 and insert:  
14       general election; providing requirements for  
15       determining the number of early voting sites each  
16       county must operate; revising the number of days and





448424

LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 727 and 728  
insert:

(b)1. The supervisor shall designate each early voting site by no later than the 30th day before ~~prior to~~ an election and shall designate an early voting area, as defined in s. 97.021, at each early voting site. The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site.

2. Notwithstanding subparagraph 1., the Secretary of State



448424

13 may approve additional early voting sites for use in an election  
14 at the supervisor's request if the site meets the requirements  
15 specified in paragraph (a).

16  
17 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

18 And the directory clause is amended as follows:

19 Delete line 700

20 and insert:

21 Section 12. Paragraphs (a), (b), and (d) of subsection (1)  
22 of

23  
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Between lines 55 and 56

27 insert:

28 authorizing the Secretary of State to approve  
29 additional early voting sites at the supervisor's  
30 request;



934498

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 727 and 728  
insert:

(b)1. The supervisor shall designate each early voting site by no later than the 30th day prior to an election and shall designate an early voting area, as defined in s. 97.021, at each early voting site. The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site.

2. In the event that the waiting time at an early voting



934498

13 site exceeds 1 hour during an election that contains state or  
14 federal races, the supervisor of elections shall provide early  
15 voting within 3 hours at an alternative site that meets the  
16 requirements specified in paragraph (a). The supervisor shall  
17 provide a list of proposed alternative early voting sites to the  
18 division no later than the 30th day before an election that  
19 contains state or federal races. The supervisor shall provide  
20 public notice of the opening of the alternative early voting  
21 sites to the division and the electors of the county.

22  
23 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

24 And the directory clause is amended as follows:

25 Delete line 700

26 and insert:

27 Section 12. Paragraphs (a), (b), and (d) of subsection (1)  
28 of

29  
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Between lines 55 and 56

33 insert:

34 requiring a supervisor of elections to operate  
35 additional early voting sites under specified  
36 conditions; providing notice requirements;



623094

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Soto) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 736  
and insert:  
but not more than 12 hours per day. Counties must have one additional day of early voting for every 50,000 registered voters beyond the first 400,000 registered voters in the county as of July 1 of each general election year. For counties that require at least one additional day of early voting, the first additional day must be the 2nd day before the election. Further additional days will be at the supervisor's discretion, but must be on the 15th, 14th, 13th, 12th, or 11th day before an



623094

13 election. The supervisor of elections

14

15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17       Delete line 59

18 and insert:

19       hours for early voting; providing requirements for  
20       determining the number of early voting days each  
21       county must provide; amending s. 101.67, F.S.;



405294

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Clemens) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 844  
and insert:  
rejected as illegal within 48 hours of rejecting the ballot and provide the specific reason the ballot

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 70  
and insert:  
was rejected within a certain timeframe; requiring the



405294

13

supervisor to allow





347328

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 856 - 906  
and insert:

(b) Until 7 p.m. on the day of the election, the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot.

(c) The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:



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ABSENTEE BALLOT AFFIDAVIT

I, . . . ., am a qualified voter in this election and registered voter of . . . . County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

... (Voter's Signature) ...

... (Address) ...

Note: Your Signature Must Be Witnessed by One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Absentee Ballot Affidavit in my presence.

... (Signature of Witness) ...

... (Printed Name of Witness) ...

... (Date) ...

... (Address) ...



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42           (d) Instructions must accompany the absentee ballot  
43 affidavit in substantially the following form:

44  
45           READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
46 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
47 BALLOT NOT TO COUNT.

48  
49           1. In order to ensure that your absentee ballot will be  
50 counted, your affidavit should be completed and returned as soon  
51 as possible so that it can reach the supervisor of elections of  
52 the county in which your precinct is located no later than 7  
53 p.m. the day of the election.

54  
55 ===== T I T L E   A M E N D M E N T =====

56 And the title is amended as follows:

57           Delete line 72

58 and insert:

59           absentee ballot for a specified period; providing the



474458

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Clemens) recommended the following:

**Senate Amendment**

Delete line 860  
and insert:  
affidavit in order to cure the unsigned absentee ballot. A supervisor who receives an absentee ballot that does not include the elector's signature must notify the elector of that fact along with the procedure for curing such deficiency within 48 hours of receipt.



467264

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 1132 and 1133  
insert:  
Section 19. Section 102.032, Florida Statutes, is created  
to read:

102.032 Waiting times at polls.—In the event that the  
waiting time at a polling place exceeds 1 hour during an  
election that contains state or federal races, the supervisor  
shall provide additional personnel or voting equipment to such  
polling place within 3 hours in order to expedite voting.



467264

13 ===== T I T L E A M E N D M E N T =====

14 And the title is amended as follows:

15 Delete line 88

16 and insert:

17 voters; creating s. 102.032, F.S.; requiring a  
18 supervisor of elections to provide additional  
19 personnel or voting equipment to a polling place under  
20 specified conditions; amending s. 102.141, F.S.;  
21 revising methods of



650138

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2013	.	
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The Committee on Ethics and Elections (Sobel) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 1236 and 1237  
insert:

(3) The restrictions in subsection (2) do not prohibit an administrator of a nursing home, assisted living facility, adult family-care home, or any other similar residential adult care facility from distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots of residents of the facility per election.

===== T I T L E A M E N D M E N T =====



650138

13 And the title is amended as follows:  
14       Delete line 97  
15 and insert:  
16       ballots under certain circumstances; providing an  
17       exception; providing an





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Proposed Committee Substitute by the Committee on Ethics and Elections

A bill to be entitled

An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing a definition for the term "defect"; requiring any person who submitted a voting system to the department for approval or sold or leased any approved voting system to file a disclosure with the department; providing requirements for the disclosure; authorizing the



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department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; requiring each county to operate at least the same



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57 number of early voting sites as used for the 2012  
58 general election; revising the number of days and  
59 hours for early voting; amending s. 101.67, F.S.;  
60 conforming a provision to changes made by the act;  
61 amending s. 101.68, F.S., and reenacting subsection  
62 (2), relating to the canvassing of absentee ballots;  
63 authorizing the supervisor to use the elector's  
64 signature in a precinct register to compare with the  
65 elector's signature on the voter's certificate;  
66 providing that an absentee ballot must clearly  
67 identify the name of the witness in order to be  
68 considered legal; requiring the supervisor to provide  
69 the elector with the specific reason his or her ballot  
70 was rejected; requiring the supervisor to allow  
71 electors to complete an affidavit to cure an unsigned  
72 absentee ballot prior to canvassing; providing the  
73 form and contents of the affidavit; providing  
74 instructions to accompany each absentee ballot  
75 affidavit; requiring the affidavit, instructions, and  
76 the supervisor's office mailing address to be posted  
77 on certain websites; requiring the supervisor to  
78 attach a received affidavit to the appropriate  
79 absentee ballot mailing envelope; amending s.  
80 101.6921, F.S.; revising the voter's certificate  
81 accompanying a special absentee ballot; amending s.  
82 101.6923, F.S.; revising special absentee ballot  
83 instructions; amending s. 101.6952, F.S.; providing  
84 that absentee ballots received from overseas voters in  
85 certain elections may be received up to 10 days after



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86 the date of the election; amending s. 102.031, F.S.;  
87 revising restrictions relating to the solicitation of  
88 voters; amending s. 102.141, F.S.; revising methods of  
89 selecting canvassing board members; requiring a  
90 supervisor to upload certain canvassed election  
91 results into a county's election management system  
92 prior to the election; prohibiting public disclosure  
93 of uploaded results before the close of the polls on  
94 election day; amending s. 104.0616, F.S.; providing a  
95 definition for the term "immediate family";  
96 prohibiting possession of more than two absentee  
97 ballots under certain circumstances; providing an  
98 effective date.  
99  
100 Be It Enacted by the Legislature of the State of Florida:  
101  
102 Section 1. Section 97.0555, Florida Statutes, is amended to  
103 read:  
104 97.0555 Late registration.—An individual or accompanying  
105 family member who has been discharged or separated from the  
106 uniformed services or the United States Merchant Marine, has  
107 returned from a combat zone or forward-deployed area, or has  
108 separated from employment outside the territorial limits of the  
109 United States, after the book-closing date for an election  
110 pursuant to s. 97.055 and who is otherwise qualified may  
111 register to vote in such election until 5 p.m. on the Friday  
112 before that election in the office of the supervisor of  
113 elections. Such persons must produce sufficient documentation  
114 showing evidence of qualifying for late registration pursuant to



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115 this section.

116 Section 2. Section 100.032, Florida Statutes, is created to  
117 read:

118 100.032 Election preparation report; general election.-Each  
119 supervisor of elections must submit a report to the Secretary of  
120 State at least 3 months before a general election which outlines  
121 preparations for the upcoming general election. The report must  
122 include, at a minimum, the following elements: the anticipated  
123 staffing levels during the early voting period, on election day,  
124 and after election day; and the anticipated amount of automatic  
125 tabulating equipment at each early voting site and polling  
126 place.

127 Section 3. Section 100.061, Florida Statutes, is amended to  
128 read:

129 100.061 Primary election.-In each year in which a general  
130 election is held, a primary election for nomination of  
131 candidates of political parties shall be held on the Tuesday 10  
132 ±2 weeks prior to the general election. The candidate receiving  
133 the highest number of votes cast in each contest in the primary  
134 election shall be declared nominated for such office. If two or  
135 more candidates receive an equal and highest number of votes for  
136 the same office, such candidates shall draw lots to determine  
137 which candidate is nominated.

138 Section 4. Subsection (3) of section 101.161, Florida  
139 Statutes, is amended to read:

140 101.161 Referenda; ballots.-

141 (3) (a) Each joint resolution that proposes a constitutional  
142 amendment or revision shall include one or more ballot  
143 statements set forth in order of priority. Each ballot statement



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144 shall consist of a ballot title, by which the measure is  
145 commonly referred to or spoken of, not exceeding 15 words in  
146 length, and ~~either~~ a ballot summary that describes the chief  
147 purpose of the amendment or revision in clear and unambiguous  
148 language, ~~or the full text of the amendment or revision. If a~~  
149 joint resolution that proposes a constitutional amendment or  
150 revision contains only one ballot statement, the ballot summary  
151 may not exceed 75 words in length. If a joint resolution that  
152 proposes a constitutional amendment or revision contains more  
153 than one ballot statement, the first ballot summary, in order of  
154 priority, may not exceed 75 words in length.

155 (b) The Department of State shall furnish a designating  
156 number pursuant to subsection (2) and the appropriate ballot  
157 statement to the supervisor of elections of each county. The  
158 ballot statement shall be printed on the ballot after the list  
159 of candidates, followed by the word "yes" and also by the word  
160 "no," and shall be styled in such a manner that a "yes" vote  
161 will indicate approval of the amendment or revision and a "no"  
162 vote will indicate rejection.

163 ~~(c) (b)~~ 1. Any action for a judicial determination that one  
164 or more ballot statements embodied in a joint resolution are  
165 defective must be commenced by filing a complaint or petition  
166 with the appropriate court within 30 days after the joint  
167 resolution is filed with the Secretary of State. The complaint  
168 or petition shall assert all grounds for challenge to each  
169 ballot statement. Any ground not asserted within 30 days after  
170 the joint resolution is filed with the Secretary of State is  
171 waived.

172 2. The court, including any appellate court, shall accord



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173 an action described in subparagraph 1. priority over other  
174 pending cases and render a decision as expeditiously as  
175 possible. If the court finds that all ballot statements embodied  
176 in a joint resolution are defective and further appeals are  
177 declined, abandoned, or exhausted, unless otherwise provided in  
178 the joint resolution, the Attorney General shall, within 10  
179 days, prepare and submit to the Department of State a revised  
180 ballot title or ballot summary that corrects the deficiencies  
181 identified by the court, and the Department of State shall  
182 furnish a designating number and the revised ballot title or  
183 ballot summary to the supervisor of elections of each county for  
184 placement on the ballot. The revised ballot summary may exceed  
185 75 words in length. The court shall retain jurisdiction over  
186 challenges to a revised ballot title or ballot summary prepared  
187 by the Attorney General, and any challenge to a revised ballot  
188 title or ballot summary must be filed within 10 days after a  
189 revised ballot title or ballot summary is submitted to the  
190 Department of State.

191 ~~3. A ballot statement that consists of the full text of an~~  
192 ~~amendment or revision shall be presumed to be a clear and~~  
193 ~~unambiguous statement of the substance and effect of the~~  
194 ~~amendment or revision, providing fair notice to the electors of~~  
195 ~~the content of the amendment or revision and sufficiently~~  
196 ~~advising electors of the issue upon which they are to vote.~~

197 Section 5. Subsection (3) of section 101.5605, Florida  
198 Statutes, is amended to read:

199 101.5605 Examination and approval of equipment.-

200 (3) (a) Before the Department of State approves the  
201 electronic or electromechanical voting system, the person who



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202 submitted it for examination shall provide the department with  
203 the name, mailing address, and telephone number of a registered  
204 agent, which agent must have and continuously maintain an office  
205 in this state. Any change in the name, address, or telephone  
206 number of the registered agent shall promptly be made known to  
207 the department.

208 (b) Before entering into a contract for the sale or lease  
209 of a voting system approved under this section to any county,  
210 the person entering into such contract shall provide the  
211 department with the name, mailing address, and telephone number  
212 of a registered agent, which agent must have and continuously  
213 maintain an office in this state. Any change in the name,  
214 address, or telephone number of the registered agent shall  
215 promptly be made known to the department.

216 (c) The department's proof of delivery or attempted  
217 delivery to the last mailing address of the registered agent on  
218 file with the department at the time of delivery or attempted  
219 delivery is valid for all notice purposes.

220 (d) Within 30 days after completing the examination and  
221 upon approval of any electronic or electromechanical voting  
222 system, the Department of State shall make and maintain a report  
223 on the system, together with a written or printed description  
224 and drawings and photographs clearly identifying the system and  
225 the operation thereof. As soon as practicable after such filing,  
226 the department shall send a notice of certification and, upon  
227 request, a copy of the report to the governing bodies of the  
228 respective counties of the state. Any voting system that does  
229 not receive the approval of the department ~~may shall~~ not be  
230 adopted for or used at any election.



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231 ~~(e)~~ After a voting system has been approved by the  
232 Department of State, any change or improvement in the system is  
233 required to be approved by the department prior to the adoption  
234 of such change or improvement by any county. If any such change  
235 or improvement does not comply with the requirements of this  
236 act, the department shall suspend all sales of the equipment or  
237 system in the state until the equipment or system complies with  
238 the requirements of this act.

239 Section 6. Section 101.56065, Florida Statutes, is created  
240 to read:

241 101.56065 Voting system defects; disclosure;  
242 investigations; penalties.—

243 (1) For purposes of this section, the term "defect" means:

244 (a) Any failure, fault, or flaw in an electronic or  
245 electromechanical voting system approved pursuant to s. 101.5605  
246 which results in nonconformance with the standards under which  
247 the voting system was approved in a manner that affects the  
248 accuracy of the casting or counting of ballots; or

249 (b) Any failure or inability of the voting system  
250 manufacturer or vendor to make available hardware or software to  
251 the counties that have purchased the approved voting system, the  
252 unavailability of which results in the system's nonconformance  
253 with the standards under which the voting system was approved in  
254 a manner that affects the accuracy of the casting or counting of  
255 ballots.

256 (2) (a) Any person who submits a voting system for approval  
257 by the Department of State in accordance with s. 101.5605 which  
258 was approved by the department prior to the effective date of  
259 this section, and any person who has sold or leased to a county



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260 any voting system approved by the department prior to the  
261 effective date of this section, shall file with the department a  
262 disclosure of any defect in the voting system. If there are no  
263 defects in the voting system, the person shall state in the  
264 disclosure that no defects exist in the voting system.

265 (b) The disclosure required under this subsection must  
266 identify the defect, if any, the effect of the defect on the  
267 operation and use of the approved voting system, and any known  
268 corrective measures that users of the voting system may take to  
269 cure the defect, including, but not limited to, advisories and  
270 bulletins issued to users of the system. Implementation of  
271 corrective measures approved by the department which enable a  
272 system to conform to the standards under which the system was  
273 approved and ensure the accuracy of the casting and counting of  
274 ballots constitutes a cure of a defect.

275 (c) Each person required to file a disclosure or statement  
276 under paragraph (a) shall file it no later than January 1, 2014,  
277 and, thereafter, shall file it no later than January 1 of every  
278 odd-numbered year. The disclosure or statement required to be  
279 filed by January 1, 2014, must include information regarding the  
280 filer's registered agent as provided in s. 101.5605(3).

281 (d) If at any time a person who has submitted a voting  
282 system for approval by the department in accordance with s.  
283 101.5605 or any person who has sold or leased to a county any  
284 voting system approved by the department becomes aware of the  
285 existence of a defect in a system that person has submitted for  
286 approval or sold or leased to a county, that person shall file  
287 with the department a disclosure of the defect within 30 days  
288 after a determination by that person that the defect exists.



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289 (e) If a person discloses to the department that a defect  
290 exists in a voting system, the department may suspend all sales  
291 or leases of the voting system in the state and may suspend the  
292 use of the system in any elections in the state. The department  
293 shall provide written notice of any such suspension to the  
294 supervisor of elections in each county in which use of the  
295 voting system is suspended. If the department at any time  
296 determines that the defect no longer exists, the department may  
297 lift the suspension. The department shall provide written notice  
298 that the suspension has been lifted to the supervisor of  
299 elections in each county in which use of the voting system was  
300 suspended.

301 (f) If no person files a required disclosure for a voting  
302 system previously approved by the department, that system may  
303 not be approved for sale or lease in the state or for use in  
304 elections in the state. The department shall provide written  
305 notice to all supervisors of elections that the system is no  
306 longer approved. After approval of a system has been withdrawn  
307 pursuant to this paragraph, no such system may be sold or leased  
308 or used in any election in the state until it has been submitted  
309 for examination and approval and adopted for use pursuant to s.  
310 101.5605.

311 (3) (a) When the department has reasonable cause to believe  
312 a voting system approved pursuant to s. 101.5605 contains a  
313 defect either before, during, or after an election which has not  
314 been disclosed pursuant to subsection (2), the department may  
315 investigate whether the voting system has a defect.

316 (b) The department may initiate an investigation pursuant  
317 to paragraph (a) on its own initiative or upon the written



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318 request of the supervisor of elections of a county that  
319 purchased or leased a voting system which contains the alleged  
320 defect.

321 (c) Upon initiating an investigation, the department shall  
322 provide written notice to any person who submitted the voting  
323 system for approval by the department in accordance with s.  
324 101.5605, any person who has entered into a contract with any  
325 county for the sale or lease of the voting system to any county,  
326 and all of the supervisors of elections.

327 (d) In order to carry out the responsibilities prescribed  
328 by this section, the department is empowered to subpoena and  
329 bring before its duly authorized representatives any person in  
330 the state or doing business in the state, or any person who has  
331 filed or is required to have filed any application, document,  
332 papers, or other information with an office or agency of this  
333 state or a political subdivision thereof, to require the  
334 production of papers, books, or other records relevant to any  
335 investigation. Duly authorized representatives of the department  
336 are empowered to administer all oaths and affirmations in the  
337 manner prescribed by law to witnesses who appear before them  
338 concerning any relevant matter of the investigation. Should any  
339 witness fail to respond to the lawful subpoena of the department  
340 or fail to answer all lawful inquiries or to turn over evidence  
341 that has been subpoenaed, the department may file a complaint  
342 before any circuit court of the state, upon the filing of which  
343 the court shall take jurisdiction of the witness and the subject  
344 matter of said complaint and shall direct the witness to respond  
345 to all lawful questions and to produce all documentary evidence  
346 in the witness's possession which is lawfully demanded. The



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347 failure of any witness to comply with such order of the court  
348 constitutes a direct and criminal contempt of court, and the  
349 court shall punish said witness accordingly.

350 (e) The department shall prepare a written report of any  
351 investigation conducted pursuant to this section.

352 (4) (a) If the department determines by a preponderance of  
353 evidence that a defect exists in the voting system, the  
354 department shall provide written notice to any person who  
355 submitted the voting system for approval by the department in  
356 accordance with s. 101.5605 and any person who entered into a  
357 contract for the sale or lease of the voting system to any  
358 county in which the system contains the defect.

359 (b) A person entitled to receive notice pursuant to  
360 paragraph (a) shall, within 10 days, file a written response to  
361 the department which:

362 1. Denies that the alleged defect exists or existed as  
363 alleged by the department and sets forth the reasons for such  
364 denial; or

365 2. Admits that the defect exists or existed as alleged by  
366 the department.

367 (c) If the defect has been cured, the person shall provide  
368 an explanation of how the defect was cured.

369 (d) If the defect has not been cured, the person shall  
370 inform the department whether the defect can be cured and may  
371 provide to the department a plan for curing the defect. If the  
372 defect can be cured, the department shall establish a timeframe  
373 within which the defect must be cured, and may consult the  
374 person filing the response before establishing this timeframe.

375 (5) If after receiving a response from a person entitled to



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376 notice, the department determines that a defect does not exist  
377 or has been cured within the timeframe established by the  
378 department, the department shall take no further action.

379 (6) If the department determines that a defect exists and a  
380 person entitled to notice has not filed a written response or  
381 has failed to cure a defect within the timeframe established by  
382 the department, or if the defect cannot be cured, the department  
383 shall impose a civil penalty of \$25,000 for the defect plus an  
384 amount equal to the actual costs incurred by the department in  
385 conducting the investigation against:

386 (a) Any person who submitted the voting system for approval  
387 by the department in accordance with s. 101.5605.

388 (b) Any person who entered into a contract with any county  
389 for the sale or lease of the voting system to any county in  
390 which the defect existed.

391 (7) If the department finds that a defect existed:

392 (a) The department may suspend all sales and leases of the  
393 voting system that is the subject of the investigation and may  
394 suspend its use in any county in the state. The department shall  
395 provide written notice of the suspension to the supervisor of  
396 elections in each county in which use of the voting system is  
397 suspended.

398 (b) If the department determines that a defect no longer  
399 exists in a voting system that has been suspended from use  
400 pursuant to paragraph (a), the department may lift the  
401 suspension and authorize the sale, lease, and use of the voting  
402 system in any election in the state. The department shall  
403 provide written notice that the suspension has been lifted and  
404 the voting system is authorized for sale and lease and use in



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405 elections to the supervisor of elections in each county in which  
406 use of the voting system was suspended.

407 (c) If the defect cannot be cured, the department may  
408 disapprove the voting system for use in elections in the state.  
409 The department shall provide written notice to all supervisors  
410 of elections that the system is no longer approved. After  
411 approval of a system has been withdrawn pursuant to this  
412 paragraph, the system may not be sold, leased, or used in  
413 elections in the state until it has been submitted for  
414 examination and approval and adopted for use pursuant to s.  
415 101.5605.

416 (d) Any person against whom a civil penalty was imposed  
417 under this section may not enter into a contract for sale or  
418 lease of a voting system in the state until the civil penalties  
419 have been paid and the department provides written confirmation  
420 to the supervisors of elections of the payment.

421 (8) The authority of the department under this section is  
422 in addition to, and not exclusive of, any other authority  
423 provided by law.

424 (9) All proceedings under this section are exempt from  
425 chapter 120.

426 Section 7. Subsection (4) of section 101.56075, Florida  
427 Statutes, is repealed.

428 Section 8. Subsections (1) and (2) of section 101.591,  
429 Florida Statutes, are amended, and subsection (4) of that  
430 section is republished, to read:

431 101.591 Voting system audit.-

432 (1) Immediately following the certification of each  
433 election, the county canvassing board or the local board



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434 responsible for certifying the election shall conduct a manual  
435 audit or an automated, independent audit of the voting systems  
436 used in randomly selected precincts.

437 (2) (a) A manual ~~The~~ audit shall consist of a public manual  
438 tally of the votes cast in one randomly selected race that  
439 appears on the ballot. The tally sheet shall include election-  
440 day, absentee, early voting, provisional, and overseas ballots,  
441 in at least 1 percent but no more than 2 percent of the  
442 precincts chosen at random by the county canvassing board or the  
443 local board responsible for certifying the election. If 1  
444 percent of the precincts is less than one entire precinct, the  
445 audit shall be conducted using at least one precinct chosen at  
446 random by the county canvassing board or the local board  
447 responsible for certifying the election. Such precincts shall be  
448 selected at a publicly noticed canvassing board meeting.

449 (b) An automated audit shall consist of a public automated  
450 tally of the votes cast across every race that appears on the  
451 ballot. The tally sheet shall include election day, absentee,  
452 early voting, provisional, and overseas ballots in at least 20  
453 percent of the precincts chosen at random by the county  
454 canvassing board or the local board responsible for certifying  
455 the election. Such precincts shall be selected at a publicly  
456 noticed canvassing board meeting.

457 (c) The division shall adopt rules for approval of an  
458 independent audit system which provide that the system, at a  
459 minimum, must be:

460 1. Completely independent of the primary voting system.

461 2. Fast enough to produce final audit results within the  
462 timeframe prescribed in subsection (4).





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463 3. Capable of demonstrating that the ballots of record have  
464 been accurately adjudicated by the audit system.

465 (4) The audit must be completed and the results made public  
466 no later than 11:59 p.m. on the 7th day following certification  
467 of the election by the county canvassing board or the local  
468 board responsible for certifying the election.

469 Section 9. Subsections (1) and (3) and paragraph (c) of  
470 subsection (4) of section 101.62, Florida Statutes, are amended  
471 to read:

472 101.62 Request for absentee ballots.—

473 (1) (a) The supervisor shall accept a request for an  
474 absentee ballot from an elector in person or in writing. One  
475 request shall be deemed sufficient to receive an absentee ballot  
476 for all elections through the end of the calendar year of the  
477 second ensuing regularly scheduled general election, unless the  
478 elector or the elector's designee indicates at the time the  
479 request is made the elections for which the elector desires to  
480 receive an absentee ballot. Such request may be considered  
481 canceled when any first-class mail sent by the supervisor to the  
482 elector is returned as undeliverable.

483 (b) The supervisor may accept a written or telephonic  
484 request for an absentee ballot to be mailed to an elector's  
485 address on file in the Florida Voter Registration System from  
486 the elector, or, if directly instructed by the elector, a member  
487 of the elector's immediate family, or the elector's legal  
488 guardian; if the ballot is requested to be mailed to an address  
489 other than the elector's address on file in the Florida Voter  
490 Registration System, the request must be made in writing and  
491 signed by the elector. For purposes of this section, the term



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492 "immediate family" has the same meaning as specified in  
493 paragraph (4) (c). The person making the request must disclose:

- 494 1. The name of the elector for whom the ballot is  
495 requested.  
496 2. The elector's address.  
497 3. The elector's date of birth.  
498 4. The requester's name.  
499 5. The requester's address.  
500 6. The requester's driver's license number, if available.  
501 7. The requester's relationship to the elector.  
502 8. The requester's signature (written requests only).

503 (c) Upon receiving a request for an absentee ballot from an  
504 absent voter, the supervisor of elections shall notify the voter  
505 of the free access system that has been designated by the  
506 department for determining the status of his or her absentee  
507 ballot.

508 (3) For each request for an absentee ballot received, the  
509 supervisor shall record the date the request was made, the date  
510 the absentee ballot was delivered to the voter or the voter's  
511 designee or the date the absentee ballot was delivered to the  
512 post office or other carrier, the date the ballot was received  
513 by the supervisor, the absence of the voter's signature on the  
514 voter's certificate, if applicable, and such other information  
515 he or she may deem necessary. This information shall be provided  
516 in electronic format as provided by rule adopted by the  
517 division. The information shall be updated and made available no  
518 later than 8 a.m. of each day, including weekends, beginning 60  
519 days before the primary until 15 days after the general election  
520 and shall be contemporaneously provided to the division. This



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521 information shall be confidential and exempt from ~~the provisions~~  
522 ~~of~~ s. 119.07(1) and shall be made available to or reproduced  
523 only for the voter requesting the ballot, a canvassing board, an  
524 election official, a political party or official thereof, a  
525 candidate who has filed qualification papers and is opposed in  
526 an upcoming election, and registered political committees or  
527 registered committees of continuous existence, for political  
528 purposes only.

529 (4)

530 (c) The supervisor shall provide an absentee ballot to each  
531 elector by whom a request for that ballot has been made by one  
532 of the following means:

533 1. By nonforwardable, return-if-undeliverable mail to the  
534 elector's current mailing address on file with the supervisor or  
535 any other address the elector specifies in the request.

536 2. By forwardable mail, e-mail, or facsimile machine  
537 transmission to absent uniformed services voters and overseas  
538 voters. The absent uniformed services voter or overseas voter  
539 may designate in the absentee ballot request the preferred  
540 method of transmission. If the voter does not designate the  
541 method of transmission, the absentee ballot shall be mailed.

542 3. By personal delivery before 7 p.m. on election day to  
543 the elector, upon presentation of the identification required in  
544 s. 101.043.

545 4. By delivery to a designee on election day or up to 5  
546 days prior to the day of an election. Any elector may designate  
547 in writing a person to pick up the ballot for the elector;  
548 however, the person designated may not pick up more than two  
549 absentee ballots per election, other than the designee's own



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550 ballot, except that additional ballots may be picked up for  
551 members of the designee's immediate family. For purposes of this  
552 section, "immediate family" means the designee's spouse or the  
553 parent, child, grandparent, or sibling of the designee or of the  
554 designee's spouse. The designee shall provide to the supervisor  
555 the written authorization by the elector and a picture  
556 identification of the designee and must complete an affidavit.  
557 The designee shall state in the affidavit that the designee is  
558 authorized by the elector to pick up that ballot and shall  
559 indicate if the elector is a member of the designee's immediate  
560 family and, if so, the relationship. The department shall  
561 prescribe the form of the affidavit. If the supervisor is  
562 satisfied that the designee is authorized to pick up the ballot  
563 and that the signature of the elector on the written  
564 authorization matches the signature of the elector on file, the  
565 supervisor shall give the ballot to that designee for delivery  
566 to the elector.

567 5. Except as provided in s. 101.655, the supervisor may not  
568 deliver an absentee ballot to an elector or an elector's  
569 immediate family member on the day of the election unless there  
570 is an emergency, to the extent that the elector will be unable  
571 to go to his or her assigned polling place. If an absentee  
572 ballot is delivered, the elector or his or her designee shall  
573 execute an affidavit affirming to the facts which allow for  
574 delivery of the absentee ballot. The department shall adopt a  
575 rule providing for the form of the affidavit.

576 Section 10. Subsections (1) through (3) of section 101.64,  
577 Florida Statutes, are amended to read:

578 101.64 Delivery of absentee ballots; envelopes; form.—



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579 (1) The supervisor shall enclose with each absentee ballot  
580 two envelopes: a secrecy envelope, into which the absent elector  
581 shall enclose his or her marked ballot; and a mailing envelope,  
582 into which the absent elector shall then place the secrecy  
583 envelope, which shall be addressed to the supervisor and also  
584 bear on the back side a certificate in substantially the  
585 following form:

586  
587 Note: Please Read Instructions Carefully Before  
588 Marking Ballot and Completing Voter's Certificate.

589  
590 VOTER'S CERTIFICATE

591 I, . . . , do solemnly swear or affirm that I am a qualified  
592 and registered voter of . . . County, Florida, and that I have  
593 not and will not vote more than one ballot in this election. I  
594 understand that if I commit or attempt to commit any fraud in  
595 connection with voting, vote a fraudulent ballot, or vote more  
596 than once in an election, I can be convicted of a felony of the  
597 third degree and fined up to \$5,000 and/or imprisoned for up to  
598 5 years. I also understand that failure to sign this certificate  
599 will invalidate my ballot.

600 . . . (Date) . . . . . (Voter's Signature) . . .

602  
603 Note: Your Signature Must Be Witnessed by One Witness 18 Years  
604 of Age or Older as Provided in the Instruction Sheet.

605  
606 I swear or affirm that the voter signed this Voter's Certificate  
607 in my presence.



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608  
609 ... (Signature of Witness) ...

610  
611 ... (Printed Name of Witness) ...

612  
613 ... (Date) ...

614 ... (Address) ...

615  
616 (2) The certificate shall be arranged on the back of the  
617 mailing envelope so that the line for the signature of the  
618 absent elector is across the seal of the envelope; however, no  
619 statement shall appear on the envelope which indicates that a  
620 signature of the voter must cross the seal of the envelope. The  
621 absent elector and the attesting witness shall execute the  
622 certificate on the envelope. A candidate may not serve as an  
623 attesting witness.

624 (3) In lieu of the voter's certificate provided in this  
625 section, the supervisor of elections shall provide each person  
626 voting absentee under the Uniformed and Overseas Citizens  
627 Absentee Voting Act with the standard oath prescribed by the  
628 presidential designee with an appended section in substantially  
629 the following form:-

630  
631 Witness signature and date:

632  
633 ... (Signature of Witness) ...

634  
635 ... (Printed Name of Witness) ...

636



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637 ...(Address)...

638 ...(Date)...

639 Section 11. Section 101.65, Florida Statutes, is amended to  
640 read:

641 101.65 Instructions to absent electors.—The supervisor  
642 shall enclose with each absentee ballot separate printed  
643 instructions in substantially the following form:

644 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

645 1. VERY IMPORTANT. In order to ensure that your absentee  
646 ballot will be counted, it should be completed and returned as  
647 soon as possible so that it can reach the supervisor of  
648 elections of the county in which your precinct is located no  
649 later than 7 p.m. on the day of the election. However, if you  
650 are an overseas voter casting a ballot in a presidential  
651 preference primary or general election, your absentee ballot  
652 must be postmarked or signed and dated no later than the date of  
653 the election and received by the supervisor of elections of the  
654 county in which you are registered to vote no later than 10 days  
655 after the date of the election.

657 2. Mark your ballot in secret as instructed on the ballot.  
658 You must mark your own ballot unless you are unable to do so  
659 because of blindness, disability, or inability to read or write.

660 3. Mark only the number of candidates or issue choices for  
661 a race as indicated on the ballot. If you are allowed to "Vote  
662 for One" candidate and you vote for more than one candidate,  
663 your vote in that race will not be counted.

664 4. Place your marked ballot in the enclosed secrecy  
665 envelope.



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666 5. Insert the secrecy envelope into the enclosed mailing  
667 envelope which is addressed to the supervisor.

668 6. Seal the mailing envelope and completely fill out the  
669 Voter's Certificate on the back of the mailing envelope.

670 7. VERY IMPORTANT. In order for your absentee ballot to be  
671 counted, you must sign your name on the line above (Voter's  
672 Signature). An absentee ballot will be considered illegal and  
673 not be counted if the signature on the voter's certificate does  
674 not match the signature on record. The signature on file at the  
675 start of the canvass of the absentee ballots is the signature  
676 that will be used to verify your signature on the voter's  
677 certificate. If you need to update your signature for this  
678 election, send your signature update on a voter registration  
679 application to your supervisor of elections so that it is  
680 received no later than the start of the canvassing of absentee  
681 ballots, which occurs no earlier than the 15th day before  
682 election day.

683 8. VERY IMPORTANT. In order for your absentee ballot to be  
684 counted, it must include the signature and legible address of an  
685 attesting witness 18 years of age or older affixed to the  
686 Voter's Certificate. If the signature is illegible, the Voter's  
687 Certificate must also include a readable printed name of the  
688 attesting witness. A candidate may not serve as an attesting  
689 witness.

690 ~~9.8-~~ VERY IMPORTANT. If you are an overseas voter, you must  
691 include the date you signed the Voter's Certificate on the line  
692 above (Date) or your ballot may not be counted.

693 ~~10.9-~~ Mail, deliver, or have delivered the completed  
694 mailing envelope. Be sure there is sufficient postage if mailed.



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695 ~~11.10.~~ FELONY NOTICE. It is a felony under Florida law to  
696 accept any gift, payment, or gratuity in exchange for your vote  
697 for a candidate. It is also a felony under Florida law to vote  
698 in an election using a false identity or false address, or under  
699 any other circumstances making your ballot false or fraudulent.

700 Section 12. Paragraphs (a) and (d) of subsection (1) of  
701 section 101.657, Florida Statutes, are amended to read:

702 101.657 Early voting.—

703 (1) (a) As a convenience to the voter, the supervisor of  
704 elections shall allow an elector to vote early in the main or  
705 branch office of the supervisor. The supervisor shall mark,  
706 code, indicate on, or otherwise track the voter's precinct for  
707 each early voted ballot. In order for a branch office to be used  
708 for early voting, it shall be a permanent facility of the  
709 supervisor and shall have been designated and used as such for  
710 at least 1 year prior to the election. The supervisor may also  
711 designate any city hall, ~~or~~ permanent public library facility,  
712 fairground, civic center, courthouse, county commission  
713 building, stadium, convention center, government-owned senior  
714 center, or government-owned community center as early voting  
715 sites; however, if so designated, the sites must be  
716 geographically located so as to provide all voters in the county  
717 an equal opportunity to cast a ballot, insofar as is  
718 practicable. Each county shall, at a minimum, operate the same  
719 total number of early voting sites that the county used for the  
720 2012 general election. If a supervisor is unable to provide an  
721 early voting site in an area of the county due to the  
722 nonexistence of any of the designated locations, the supervisor  
723 may designate one early voting site that is geographically



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724 located to provide all voters an equal opportunity to vote early  
725 in that area. The results or tabulation of votes cast during  
726 early voting may not be made before the close of the polls on  
727 election day. Results shall be reported by precinct.

728 (d) Early voting shall begin on the 10th day before an  
729 election that contains state or federal races and end on the 3rd  
730 day before the election, and shall be provided for no less than  
731 8 ½ hours and no more than 12 hours per day at each site during  
732 the applicable period. In addition, early voting may be offered  
733 at the discretion of the supervisor of elections on the 15th,  
734 14th, 13th, 12th, 11th, or 2nd day before an election that  
735 contains state or federal races for at least 8 hours per day,  
736 but not more than 12 hours per day. The supervisor of elections  
737 may provide early voting for elections that are not held in  
738 conjunction with a state or federal election. However, the  
739 supervisor has the discretion to determine the hours of  
740 operation of early voting sites in those elections.

741 Section 13. Subsection (2) of section 101.67, Florida  
742 Statutes, is amended to read:

743 101.67 Safekeeping of mailed ballots; deadline for  
744 receiving absentee ballots.—

745 (2) Except as provided in s. 101.6952(5), all marked absent  
746 electors' ballots to be counted must be received by the  
747 supervisor by 7 p.m. the day of the election. All ballots  
748 received thereafter shall be marked with the time and date of  
749 receipt and filed in the supervisor's office.

750 Section 14. Subsections (1) and (4) of section 101.68,  
751 Florida Statutes, are amended, and subsection (2) of that  
752 section is reenacted and amended, to read:



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753 101.68 Canvassing of absentee ballot.—  
754 (1) The supervisor of the county where the absent elector  
755 resides shall receive the voted ballot, at which time the  
756 supervisor shall compare the signature of the elector on the  
757 voter's certificate with the signature of the elector in the  
758 registration books or the precinct register to determine whether  
759 the elector is duly registered in the county and may record on  
760 the elector's registration certificate that the elector has  
761 voted. However, effective July 1, 2005, an elector who dies  
762 after casting an absentee ballot but on or before election day  
763 shall remain listed in the registration books until the results  
764 have been certified for the election in which the ballot was  
765 cast. The supervisor shall safely keep the ballot unopened in  
766 his or her office until the county canvassing board canvasses  
767 the vote. Except as provided in subsection (4), after an  
768 absentee ballot is received by the supervisor, the ballot is  
769 deemed to have been cast, and changes or additions may not be  
770 made to the voter's certificate.  
771 (2) (a) The county canvassing board may begin the canvassing  
772 of absentee ballots at 7 a.m. on the 15th day before the  
773 election, but not later than noon on the day following the  
774 election. In addition, for any county using electronic  
775 tabulating equipment, the processing of absentee ballots through  
776 such tabulating equipment may begin at 7 a.m. on the 15th day  
777 before the election. However, notwithstanding any such  
778 authorization to begin canvassing or otherwise processing  
779 absentee ballots early, no result shall be released until after  
780 the closing of the polls in that county on election day. Any  
781 supervisor of elections, deputy supervisor of elections,



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782 canvassing board member, election board member, or election  
783 employee who releases the results of a canvassing or processing  
784 of absentee ballots prior to the closing of the polls in that  
785 county on election day commits a felony of the third degree,  
786 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
787 (b) To ensure that all absentee ballots to be counted by  
788 the canvassing board are accounted for, the canvassing board  
789 shall compare the number of ballots in its possession with the  
790 number of requests for ballots received to be counted according  
791 to the supervisor's file or list.  
792 (c)1. The canvassing board shall, if the supervisor has not  
793 already done so, compare the signature of the elector on the  
794 voter's certificate or on the absentee ballot affidavit as  
795 provided in subsection (4) with the signature of the elector in  
796 the registration books or the precinct register to see that the  
797 elector is duly registered in the county and to determine the  
798 legality of that absentee ballot. The ballot of an elector who  
799 casts an absentee ballot shall be counted even if the elector  
800 dies on or before election day, as long as, prior to the death  
801 of the voter, the ballot was postmarked by the United States  
802 Postal Service, date-stamped with a verifiable tracking number  
803 by common carrier, or already in the possession of the  
804 supervisor of elections. An absentee ballot shall be considered  
805 illegal if the voter's certificate or absentee ballot affidavit  
806 ~~it~~ does not include the signature of the elector, as shown by  
807 the registration records or the precinct register, along with  
808 the signature and legible address of an attesting witness;  
809 however, if the signature of the attesting witness is illegible,  
810 the printed name of the attesting witness must clearly identify



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811 the name of the witness or the ballot shall be considered  
812 illegal. However, an absentee ballot ~~is shall not be~~ considered  
813 illegal if the signature of the elector does not cross the seal  
814 of the mailing envelope. If the canvassing board determines that  
815 any ballot is illegal, a member of the board shall, without  
816 opening the envelope, mark across the face of the envelope:  
817 "rejected as illegal." The absentee ballot affidavit, if  
818 applicable, the envelope and the ballot contained therein shall  
819 be preserved in the manner that official ballots voted are  
820 preserved.

821 2. If any elector or candidate present believes that an  
822 absentee ballot is illegal due to a defect apparent on the  
823 voter's certificate or the absentee ballot affidavit, he or she  
824 may, at any time before the ballot is removed from the envelope,  
825 file with the canvassing board a protest against the canvass of  
826 that ballot, specifying the precinct, the ballot, and the reason  
827 he or she believes the ballot to be illegal. A challenge based  
828 upon a defect in the voter's certificate or absentee ballot  
829 affidavit may not be accepted after the ballot has been removed  
830 from the mailing envelope.

831 (d) The canvassing board shall record the ballot upon the  
832 proper record, unless the ballot has been previously recorded by  
833 the supervisor. The mailing envelopes shall be opened and the  
834 secrecy envelopes shall be mixed so as to make it impossible to  
835 determine which secrecy envelope came out of which signed  
836 mailing envelope; however, in any county in which an electronic  
837 or electromechanical voting system is used, the ballots may be  
838 sorted by ballot styles and the mailing envelopes may be opened  
839 and the secrecy envelopes mixed separately for each ballot



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840 style. The votes on absentee ballots shall be included in the  
841 total vote of the county.

842 (4) (a) The supervisor of elections shall, on behalf of the  
843 county canvassing board, notify each elector whose ballot was  
844 rejected as illegal and provide the specific reason the ballot  
845 was rejected because of a difference between the elector's  
846 signature on the ballot and that on the elector's voter  
847 registration record. The supervisor shall mail a voter  
848 registration application to the elector to be completed  
849 indicating the elector's current signature if the elector's  
850 ballot was rejected due to a difference between the elector's  
851 signature on the voter's certificate or absentee ballot  
852 affidavit and the elector's signature in the registration books  
853 or precinct register. This section does not prohibit the  
854 supervisor from providing additional methods for updating an  
855 elector's signature.

856 (b) If the canvassing board has not begun the canvassing of  
857 absentee ballots pursuant to subsection (2), the supervisor  
858 shall allow an elector who has returned an absentee ballot that  
859 does not include the elector's signature to complete an  
860 affidavit in order to cure the unsigned absentee ballot.

861 (c) The elector shall provide identification to the  
862 supervisor and must complete an absentee ballot affidavit in  
863 substantially the following form:

864  
865 ABSENTEE BALLOT AFFIDAVIT

866 I, . . . , am a qualified voter in this election and  
867 registered voter of . . . County, Florida. I do solemnly swear or  
868 affirm that I requested and returned the absentee ballot and



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869 that I have not and will not vote more than one ballot in this  
870 election. I understand that if I commit or attempt any fraud in  
871 connection with voting, vote a fraudulent ballot, or vote more  
872 than once in an election, I may be convicted of a felony of the  
873 third degree and fined up to \$5,000 and imprisoned for up to 5  
874 years. I understand that my failure to sign this affidavit means  
875 that my absentee ballot will be invalidated.

876 ...(Voter's Signature)...

878 ...(Address)...

880  
881 Note: Your Signature Must Be Witnessed by One Witness 18 Years  
882 of Age or Older.

883  
884 I swear or affirm that the voter signed this Absentee  
885 Ballot Affidavit in my presence.

886  
887 ...(Signature of Witness)...

888  
889 ...(Printed Name of Witness)...

890  
891 ...(Date)...

892 ...(Address)...

893  
894 (d) Instructions must accompany the absentee ballot  
895 affidavit in substantially the following form:

896  
897 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE



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898 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
899 BALLOT NOT TO COUNT.

900  
901 1. In order to ensure that your absentee ballot will be  
902 counted, your affidavit should be completed and returned as soon  
903 as possible so that it can reach the supervisor of elections of  
904 the county in which your precinct is located no later than the  
905 start of the canvassing of absentee ballots, which occurs no  
906 earlier than the 15th day before an election.

907 2. You must sign your name on the line above (Voter's  
908 Signature).

909 3. You must have your signature witnessed by a person 18  
910 years of age or older. Have the witness sign on the line above  
911 (Signature of Witness) and include his or her legible address.  
912 If the signature is illegible, the affidavit must also include a  
913 readable, printed name of the attesting witness. A candidate may  
914 not serve as an attesting witness.

915 4. You must make a copy of one of the following forms of  
916 identification:

917 a. Identification which must include your name and  
918 photograph: United States passport; debit or credit card;  
919 military identification; student identification; retirement  
920 center identification; neighborhood association identification;  
921 or public assistance identification; or

922 b. Identification which shows your name and current  
923 residence address: current utility bill, bank statement,  
924 government check, paycheck, or government document (excluding  
925 voter identification card).

926 5. Place the envelope bearing the affidavit into a mailing





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927 envelope addressed to the supervisor. Insert a copy of your  
928 identification in the mailing envelope.

929 6. Mail, deliver, or have delivered the completed affidavit  
930 along with the copy of your identification to your county  
931 supervisor of elections. Be sure there is sufficient postage if  
932 mailed and that the supervisor's address is correct.

933 (e) The department and each supervisor shall include the  
934 affidavit and instructions on their respective websites. The  
935 supervisor must include his or her office's mailing address on  
936 the page containing the affidavit instructions; the department's  
937 instruction page must include the office mailing addresses of  
938 all supervisors of elections or provide a conspicuous link to  
939 such addresses.

940 (f) The supervisor shall attach each affidavit received to  
941 the appropriate absentee ballot mailing envelope.

942 Section 15. Subsections (3) and (4) of section 101.6921,  
943 Florida Statutes, are amended to read:

944 101.6921 Delivery of special absentee ballot to certain  
945 first-time voters.-

946 (3) The Voter's Certificate shall be in substantially the  
947 following form:

948  
949 Note: Please Read Instructions Carefully Before Marking Ballot  
950 and Completing Voter's Certificate.

951  
952 VOTER'S CERTIFICATE

953  
954 I, . . . , do solemnly swear or affirm that I am a qualified  
955 and registered voter of . . . County, Florida, and that I have



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956 not and will not vote more than one ballot in this election. I  
957 understand that if I commit or attempt to commit any fraud in  
958 connection with voting, vote a fraudulent ballot, or vote more  
959 than once in an election, I can be convicted of a felony of the  
960 third degree and fined up to \$5,000 and/or imprisoned for up to  
961 5 years. I also understand that failure to sign this certificate  
962 will invalidate my ballot. I understand that unless I meet one  
963 of the exemptions below, I must provide a copy of a current and  
964 valid identification as provided in the instruction sheet to the  
965 supervisor of elections in order for my ballot to count.

966 I further certify that I am exempt from the requirements to  
967 furnish a copy of a current and valid identification with my  
968 ballot because of one or more of the following (check all that  
969 apply):

970  I am 65 years of age or older.

971  I have a permanent or temporary physical disability.

972  I am a member of a uniformed service on active duty who,  
973 by reason of such active duty, will be absent from the county on  
974 election day.

975  I am a member of the Merchant Marine who, by reason of  
976 service in the Merchant Marine, will be absent from the county  
977 on election day.

978  I am the spouse or dependent of a member of the uniformed  
979 service or Merchant Marine who, by reason of the active duty or  
980 service of the member, will be absent from the county on  
981 election day.

982  I am currently residing outside the United States.

983  
984 ... (Date) ...

... Voter's Signature ...



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Note: Your Signature Must Be Witnessed as Provided in the Instruction Sheet By One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Voter's Certificate in my presence.

...(Signature of Witness)...

...(Printed Name of Witness)...

...(Date)...

...(Address)...

(4) The certificate shall be arranged on the back of the envelope so that the line for the signature of the absent elector is across the seal of the envelope.

Section 16. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.-

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.



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1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

a. You must sign your name on the line above (Voter's Signature).

b. You must have your signature witnessed by a person 18 years of age or older. Have the witness sign on the line above (Signature of Witness) and include his or her legible address.



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1043 If the signature is illegible, the Voter's Certificate must also  
1044 include a readable printed name of the attesting witness. A  
1045 candidate may not serve as an attesting witness.

1046 ~~c.b.~~ If you are an overseas voter, you must include the  
1047 date you signed the Voter's Certificate on the line above (Date)  
1048 or your ballot may not be counted.

1049 ~~d.e.~~ An absentee ballot will be considered illegal and will  
1050 not be counted if the signature on the Voter's Certificate does  
1051 not match the signature on record. The signature on file at the  
1052 start of the canvass of the absentee ballots is the signature  
1053 that will be used to verify your signature on the Voter's  
1054 Certificate. If you need to update your signature for this  
1055 election, send your signature update on a voter registration  
1056 application to your supervisor of elections so that it is  
1057 received no later than the start of canvassing of absentee  
1058 ballots, which occurs no earlier than the 15th day before  
1059 election day.

1060 6. Unless you meet one of the exemptions in Item 7., you  
1061 must make a copy of one of the following forms of  
1062 identification:

1063 a. Identification which must include your name and  
1064 photograph: United States passport; debit or credit card;  
1065 military identification; student identification; retirement  
1066 center identification; neighborhood association identification;  
1067 or public assistance identification; or

1068 b. Identification which shows your name and current  
1069 residence address: current utility bill, bank statement,  
1070 government check, paycheck, or government document (excluding  
1071 voter identification card).



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1072 7. The identification requirements of Item 6. do not apply  
1073 if you meet one of the following requirements:

1074 a. You are 65 years of age or older.  
1075 b. You have a temporary or permanent physical disability.  
1076 c. You are a member of a uniformed service on active duty  
1077 who, by reason of such active duty, will be absent from the  
1078 county on election day.

1079 d. You are a member of the Merchant Marine who, by reason  
1080 of service in the Merchant Marine, will be absent from the  
1081 county on election day.

1082 e. You are the spouse or dependent of a member referred to  
1083 in paragraph c. or paragraph d. who, by reason of the active  
1084 duty or service of the member, will be absent from the county on  
1085 election day.

1086 f. You are currently residing outside the United States.

1087 8. Place the envelope bearing the Voter's Certificate into  
1088 the mailing envelope addressed to the supervisor. Insert a copy  
1089 of your identification in the mailing envelope. DO NOT PUT YOUR  
1090 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
1091 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
1092 BALLOT WILL NOT COUNT.

1093 9. Mail, deliver, or have delivered the completed mailing  
1094 envelope. Be sure there is sufficient postage if mailed.

1095 10. FELONY NOTICE. It is a felony under Florida law to  
1096 accept any gift, payment, or gratuity in exchange for your vote  
1097 for a candidate. It is also a felony under Florida law to vote  
1098 in an election using a false identity or false address, or under  
1099 any other circumstances making your ballot false or fraudulent.

1100 Section 17. Subsection (5) is added to section 101.6952,



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1101 Florida Statutes, to read:

1102 101.6952 Absentee ballots for absent uniformed services and  
1103 overseas voters.-

1104 (5) An absentee ballot from an overseas voter in any  
1105 presidential preference primary or general election which is  
1106 postmarked or signed and dated no later than the date of the  
1107 election and is received by the supervisor of elections of the  
1108 county in which the overseas voter is registered no later than  
1109 10 days after the date of the election shall be counted as long  
1110 as the absentee ballot is otherwise proper.

1111 Section 18. Paragraphs (b) and (d) of subsection (4) of  
1112 section 102.031, Florida Statutes, are amended to read:

1113 102.031 Maintenance of good order at polls; authorities;  
1114 persons allowed in polling rooms and early voting areas;  
1115 unlawful solicitation of voters.-

1116 (4)

1117 (b) For the purpose of this subsection, the terms "solicit"  
1118 or "solicitation" shall include, but not be limited to, seeking  
1119 or attempting to seek any vote, fact, opinion, or contribution;  
1120 distributing or attempting to distribute any political or  
1121 campaign material, leaflet, or handout; conducting a poll except  
1122 as specified in this paragraph; seeking or attempting to seek a  
1123 signature on any petition; and selling or attempting to sell any  
1124 item. The terms "solicit" or "solicitation" may shall not be  
1125 construed to prohibit exit polling.

1126 (d) Except as provided in paragraph (a), the supervisor may  
1127 not designate a no-solicitation zone or otherwise restrict  
1128 access to any person, political committee, committee of  
1129 continuous existence, candidate, or other group or organization



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1130 for the purposes of soliciting voters. This paragraph applies to  
1131 any public or private property used as a polling place or early  
1132 voting site.

1133 Section 19. Subsections (1) and (4) of section 102.141,  
1134 Florida Statutes, are amended to read:

1135 102.141 County canvassing board; duties.-

1136 (1) The county canvassing board shall be composed of the  
1137 supervisor of elections; a county court judge, who shall act as  
1138 chair; and the chair of the board of county commissioners.  
1139 Alternate canvassing board members must be appointed pursuant to  
1140 paragraph (e). In the event any member of the county canvassing  
1141 board is unable to serve, is a candidate who has opposition in  
1142 the election being canvassed, or is an active participant in the  
1143 campaign or candidacy of any candidate who has opposition in the  
1144 election being canvassed, such member shall be replaced as  
1145 follows:

1146 (a) If no county court judge is able to serve or if all are  
1147 disqualified, the chief judge of the judicial circuit in which  
1148 the county is located shall appoint as a substitute member a  
1149 qualified elector of the county who is not a candidate with  
1150 opposition in the election being canvassed and who is not an  
1151 active participant in the campaign or candidacy of any candidate  
1152 with opposition in the election being canvassed. In such event,  
1153 the members of the county canvassing board shall meet and elect  
1154 a chair.

1155 (b) If the supervisor of elections is unable to serve or is  
1156 disqualified, the chair of the board of county commissioners  
1157 shall appoint as a substitute member a member of the board of  
1158 county commissioners who is not a candidate with opposition in



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1159 the election being canvassed and who is not an active  
1160 participant in the campaign or candidacy of any candidate with  
1161 opposition in the election being canvassed. The supervisor,  
1162 however, shall act in an advisory capacity to the canvassing  
1163 board.

1164 (c) If the chair of the board of county commissioners is  
1165 unable to serve or is disqualified, the board of county  
1166 commissioners shall appoint as a substitute member one of its  
1167 members who is not a candidate with opposition in the election  
1168 being canvassed and who is not an active participant in the  
1169 campaign or candidacy of any candidate with opposition in the  
1170 election being canvassed.

1171 (d) If a substitute member or alternate member cannot be  
1172 appointed as provided elsewhere in this subsection, or in the  
1173 event of a vacancy in such office, the chief judge of the  
1174 judicial circuit in which the county is located shall appoint as  
1175 a substitute member or alternate member a qualified elector of  
1176 the county who is not a candidate with opposition in the  
1177 election being canvassed and who is not an active participant in  
1178 the campaign or candidacy of any candidate with opposition in  
1179 the election being canvassed.

1180 (e)1. The chief judge of the judicial circuit in which the  
1181 county is located shall appoint a county court judge as an  
1182 alternate member of the county canvassing board or, if each  
1183 county court judge is unable to serve or is disqualified, shall  
1184 appoint an alternate member who is qualified to serve as a  
1185 substitute member under paragraph (a).

1186 2. The chair of the board of county commissioners shall  
1187 appoint a member of the board of county commissioners as an



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1188 alternate member of the county canvassing board or, if each  
1189 member of the board of county commissioners is unable to serve  
1190 or is disqualified, shall appoint an alternate member who is  
1191 qualified to serve as a substitute member under paragraph (d).

1192 3. If a member of the county canvassing board is unable to  
1193 participate in a meeting of the board, the chair of the county  
1194 canvassing board or his or her designee shall designate which  
1195 alternate member will serve as a member of the board in the  
1196 place of the member who is unable to participate at that  
1197 meeting.

1198 4. If not serving as one of the three members of the county  
1199 canvassing board, an alternate member may be present, observe,  
1200 and communicate with the three members constituting the county  
1201 canvassing board, but may not vote in the board's decisions or  
1202 determinations.

1203 (4) (a) The supervisor of elections shall upload into the  
1204 county's election management system by 7 p.m. on the day before  
1205 the election the results of all early voting and absentee  
1206 ballots that have been canvassed and tabulated by the end of the  
1207 early voting period. Pursuant to ss. 101.5614(9), 101.657, and  
1208 101.68(2), the tabulation of votes cast or the results of such  
1209 uploads may not be made public before the close of the polls on  
1210 election day.

1211 (b) The canvassing board shall report all early voting and  
1212 all tabulated absentee results to the Department of State within  
1213 30 minutes after the polls close. Thereafter, the canvassing  
1214 board shall report, with the exception of provisional ballot  
1215 results, updated precinct election results to the department at  
1216 least every 45 minutes until all results are completely



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1217 reported. The supervisor of elections shall notify the  
1218 department immediately of any circumstances that do not permit  
1219 periodic updates as required. Results shall be submitted in a  
1220 format prescribed by the department.

1221 Section 20. Section 104.0616, Florida Statutes, is amended  
1222 to read:

1223 104.0616 Absentee ballots and voting; violations.-

1224 (1) For purposes of this section, the term "immediate  
1225 family" means a person's spouse or the parent, child,  
1226 grandparent, or sibling of the person or the person's spouse.

1227 (2) Any person who provides or offers to provide, and any  
1228 person who accepts, a pecuniary or other benefit in exchange for  
1229 distributing, ordering, requesting, collecting, delivering, or  
1230 otherwise physically possessing more than two absentee ballots  
1231 per election in addition to his or her own ballot or a ballot  
1232 belonging to an immediate family member, with intent to alter,  
1233 change, modify, or erase any vote on the absentee ballot, except  
1234 as provided in ss. 101.6105-101.695, commits a felony of the  
1235 third degree, punishable as provided in s. 775.082, s. 775.083,  
1236 or s. 775.084.

1237 Section 21. This act shall take effect October 1, 2013.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: CS/SB 600

INTRODUCER: Ethics and Elections Committee and Senator Latvala

SUBJECT: Elections

DATE: March 18, 2013                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carlton	Roberts	EE	<b>Fav/CS</b>
2.			CA	
3.			RC	
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

A. COMMITTEE SUBSTITUTE.....  Statement of Substantial Changes

B. AMENDMENTS.....  Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

**I. Summary:**

CS/SB 600 is an omnibus election administration bill containing the following major provisions:

- Allows late voter registration for military personnel who have returned from a combat zone or forward-deployed area to register to vote until the Friday before the election.
- Requires each Supervisor of Elections to submit an election preparation report to the Secretary of State three months prior to a general election.
- Changes the primary date from 12 weeks before the general election to 10 weeks before the general election.
- Provides that the first ballot summary for joint resolutions amending or revising the State Constitution may not exceed 75 words.
- Removes the provisions permitting use of the full text of a Constitutional amendment or revision as a ballot statement.
- Establishes a process by which the Department of State can approve or disapprove electronic or electromechanical voting equipment which:
  - Requires designation of a registered agent(s);
  - Requires disclosures stating whether any defect exists and, if so, identifying any defect discovered by a vendor;

- Authorizes the Department to suspend use and/or sales and leases of defective systems;
- Authorizes the Department to undertake certain investigations and submit a written report thereon;
- Permits imposition of certain penalties under specified circumstances; and
- Provides that all proceedings are exempt from the Administrative Procedures Act in Ch. 120, F.S.
- Permits an automated, independent audit and specifies how such audit will be conducted.
- Revises the absentee ballot process as follows:
  - Specifies that a request for an absentee ballot that is not being sent to a residential address must be made in writing and signed by the elector;
  - Prohibits delivery of absentee ballots on election day, unless an emergency exists and the requestor provides an affidavit;
  - Reinstates the witness requirement pertaining to the Voter's Certificate;
  - Provides that a candidate cannot be a witness;
  - Amends the conditions under which an overseas absentee ballot will be counted;
  - Requires a legible signature and legible address on the Voter's Certificate; and,
  - Provides an opportunity for voters to sign an absentee ballot submitted without a signature under certain circumstances.<sup>1</sup>
- Provides additional early voting sites, hours, and days.
- Revises the 100 foot no-solicitation zone provisions to specify that access by certain individuals to solicit voters outside of that zone may not be restricted.
- Permits designation of canvassing board alternates.
- Requires Supervisors of Elections to upload into their election management system the results of all early voting and absentee ballots canvassed and tabulated by the end of the early voting period by 7 p.m. on the day before the election.
- Prohibits paid ballot collectors from possessing more than 2 ballots that belong to someone other than "immediate family" and defines that term.

This bill creates ss. 100.032 and 101.56065, F.S., repeals s. 101.56075(4), F.S., and substantially amends the following sections of the Florida Statutes: ss. 97.0555, 100.061, 101.161, 101.5605, 101.591, 101.62, 101.64, 101.65, 101.657, 101.67, 101.68, 101.6921, 101.6923, 101.6952, 102.031, 102.141, and 104.0616, F.S.

## II. Present Situation:

The present situation is discussed below in **Effect of Proposed Changes** in this bill analysis.

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<sup>1</sup> Conforming changes are also made to the provisions governing special absentee ballots and absent military and overseas voters.



### **III. Effect of Proposed Changes:**

#### ***Late Voter Registration***

##### *Current Situation*

Currently, only individuals who have been discharged or separated from the uniformed services or the Merchant Marine, or from employment outside of the United States may register to vote during the period of time between book-closing and 5 p.m. on the Friday before an election.<sup>2</sup>

##### *Effects of Proposed Change*

The CS permits any member of the military who has returned from a combat zone or forward-deployed area to register between the book-closing deadline and 5 p.m. on the Friday before an election.

#### ***Election Preparation Report***

##### *Current Situation*

Current law does not address this topic.

##### *Effects of Proposed Change*

The CS creates new s. 100.032, F.S., which requires each Supervisor of Elections to submit, at least three months before a general election, a report outlining preparations for the upcoming general election. The report must address: anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.

#### ***Primary Election Date***

##### *Current Situation*

Currently, the primary date is on the Tuesday occurring 10 weeks before the general election.<sup>3</sup>

##### *Effect of Proposed Change*

The CS would move the primary date back to the Tuesday occurring 12 weeks before the general election.

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<sup>2</sup> §97.0555, F.S.

<sup>3</sup> §100.061, F.S.

## ***Referenda***

### *Current Situation*

Currently, a joint resolution proposing a constitutional amendment or revision must contain one or more ballot statements which are required to be set forth in order of priority.<sup>4</sup> The ballot statement must contain a title, not to exceed 15 words, and either a ballot summary that describes the chief purpose of the amendment in clear and unambiguous language or the full text of the amendment or revision.<sup>5</sup> The law presumes that a ballot statement consisting of the full text of an amendment or revision is a clear and unambiguous statement of the substance and effect of the amendment or revision; that it provides fair notice to the electors of the content of the amendment or revision; and, sufficiently advises electors of the issue upon which they are to vote.<sup>6</sup>

### *Effect of Proposed Changes*

The CS provides that the ballot statement shall consist of a ballot title of up to 15 words and a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language. The CS authorizes submission of multiple ballot statements and provides that the ballot statement that is the first in order of priority must be limited to a maximum of 75 words. The ballot summary for any additional ballot statements is not subject to the 75 word maximum.

The CS also removes the option to submit the full text of an amendment or revision in place of a ballot summary and removes the presumption that the full text is a clear and unambiguous statement of the substance and effect of the amendment or revision; that it provides fair notice to the electors of the content of the amendment or revision; and, sufficiently advises electors of the issue upon which they are to vote. A conforming change is made by repealing a provision requiring all equipment to be able to place the full text of an amendment or revision, with insertions and deletions, shown on the ballot.<sup>7</sup>

Finally, the CS clarifies that a ballot summary revised by the Attorney General to correct deficiencies identified by a court is not subject to the 75 word limitation.

## ***Approval of Electronic and Electromechanical Voting Systems and Vendor Fines***

### *Current Situation*

The Department of State is required to adopt rules establishing the minimum standards for certification, and provisional certification, of hardware and software for electronic and

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<sup>4</sup> §101.161(3)(a), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> §101.161(3)(b)3., F.S.

<sup>7</sup> §101.56075(4), F.S., is repealed in Section 7 of the bill.

electromechanical voting systems and review the rules every odd-numbered year.<sup>8</sup> The Bureau of Voting Systems Certification is responsible for standards and certification for those systems.<sup>9</sup>

The Electronic Voting Systems Act<sup>10</sup> provides for adoption of an electronic or electromechanical voting system by county commissions.<sup>11</sup> The Act lays out the process for approval of, and requirements for, electronic and electromechanical voting systems.<sup>12</sup> The Electronic Voting Systems Act also provides the authority to seek funds from the federal government for improving equipment and access to voting.<sup>13</sup> Finally, the Act addresses conduct of an election using electronic or electromechanical voting systems.<sup>14</sup>

### *Effect of Proposed Changes*

The CS requires, prior to approval of an electronic or electromechanical voting system, that the person who submits the system for approval designate a registered agent in this state. It also requires designation of a registered agent within this state prior to entering a contract for lease or sale of such voting systems. The identity and contact information is required to be updated if it changes.

The CS also addresses reporting and investigation of defects. For purposes of the bill, the term defect means:

- Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in nonconformance with the standards under which the voting system was approved in a manner that affects the accuracy of the casting or counting of ballots; or
- Any failure or inability of the voting system manufacturer or vendor to make available hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system's nonconformance with the standards under which the voting system was approved in a manner that affects that casting or counting of ballots.

The bill requires any person who has submitted an electronic or electromechanical voting system, or any person who sold or leased the equipment, prior to this provision becoming law to file a disclosure with the Department identifying any defects. If no defects are known then the disclosure must state that there are no known defects. If a defect exists, the disclosure must identify the defect, its effect on the operation and use of the voting system, and any cure. This disclosure must be filed by January 1, 2014 and then every odd-numbered year thereafter. Additionally, notice of a defect is required within 30 days after the defect is found. Upon notice of a defect, the Department may suspend all sales, leases, and uses of the defective equipment. Once the Department determines that the defect has been cured, it can lift the suspension.

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<sup>8</sup> §101.015, F.S.

<sup>9</sup> §101.017, F.S.

<sup>10</sup> §§101.5601-101.5614, F.S.

<sup>11</sup> §101.5604, F.S.

<sup>12</sup> §§101.5604-101.56062, F.S.

<sup>13</sup> §§101.56063-101.56064, F.S.

<sup>14</sup> §§101.56075-101.5614, F.S.

For equipment that has been previously approved, if no disclosure is filed the system may not be approved for sale, lease, or use in an election. The bill requires that notice be sent to the Supervisors of Elections that the equipment may no longer be sold, leased, or used. The equipment cannot be sold, leased or used until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.

If the Department has reasonable cause to believe that there is an undisclosed defect in an approved voting system, the Department is given the authority to investigate. It may investigate on its own initiative or upon the request of a Supervisor of Elections whose county has purchased or leased the equipment. Upon initiating the investigation, the Department is required to provide written notice to any person who submitted the equipment for approval or any person who has sold or leased the equipment to a county. In the course of such investigations, the Department is given the authority to subpoena witnesses and evidence and administer oaths. If a witness fails to respond to a subpoena, answer all lawful inquiries, or turn over subpoenaed evidence, the Department is allowed to file a complaint in circuit court. Once the court assumes jurisdiction, the court must direct the witness to respond or produce the evidence sought. Subsequent failure to respond or produce the evidence constitutes direct and criminal contempt of court, subject to punishment by the court. Upon completion of the investigation, the Department is required to prepare a written report of the investigation.

If, after investigation, the Department determines by a preponderance of the evidence that a defect exists the Department must notify the person who submitted the system for approval and any person who sells or leases the equipment. The person who submitted the system for approval or who sells or leases the equipment is required to respond to the notice within 10 days and either admit or deny the existence of the defect. If the defect is admitted and a cure is known, the person must explain how the defect was cured. If the defect has not been cured, the Department must establish a reasonable timeframe to cure the defect. If no response is filed, or the person failed to cure the defect within the prescribed timeframe, the Department shall impose a \$25,000 civil penalty plus costs of investigation against the person who submitted the voting system for approval or who entered into any contract with a county for the sale or lease of the equipment. If fined, a person may not enter into a contract for sale or lease until the fine has been paid and the Department notifies the Supervisors in writing that the fine has been paid. The Department is given the authority to suspend and/or reinstate the sale, lease or use of the equipment during the investigation.

For purposes of the notice requirements herein, the bill specifies that the Department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the Department at the time of delivery or attempted delivery is valid for all notice purposes.<sup>15</sup>

Finally, the bill specifies that this authority is supplemental to any other legal authority and that all proceedings are exempt from the Administrative Procedures Act in Ch. 120, F.S.

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<sup>15</sup> Proof of attempted delivery may not be sufficient to demonstrate notice for purposes of Due Process Clause in the 14<sup>th</sup> Amendment to the U.S. Constitution.

## ***Voting System Audits***

### *Current Situation*

Currently, the law requires that canvassing boards (or local boards responsible for certifying an election) are required to manually audit voting systems that are used in randomly selected precincts.<sup>16</sup> The audit must consist of a public manual tally of votes cast in a randomly selected race. The tally must include election day, absentee, early voting, provisional, and overseas ballots in at least 1%, but no more than 2%, of the randomly-selected precincts.<sup>17</sup> If one percent of precincts is less than one entire precinct, the audit must be conducted using an entire precinct. The results of the audit must be made public no later than 11:59 p.m. on the seventh day after certification of the election<sup>18</sup> and reported to the Department within 15 days of completing the audit.<sup>19</sup>

### *Effects of Proposed Changes*

The bill authorizes the use of an automated, independent audit of voting systems. This audit option must consist of a public automated tally of the votes cast across every race appearing on the ballot. The tally sheet must consist of election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. The bill requires rules to be adopted for the approval of such equipment. The rules must provide that the system be:

- Completely independent of the primary voting system;
- Fast enough to produce final results within the current statutory time limit; and,
- Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

## ***Requests for Absentee Ballots***

### *Current Situation*

An elector, a member of his or her immediate family, or the elector's legal guardian may make a request for an elector to receive an absentee ballot.<sup>20</sup> The request may be made in person, including via telephone, or in writing and is valid through the end of the calendar year of the second ensuing general election, unless the request specifies the elections for which he or she would like to receive absentee ballots.<sup>21</sup> The Supervisor of Elections is required to record the dates of the request, delivery to the voter or delivery to the post office or other carrier, the date the ballot was received by the Supervisor, and any other information the Supervisor deems necessary.<sup>22</sup>

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<sup>16</sup> §101.591, F.S.

<sup>17</sup> §101.591(2), F.S.

<sup>18</sup> §101.591(4), F.S.

<sup>19</sup> §101.591(5), F.S.

<sup>20</sup> §101.62(1)(b), F.S.

<sup>21</sup> §101.62(1)(a), F.S.

<sup>22</sup> §101.62(3), F.S.

### *Effects of Proposed Changes*

The bill requires that a request for an absentee ballot which is to be sent to a place other than the address on file in the Florida Voter Registration System must be made in writing and signed by the elector.

The bill prohibits a Supervisor of Elections from providing or delivering an absentee ballot to an elector or his or her immediate family member on the day of an election unless there is an emergency which prevents the elector from going to his or her polling place. If the ballot is provided, the elector or his designee must execute an affidavit attesting to the facts constituting an emergency. The Department must adopt the form for the affidavit by rule.

The bill also requires the Supervisor to record the absence of a signature if the absentee ballot was returned without a signature on the Voter's Certificate.

### ***Absentee Ballots***

#### *Current Situation*

Absentee ballots are required to be sent to an elector with instructions, a secrecy envelope for his or her ballot, and a mailing envelope addressed by the Supervisor. The Voter's Certificate must be printed on the back of the envelope. The form of the instructions and the Voter's Certificate are prescribed by statute.<sup>23</sup> If a voter that registered by mail has not previously voted in this state, and has not been issued a current Florida identification card or drivers license, he or she receives a "special absentee ballot."<sup>24</sup> The "special absentee ballot" is sent with a secrecy envelope for his or her marked ballot, an envelope with the Voter's Certificate required by statute for special absentee ballots, and a mailing envelope.<sup>25</sup> There is also a separate set of instructions provided for voters required to vote by "special absentee ballot."<sup>26</sup> Absentee ballots are required to be received by the Supervisor by 7 p.m. on the day of the election. However, an absentee ballot from an overseas voter must be postmarked or signed and dated no later than general election day and received within 10 days after the general election. Only the federal race votes cast by such a ballot are included in the final certified vote results data. If an absentee ballot is returned unsigned, the ballot is rejected as illegal.<sup>27</sup>

Section 104.0616, F.S., does not contain a restriction on the number of ballots that any person may possess. However, it is currently a third degree felony for a person to provide, offer to provide, or accept a pecuniary benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing absentee ballots, with intent to alter, change, modify, or erase any vote on the absentee ballot.

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<sup>23</sup> §101.64, F.S., and §101.65, F.S.

<sup>24</sup> §101.6921, F.S., and §97.0535, F.S.

<sup>25</sup> §101.6921

<sup>26</sup> §101.6923

<sup>27</sup> §101.68(2)(c)1., F.S.

### *Effects of Proposed Changes*

The bill requires that a voter who is voting by an absentee ballot or special absentee ballot must have his or her signature on the Voter's Certificate witnessed by a person over the age of 18 who is not a candidate. The bill makes corresponding changes to the form of the Voter's Certificate form prescribed by the statutes. The witness must sign the Voter's Certificate to swear or affirm that he or she witnessed the signature. Under the bill, the witness cannot be a candidate for office in Florida.

The following information is required to be added to the instructions provided by statute for completing the absentee or special absentee ballot:

- If you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election; and,
- In order for your absentee ballot to be counted, it must include the signature and legible address of an attesting witness 18 years of age or older affixed to the Voter's Certificate. If the signature is illegible, the Voter's Certificate must also include a readable printed name of the attesting witness. A candidate may not serve as an attesting witness.

The bill clarifies that an absentee ballot from an overseas voter will be counted in ***any races*** in a general election or presidential preference primary if it is postmarked or signed and dated no later than election day and arrives at the Supervisor's office no later than 10 days after the election.<sup>28</sup>

The bill also specifies that the Supervisor can use the signature on the precinct register to verify the signature on a Voter's Certificate. Additionally, the bill allows a voter who has submitted an absentee ballot without a signature to complete an affidavit, which must be witnessed, in order to cure that defect. The form of the affidavit will be prescribed by the statute. Upon completion of the affidavit and verification of the affidavit by the Supervisor, the supervisor must attach the affidavit to the absentee ballot. The ballot will then be canvassed.

Finally, with regard to absentee ballots, the bill makes it a third degree felony for any person to possess more than two absentee ballots that do not belong to the person or his or her immediate family member. For purposes of the bill, "immediate family member" means a person's spouse, or the parent, child, grandparent, or sibling of the person or the person's spouse.

### ***Early Voting***

#### *Current Situation*

The Supervisors of Elections shall allow early voting in the following locations:

- The Supervisor's main office;

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<sup>28</sup> §101.6952, F.S.; A conforming change was also made to s. 101.67, F.S.

- The Supervisor's or branch office, if it is a permanent facility that has been in use for at least one year prior to the election;
- Any city hall; or
- Permanent public library.<sup>29</sup>

The early voting period for an election containing state and federal races runs between the 10<sup>th</sup> and 3<sup>rd</sup> days before the election with hours being set at no less than 6 hours and no more than 12 hours per day at each site during the early voting period.<sup>30</sup>

### *Effects of Proposed Changes*

Each county is required to have at least the same number of early voting site used in the 2012 general election. In addition to the sites currently authorized, the bill allows early voting to occur at the following sites:

- Fairgrounds;
- Civic center;
- Courthouse;
- County commission building;
- Stadium;
- Convention center;
- Government-owned senior center;
- Government-owned community center; or,
- If a Supervisor is unable to provide an early voting site in an area of the county because none of the sites above exists, he or she may designate one additional site that is geographically located to provide all voters an equal opportunity to vote early in that area.

Additionally, the bill expands the early voting period by requiring that early voting sites be open for a minimum of 8 hours per day up to a maximum of 12 hours per day. It also permits the Supervisor of Elections to make early voting available for the 15<sup>th</sup> through 11<sup>th</sup> days and the 2<sup>nd</sup> day before the election. The new maximum number of days allowable for early voting will be 14 days.

### *Solicitation at the Polls*

#### *Current Situation*

People, political committees, committees of continuous existence, or other groups or organizations are prohibited from soliciting voters inside the polling place or within 100 feet of the entrance to a polling place, polling room, or early voting site. Prior to opening the polling place or early voting site, the Supervisor of Elections or clerk must designate and mark the boundaries of the no-solicitation zone.<sup>31</sup> Each Supervisor shall inform the clerk of the area in

<sup>29</sup> §101.657(1)(a), F.S.

<sup>30</sup> §101.657(1)(d), F.S.

<sup>31</sup> §102.031(4)(a), F.S.



which soliciting is unlawful based upon the characteristics of that site. The Supervisor or clerk may take any reasonable actions to ensure order at the polls, including removal from the polls and/or the no-solicitation zone.<sup>32</sup>

### *Effect of Proposed Changes*

The bill prohibits a Supervisor from designating a no-solicitation zone or otherwise restricting access, outside of the 100 foot no-solicitation zone, to any person, political committee, committee of continuous existence, candidate, or other group or organization for the purpose of soliciting voters.

### ***County Canvassing Boards- Membership and Canvassing***

#### *Current Situation*

The county canvassing board must be composed of the Supervisor of Elections, a county court judge (chair), and the chairman of the board of county commissioners.<sup>33</sup> If no county court judge is able to serve, or all are disqualified, the chief judge of the judicial circuit court appoints a qualified elector who is not a candidate with opposition in the election being canvassed and who has not been an active participant in a campaign or candidacy of any candidate with opposition in the election being canvassed.<sup>34</sup> If the supervisor of elections is unable to serve or is disqualified, the chair of the board of county commissioners shall appoint as a substitute member a member of the board of county commissioners who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. The supervisor, however, shall act in an advisory capacity to the canvassing board.<sup>35</sup> If the chair of the board of county commissioners is unable to serve or is disqualified, the board of county commissioners shall appoint as a substitute member one of its members who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.<sup>36</sup> If a substitute member cannot be appointed as provided elsewhere in this subsection, the chief judge of the judicial circuit in which the county is located shall appoint as a substitute member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.<sup>37</sup>

Currently, the law requires county canvassing boards to report all early voting and tabulated absentee ballots to the Department of State within 30 minutes after the polls close. The county canvassing boards must update results thereafter every 45 minutes until complete. These reports do not include provisional ballots. The law does not address when the canvassing board must begin to upload into the county's internal database.

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<sup>32</sup> §102.031(4)(c), F.S.

<sup>33</sup> §102.141(1), F.S.

<sup>34</sup> §102.141(1)(a), F.S.

<sup>35</sup> §102.141(1)(b), F.S.

<sup>36</sup> §102.141(1)(c), F.S.

<sup>37</sup> §102.141(1)(d), F.S.

*Effect of Proposed Changes*

The bill provides for alternate members of the county canvassing board. Selection of the alternate members is as follows:

*County court judge seat-* The chief judge of the judicial circuit shall appoint a county court judge as an alternate. If that county court judge is unable to serve as an alternate, and all other county court judges are unable to serve, or are disqualified, then the chief judge of the circuit shall appoint a qualified elector who is not a candidate or active in any campaign being canvassed as the alternate.

*Chair of the board of county commissioners seat-* The chairman of the board of county commissioners shall appoint a member of the board of county commissioners as an alternate member of the county canvassing board or, if each member of the board of county commissioners is unable to serve or is disqualified, shall appoint a qualified elector who is not a candidate or active in any campaign being canvassed as the alternate.

If a member of the county canvassing board is unable to participate in a meeting, the chair of the canvassing board, or his or her designee, must designate which alternate member will serve. The bill clarifies that any decision made by the board must be made of 2 of the 3 sitting board members, regardless of whether he or she is an alternate member. Alternate members may be present, observe, and communicate with the three members constituting the county canvassing board, but may not vote in the board's decisions or determinations.

The bill also requires the Supervisors of Elections to upload early voting and absentee ballots that have been canvassed and tabulated by the end of the early voting period by 7 p.m. on the day before the election.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Ethics and Elections on March 18, 2013:**

The CS differs from the original bill in that it: requires supervisors of elections to submit a election preparation report to the Secretary of State at least 3 months before a general election; specifies the content of the report; decreases the time period between a primary election and a general election; specifies that the 75 word limitation on ballot statement length does not apply to a ballot summary revised by the Attorney General; requires a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; provides that proof of delivery or attempt to deliver constitutes valid notice; requires any person who submitted a voting system to the department for approval or sold or leased any approved voting system to file a defect disclosure with the department; authorizes the department to suspend all sales or leases or use in an election of a defective voting system; provides procedures for the suspension of voting systems; authorizes the department to withdraw approval of voting systems under certain circumstances; authorizes the department to investigate whether a voting system is defective; establishes investigatory procedures and requirements; provides a penalty for certain vendor failures; authorizes use of automated, independent audits of voting systems; provides audit requirements for automated, independent audits; revises the requirements for a valid absentee ballot request; prohibits the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requires a person who requests an absentee ballot to complete an affidavit if the requestor returns an unsigned ballot; revises the requirements for a voter's certificate; revises the instructions to absent electors; revises the permissible sites for early voting; requires each county to operate at least the same number of early voting sites as used for the 2012 general election; revises the number of days and hours for early voting; authorizes the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; provides that an absentee ballot must clearly identify the name

of the witness in order to be considered legal; requires the supervisor to provide the elector with the specific reason his or her ballot was rejected; requires the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; provides the form and contents of the affidavit; requires the supervisor to attach a completed affidavit to the elector's absentee ballot; provides that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; revises restrictions relating to the solicitation of voters; provides for the selection of alternate canvassing board members; requires a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibits public disclosure of uploaded results before the close of the polls on election day; and, prohibits possession of more than two absentee ballots under certain circumstances.

**B. Amendments:**

None.

By Senator Latvala

20-01083D-13

2013600\_\_

1                                   A bill to be entitled  
 2       An act relating to elections; amending s. 97.0555,  
 3       F.S.; revising qualifications for late voter  
 4       registration; amending s. 101.161, F.S.; revising what  
 5       constitutes a ballot summary; deleting a provision  
 6       providing that a ballot statement consisting of the  
 7       full text of a constitutional amendment or revision is  
 8       presumed to be a clear and unambiguous statement;  
 9       repealing s. 101.56075(4), F.S., relating to the  
 10      requirement that all voting systems used by voters in  
 11      a state election allow placement of the full text of a  
 12      constitutional amendment or revision containing  
 13      stricken or underlined text by a specified date;  
 14      amending s. 101.64, F.S.; revising the requirements of  
 15      the voter's certificate accompanying an absentee  
 16      ballot; amending s. 101.65, F.S.; revising the  
 17      instructions to absent electors; amending s. 101.68,  
 18      F.S.; revising what a canvassing board may consider an  
 19      illegal absentee ballot; amending s. 101.6921, F.S.;  
 20      revising the voter's certificate accompanying a  
 21      special absentee ballot; amending s. 101.6923, F.S.;  
 22      revising special absentee ballot instructions;  
 23      amending s. 102.031, F.S.; revising restrictions  
 24      relating to the solicitation of voters; providing an  
 25      effective date.

26  
 27   Be It Enacted by the Legislature of the State of Florida:

28  
 29       Section 1. Section 97.0555, Florida Statutes, is amended to

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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30   read:  
 31           97.0555 Late registration.—An individual or accompanying  
 32   family member, including a member of the uniformed services or  
 33   the Merchant Marine, who is otherwise qualified to register to  
 34   vote and who, after the book-closing date for an election  
 35   pursuant to s. 97.055, returns from a combat zone or other  
 36   forward-deployed area or ~~who~~ has been discharged or separated  
 37   from the uniformed services or the Merchant Marine, or from  
 38   employment outside the territorial limits of the United States,  
 39   ~~after the book-closing date for an election pursuant to s.~~  
 40   ~~97.055 and who is otherwise qualified~~ may register to vote in  
 41   such election until 5 p.m. on the Friday before that election in  
 42   the office of the supervisor of elections. Such persons must  
 43   produce sufficient documentation showing evidence of qualifying  
 44   for late registration pursuant to this section.  
 45           Section 2. Subsection (3) of section 101.161, Florida  
 46   Statutes, is amended to read:  
 47           101.161 Referenda; ballots.—  
 48           (3) (a) Each joint resolution that proposes a constitutional  
 49   amendment or revision shall include one or more ballot  
 50   statements set forth in order of priority. Each ballot statement  
 51   shall consist of a ballot title, by which the measure is  
 52   commonly referred to or spoken of, not exceeding 15 words in  
 53   length, and ~~either~~ a ballot summary that describes the chief  
 54   purpose of the amendment or revision in clear and unambiguous  
 55   language, ~~or the full text of the amendment or revision.~~ The  
 56   Department of State shall furnish a designating number pursuant  
 57   to subsection (2) and the appropriate ballot statement to the  
 58   supervisor of elections of each county. The ballot statement

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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 59 shall be printed on the ballot after the list of candidates,  
 60 followed by the word "yes" and also by the word "no," and shall  
 61 be styled in such a manner that a "yes" vote will indicate  
 62 approval of the amendment or revision and a "no" vote will  
 63 indicate rejection.

64 (b)1. Any action for a judicial determination that one or  
 65 more ballot statements embodied in a joint resolution are  
 66 defective must be commenced by filing a complaint or petition  
 67 with the appropriate court within 30 days after the joint  
 68 resolution is filed with the Secretary of State. The complaint  
 69 or petition shall assert all grounds for challenge to each  
 70 ballot statement. Any ground not asserted within 30 days after  
 71 the joint resolution is filed with the Secretary of State is  
 72 waived.

73 2. The court, including any appellate court, shall accord  
 74 an action described in subparagraph 1. priority over other  
 75 pending cases and render a decision as expeditiously as  
 76 possible. If the court finds that all ballot statements embodied  
 77 in a joint resolution are defective and further appeals are  
 78 declined, abandoned, or exhausted, unless otherwise provided in  
 79 the joint resolution, the Attorney General shall, within 10  
 80 days, prepare and submit to the Department of State a revised  
 81 ballot title or ballot summary that corrects the deficiencies  
 82 identified by the court, and the Department of State shall  
 83 furnish a designating number and the revised ballot title or  
 84 ballot summary to the supervisor of elections of each county for  
 85 placement on the ballot. The court shall retain jurisdiction  
 86 over challenges to a revised ballot title or ballot summary  
 87 prepared by the Attorney General, and any challenge to a revised

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 88 ballot title or ballot summary must be filed within 10 days  
 89 after a revised ballot title or ballot summary is submitted to  
 90 the Department of State.

91 ~~3. A ballot statement that consists of the full text of an~~  
 92 ~~amendment or revision shall be presumed to be a clear and~~  
 93 ~~unambiguous statement of the substance and effect of the~~  
 94 ~~amendment or revision, providing fair notice to the electors of~~  
 95 ~~the content of the amendment or revision and sufficiently~~  
 96 ~~advising electors of the issue upon which they are to vote.~~

97 Section 3. Subsection (4) of section 101.56075, Florida  
 98 Statutes, is repealed.

99 Section 4. Subsections (1) through (3) of section 101.64,  
 100 Florida Statutes, are amended to read:

101 101.64 Delivery of absentee ballots; envelopes; form.—

102 (1) The supervisor shall enclose with each absentee ballot  
 103 two envelopes: a secrecy envelope, into which the absent elector  
 104 shall enclose his or her marked ballot; and a mailing envelope,  
 105 into which the absent elector shall then place the secrecy  
 106 envelope, which shall be addressed to the supervisor and also  
 107 bear on the back side a certificate in substantially the  
 108 following form:

109  
 110 Note: Please Read Instructions Carefully Before  
 111 Marking Ballot and Completing Voter's Certificate.

112 VOTER'S CERTIFICATE

113  
 114 I, ..., do solemnly swear or affirm that I am a qualified  
 115 and registered voter of ... County, Florida, and that I have  
 116 not and will not vote more than one ballot in this election. I

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117 understand that if I commit or attempt to commit any fraud in  
 118 connection with voting, vote a fraudulent ballot, or vote more  
 119 than once in an election, I can be convicted of a felony of the  
 120 third degree and fined up to \$5,000 and/or imprisoned for up to  
 121 5 years. I also understand that failure to sign this certificate  
 122 will invalidate my ballot.

123

124 ... (Date) ... (Voter's Signature) ...

125

126 Note: Your Signature Must Be Witnessed by One Witness 18 Years  
 127 of Age or Older as Provided in the Instruction Sheet.

128

129 I swear or affirm that the voter signed this Voter's Certificate  
 130 in my presence.

131

132 ... (Signature of Witness) ...

133

134 ... (Printed Name of Witness) ...

135

136 ... (Date) ...

137 ... (City/State) ...

138

139 (2) The certificate shall be arranged on the back of the  
 140 mailing envelope so that the line for the signature of the  
 141 absent elector is across the seal of the envelope; however, no  
 142 statement shall appear on the envelope which indicates that a  
 143 signature of the voter must cross the seal of the envelope. No  
 144 candidate may serve as an attesting witness. The absent elector  
 145 and the attesting witness shall execute the certificate on the

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146 envelope.

147 (3) In lieu of the voter's certificate provided in this  
 148 section, the supervisor of elections shall provide each person  
 149 voting absentee under the Uniformed and Overseas Citizens  
 150 Absentee Voting Act with the standard oath prescribed by the  
 151 presidential designee with an appended section in substantially  
 152 the following form:-

153

154 Witness signature and date:

155

156 ... (Signature of Witness) ...

157

158 ... (Printed Name of Witness) ...

159

160 ... (Month/Day/Year) ...

161

162 Section 5. Section 101.65, Florida Statutes, is amended to  
 163 read:

164 101.65 Instructions to absent electors.—The supervisor  
 165 shall enclose with each absentee ballot separate printed  
 166 instructions in substantially the following form:

167 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

168 1. VERY IMPORTANT. In order to ensure that your absentee  
 169 ballot will be counted, it should be completed and returned as  
 170 soon as possible so that it can reach the supervisor of  
 171 elections of the county in which your precinct is located no  
 172 later than 7 p.m. on the day of the election.

173 2. Mark your ballot in secret as instructed on the ballot.

174

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175 You must mark your own ballot unless you are unable to do so  
176 because of blindness, disability, or inability to read or write.

177 3. Mark only the number of candidates or issue choices for  
178 a race as indicated on the ballot. If you are allowed to "Vote  
179 for One" candidate and you vote for more than one candidate,  
180 your vote in that race will not be counted.

181 4. Place your marked ballot in the enclosed secrecy  
182 envelope.

183 5. Insert the secrecy envelope into the enclosed mailing  
184 envelope which is addressed to the supervisor.

185 6. Seal the mailing envelope and completely fill out the  
186 Voter's Certificate on the back of the mailing envelope.

187 7. VERY IMPORTANT. In order for your absentee ballot to be  
188 counted, you must sign your name on the line above (Voter's  
189 Signature). An absentee ballot will be considered illegal and  
190 not be counted if the signature on the voter's certificate does  
191 not match the signature on record. The signature on file at the  
192 start of the canvass of the absentee ballots is the signature  
193 that will be used to verify your signature on the voter's  
194 certificate. If you need to update your signature for this  
195 election, send your signature update on a voter registration  
196 application to your supervisor of elections so that it is  
197 received no later than the start of the canvassing of absentee  
198 ballots, which occurs no earlier than the 15th day before  
199 election day.

200 8. VERY IMPORTANT. In order for your absentee ballot to be  
201 counted, it must include the signature of an attesting witness  
202 18 years of age or older affixed to the Voter's Certificate. If  
203 the signature is illegible, the Voter's Certificate must also

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204 include a readable printed name of the attesting witness. No  
205 candidate may serve as an attesting witness.

206 ~~9.8-~~ VERY IMPORTANT. If you are an overseas voter, you must  
207 include the date you signed the Voter's Certificate on the line  
208 above (Date) or your ballot may not be counted.

209 ~~10.9-~~ Mail, deliver, or have delivered the completed  
210 mailing envelope. Be sure there is sufficient postage if mailed.

211 ~~11.10-~~ FELONY NOTICE. It is a felony under Florida law to  
212 accept any gift, payment, or gratuity in exchange for your vote  
213 for a candidate. It is also a felony under Florida law to vote  
214 in an election using a false identity or false address, or under  
215 any other circumstances making your ballot false or fraudulent.

216 Section 6. Paragraph (c) of subsection (2) of section  
217 101.68, Florida Statutes, is amended to read:

218 101.68 Canvassing of absentee ballot.—

219 (2)

220 (c)1. The canvassing board shall, if the supervisor has not  
221 already done so, compare the signature of the elector on the  
222 voter's certificate with the signature of the elector in the  
223 registration books to see that the elector is duly registered in  
224 the county and to determine the legality of that absentee  
225 ballot. The ballot of an elector who casts an absentee ballot  
226 shall be counted even if the elector dies on or before election  
227 day, as long as, prior to the death of the voter, the ballot was  
228 postmarked by the United States Postal Service, date-stamped  
229 with a verifiable tracking number by common carrier, or already  
230 in the possession of the supervisor of elections. An absentee  
231 ballot shall be considered illegal if it does not include the  
232 signature of the elector, as shown by the registration records,



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233 and the signature of an attesting witness; however, if the  
 234 signature of the attesting witness is illegible, the printed  
 235 name of the attesting witness must clearly identify the name of  
 236 the witness or the ballot shall be considered illegal. However,  
 237 an absentee ballot shall not be considered illegal if the  
 238 signature of the elector does not cross the seal of the mailing  
 239 envelope. If the canvassing board determines that any ballot is  
 240 illegal, a member of the board shall, without opening the  
 241 envelope, mark across the face of the envelope: "rejected as  
 242 illegal." The envelope and the ballot contained therein shall be  
 243 preserved in the manner that official ballots voted are  
 244 preserved.

245 2. If any elector or candidate present believes that an  
 246 absentee ballot is illegal due to a defect apparent on the  
 247 voter's certificate, he or she may, at any time before the  
 248 ballot is removed from the envelope, file with the canvassing  
 249 board a protest against the canvass of that ballot, specifying  
 250 the precinct, the ballot, and the reason he or she believes the  
 251 ballot to be illegal. A challenge based upon a defect in the  
 252 voter's certificate may not be accepted after the ballot has  
 253 been removed from the mailing envelope.

254 Section 7. Subsections (3) and (4) of section 101.6921,  
 255 Florida Statutes, are amended to read:

256 101.6921 Delivery of special absentee ballot to certain  
 257 first-time voters.—

258 (3) The Voter's Certificate shall be in substantially the  
 259 following form:

260 Note: Please Read Instructions Carefully Before Marking Ballot

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262 and Completing Voter's Certificate.

263

264

265

## VOTER'S CERTIFICATE

266 I, . . . , do solemnly swear or affirm that I am a qualified  
 267 and registered voter of . . . County, Florida, and that I have  
 268 not and will not vote more than one ballot in this election. I  
 269 understand that if I commit or attempt to commit any fraud in  
 270 connection with voting, vote a fraudulent ballot, or vote more  
 271 than once in an election, I can be convicted of a felony of the  
 272 third degree and fined up to \$5,000 and/or imprisoned for up to  
 273 5 years. I also understand that failure to sign this certificate  
 274 will invalidate my ballot. I understand that unless I meet one  
 275 of the exemptions below, I must provide a copy of a current and  
 276 valid identification as provided in the instruction sheet to the  
 277 supervisor of elections in order for my ballot to count.

278 I further certify that I am exempt from the requirements to  
 279 furnish a copy of a current and valid identification with my  
 280 ballot because of one or more of the following (check all that  
 281 apply):

282  I am 65 years of age or older.

283  I have a permanent or temporary physical disability.

284  I am a member of a uniformed service on active duty who,  
 285 by reason of such active duty, will be absent from the county on  
 286 election day.

287  I am a member of the Merchant Marine who, by reason of  
 288 service in the Merchant Marine, will be absent from the county  
 289 on election day.

290  I am the spouse or dependent of a member of the uniformed

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291 service or Merchant Marine who, by reason of the active duty or  
 292 service of the member, will be absent from the county on  
 293 election day.  
 294  I am currently residing outside the United States.  
 295  
 296 ... (Date) ... Voter's Signature ...  
 297  
 298 Note: Your Signature Must Be Witnessed By One Witness 18 Years  
 299 of Age or Older as Provided in the Instruction Sheet.  
 300  
 301 I swear or affirm that the voter signed this Voter's Certificate  
 302 in my presence.  
 303  
 304 ... (Signature of Witness) ...  
 305  
 306 ... (Printed Name of Witness) ...  
 307  
 308 ... (Date) ...  
 309 ... (City/State) ...  
 310

311 (4) The certificate shall be arranged on the back of the  
 312 envelope so that the line for the signature of the absent  
 313 elector is across the seal of the envelope.

314 Section 8. Subsection (2) of section 101.6923, Florida  
 315 Statutes, is amended to read:

316 101.6923 Special absentee ballot instructions for certain  
 317 first-time voters.-

318 (2) A voter covered by this section shall be provided with  
 319 printed instructions with his or her absentee ballot in

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320 substantially the following form:  
 321  
 322 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR  
 323 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE  
 324 YOUR BALLOT NOT TO COUNT.  
 325  
 326 1. In order to ensure that your absentee ballot will be  
 327 counted, it should be completed and returned as soon as possible  
 328 so that it can reach the supervisor of elections of the county  
 329 in which your precinct is located no later than 7 p.m. on the  
 330 date of the election.  
 331 2. Mark your ballot in secret as instructed on the ballot.  
 332 You must mark your own ballot unless you are unable to do so  
 333 because of blindness, disability, or inability to read or write.  
 334 3. Mark only the number of candidates or issue choices for  
 335 a race as indicated on the ballot. If you are allowed to "Vote  
 336 for One" candidate and you vote for more than one, your vote in  
 337 that race will not be counted.  
 338 4. Place your marked ballot in the enclosed secrecy  
 339 envelope and seal the envelope.  
 340 5. Insert the secrecy envelope into the enclosed envelope  
 341 bearing the Voter's Certificate. Seal the envelope and  
 342 completely fill out the Voter's Certificate on the back of the  
 343 envelope.  
 344 a. You must sign your name on the line above (Voter's  
 345 Signature).  
 346 b. You must have your signature witnessed by a person 18  
 347 years of age or older. Have the witness sign on the line above  
 348 (Signature of Witness) and include his or her address. If the

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349 signature is illegible, the Voter's Certificate must also  
 350 include a readable printed name of the attesting witness. No  
 351 candidate may serve as an attesting witness.

352 ~~c.b.~~ If you are an overseas voter, you must include the  
 353 date you signed the Voter's Certificate on the line above (Date)  
 354 or your ballot may not be counted.

355 ~~d.e.~~ An absentee ballot will be considered illegal and will  
 356 not be counted if the signature on the Voter's Certificate does  
 357 not match the signature on record. The signature on file at the  
 358 start of the canvass of the absentee ballots is the signature  
 359 that will be used to verify your signature on the Voter's  
 360 Certificate. If you need to update your signature for this  
 361 election, send your signature update on a voter registration  
 362 application to your supervisor of elections so that it is  
 363 received no later than the start of canvassing of absentee  
 364 ballots, which occurs no earlier than the 15th day before  
 365 election day.

366 6. Unless you meet one of the exemptions in Item 7., you  
 367 must make a copy of one of the following forms of  
 368 identification:

369 a. Identification which must include your name and  
 370 photograph: United States passport; debit or credit card;  
 371 military identification; student identification; retirement  
 372 center identification; neighborhood association identification;  
 373 or public assistance identification; or

374 b. Identification which shows your name and current  
 375 residence address: current utility bill, bank statement,  
 376 government check, paycheck, or government document (excluding  
 377 voter identification card).

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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378 7. The identification requirements of Item 6. do not apply  
 379 if you meet one of the following requirements:

380 a. You are 65 years of age or older.

381 b. You have a temporary or permanent physical disability.

382 c. You are a member of a uniformed service on active duty  
 383 who, by reason of such active duty, will be absent from the  
 384 county on election day.

385 d. You are a member of the Merchant Marine who, by reason  
 386 of service in the Merchant Marine, will be absent from the  
 387 county on election day.

388 e. You are the spouse or dependent of a member referred to  
 389 in paragraph c. or paragraph d. who, by reason of the active  
 390 duty or service of the member, will be absent from the county on  
 391 election day.

392 f. You are currently residing outside the United States.

393 8. Place the envelope bearing the Voter's Certificate into  
 394 the mailing envelope addressed to the supervisor. Insert a copy  
 395 of your identification in the mailing envelope. DO NOT PUT YOUR  
 396 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
 397 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
 398 BALLOT WILL NOT COUNT.

399 9. Mail, deliver, or have delivered the completed mailing  
 400 envelope. Be sure there is sufficient postage if mailed.

401 10. FELONY NOTICE. It is a felony under Florida law to  
 402 accept any gift, payment, or gratuity in exchange for your vote  
 403 for a candidate. It is also a felony under Florida law to vote  
 404 in an election using a false identity or false address, or under  
 405 any other circumstances making your ballot false or fraudulent.

406 Section 9. Subsection (4) of section 102.031, Florida

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407 Statutes, is amended to read:

408 102.031 Maintenance of good order at polls; authorities;  
409 persons allowed in polling rooms and early voting areas;  
410 unlawful solicitation of voters.—

411 (4) (a) No person, political committee, committee of  
412 continuous existence, or other group or organization may solicit  
413 voters inside the polling place or within 100 feet of the  
414 entrance to any polling place, or polling room where the polling  
415 place is also a polling room, or early voting site. ~~Before the~~  
416 ~~opening of the polling place or early voting site, the clerk or~~  
417 ~~supervisor shall designate the no solicitation zone and mark the~~  
418 ~~boundaries.~~

419 (b) For the purpose of this subsection, the terms "solicit"  
420 or "solicitation" shall include, but not be limited to, seeking  
421 or attempting to seek any vote, fact, opinion, or contribution;  
422 distributing or attempting to distribute any political or  
423 campaign material, leaflet, or handout; conducting a poll except  
424 as specified in this paragraph; seeking or attempting to seek a  
425 signature on any petition; and selling or attempting to sell any  
426 item. The terms "solicit" or "solicitation" shall not be  
427 construed to prohibit exit polling.

428 (c) Each supervisor of elections shall inform the clerk of  
429 the area within which soliciting is unlawful, ~~based on the~~  
430 ~~particular characteristics of that polling place.~~ The supervisor  
431 or the clerk may take any reasonable action necessary to ensure  
432 order at the polling places, including, but not limited to,  
433 having disruptive and unruly persons removed by law enforcement  
434 officers from the polling room or place or from the 100-foot  
435 zone surrounding the polling place.

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436 (d) Except as provided in paragraph (a), the supervisor may  
437 not designate a no solicitation zone or otherwise restrict  
438 access to a polling place, polling room, early voting site, or  
439 surrounding property in any manner to any person, political  
440 committee, committee of continuous existence, candidate, or  
441 other group or organization for the purposes of soliciting  
442 voters. This paragraph applies to any public or private property  
443 used as a polling place or early voting site.

444 Section 10. This act shall take effect July 1, 2013.

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# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13

*Meeting Date*

Topic Testimony for PCS (SB 600)

Bill Number PCS for SB600  
*(if applicable)*

Name Brian Corley

Amendment Barcode 184420  
*(if applicable)*

Job Title Supervisor of Elections-Pasco County

*and 934498 B Case*

Address 14236 6th Street  
*Street*

Phone 352-521-4323

Dade City FL 33526  
*City State Zip*

E-mail bcorley@pascovotes.com

Speaking:  For  Against  Information

Representing Florida State Association of Supervisor's of Elections (FSASE)

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/2013  
Meeting Date

Topic Elections

Bill Number 600  
*(if applicable)*

Name Pamela Burch Fort

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title \_\_\_\_\_

Address 104 S. Monroe Street

Phone 850-425-1344

TALLAHASSEE FL 32301  
City State Zip

E-mail TcgLobby@aol.com

Speaking:  For  Against  Information

Representing ACLU of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**



THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-2013  
Meeting Date

Topic Election Reform Bill Number SB 600  
(if applicable)

Name Jabari Paul Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title State Religious Affairs Chair

Address 5784 lumberjack Ln. Phone 850-509-2535  
Street

Tallahassee FL 32303 E-mail jabari.paul2012@  
City State Zip ju.northwestern.edu

Speaking:  For  Against  Information

Representing Florida State Conference of NAACP

Appearing at request of Chair:  Yes  No Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Note: Did not speak.)

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/2013

Meeting Date

Topic Election Reform

Bill Number SB600  
(if applicable)

Name Brad Ashwell

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title lobbyist

Address 1536 Chulivene  
Street

Phone 850-294-1008

Tallahassee FL 32301  
City State Zip

E-mail bradashwell@gmail.com

Speaking:  For  Against  Information

Representing Common Cause FL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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(Note: Did not speak.)

# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/2013

Meeting Date

Topic Election Reform

Bill Number SB 600

(if applicable)

Name Alisia Harriel

Amendment Barcode \_\_\_\_\_

(if applicable)

Job Title \_\_\_\_\_

Address 2387 Old St. Augustine Rd

Phone (772) 708-9605

Tallahassee Florida 32301  
Street City State Zip

E-mail alisiaharriel@gmail.com

Speaking:  For  Against  Information

Representing Florida Coalition of Black Civic Participation / Black Youth

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

(Note: Did not speak.)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-18-13

Meeting Date

Topic Elections

Bill Number SB 600 (if applicable)

Name Stephanie Kunkel

Amendment Barcode (if applicable)

Job Title

Address 1143 Albrighton DR Street

Phone 850-320-4208

Tallahassee FL 32301 City State Zip

E-mail Stef.Kunkel@gmail.com

Speaking: For Against Information

Representing America Votes

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Did not speak.)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic Elections

Bill Number 600  
*(if applicable)*

Name Phillip ~~Singleton~~ Singleton

Late Filed  
Amendment Barcode 626474  
(Soto)  
*(if applicable)*

Job Title Legislative Director

Address 1028 East Park Ave  
*Street*

Phone 361-670-0007 / 850-216-1000

Tallahassee FL 32301  
*City State Zip*

E-mail phillip@pattman-law.com

Speaking:  For  Against  Information

Representing Broward County

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(Note: Did not speak.)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/18/13  
Meeting Date

Topic Elections

Bill Number SB 600  
*(if applicable)*

Name Jessica Lowe-Miner

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title Executive Director

Address 540 Beverly Ct.  
*Street*

Phone 850-224-2545

Tallahassee FL 32301  
*City State Zip*

E-mail LWVFexecutivedirector@gmail.com

Speaking:  For  Against  Information

Representing League of Women Voters of Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

# CourtSmart Tag Report

Room: KN 412  
Caption: Senate Ethics and Elections Committee

Case:

Type:  
Judge:

Started: 3/18/2013 1:07:14 PM  
Ends: 3/18/2013 2:59:30 PM Length: 01:52:17

1:07:16 PM Meeting called to order  
1:07:28 PM Roll call  
1:07:43 PM Executive Appointment Confirmations - Tabs 1-25  
1:07:45 PM Discussion of Executive Appointments  
1:08:36 PM Sen. Joyner  
1:08:52 PM Motion to recommend confirm (Tabs 1-25) by Sen. Benacquisto  
1:10:19 PM Roll call on confirmations - Favorable to Recommend Confirmation  
1:10:50 PM Chair Latvala  
1:11:04 PM Tab 26 - CS/SB 538 by Community Affairs Comm. & Senators Ring and Negron  
1:11:26 PM Sen. Ring introduces CS/SB 538  
1:15:35 PM Sen. Benacquisto  
1:16:24 PM Sen. Ring  
1:17:41 PM Sen. Benacquisto requests examples mentioned by Sen. Ring  
1:17:59 PM Sen. Ring responds  
1:19:21 PM Sen. Clemens inquires about the Governor's Task Force on the same issue  
1:19:45 PM Sen. Ring  
1:20:06 PM Sen. Clemens  
1:20:15 PM Sen. Ring  
1:21:03 PM Sen. Clemens  
1:21:14 PM Sen. Ring  
1:22:29 PM Sen. Sobel  
1:22:52 PM Sen. Ring  
1:23:34 PM Sen. Sobel  
1:23:47 PM Sen. Ring  
1:24:43 PM Sen. Sobel inquires about The League of Cities position on the topic  
1:24:48 PM Sen. Ring  
1:25:24 PM Sen. Gardiner asks about special districts  
1:26:25 PM Sen. Ring  
1:28:29 PM Sen. Gardiner asks how this will affect districts that are already doing a good job  
1:29:10 PM Sen. Ring  
1:30:47 PM Chair Latvala  
1:30:57 PM Public Testimony (CS/SB 538)  
1:31:39 PM Michael Doyle - Florida Keys Mosquito Control District  
1:34:17 PM Mark Latham - Manatee County Mosquito Control District  
1:36:34 PM Terry Lewis - Florida Association of Special Districts  
1:42:34 PM Sen. Ring TP's his bill and makes closing remarks  
1:44:29 PM Chair Latvala  
1:45:04 PM Sen. Thrasher makes a motion for a time certain vote @ 2:57 p.m. on Tab 27 - PCS/SB 600 (184420)  
1:46:24 PM Sen. Benacquisto makes a motion to hear PCS/SB 600.  
1:46:29 PM Tab 27 - PCS/SB 600 (184420) by Sen. Latvala  
1:46:51 PM Sen. Latvala presents his bill  
1:52:33 PM Vice-Chair Sobel takes CHAIR  
1:53:00 PM AM 391950 by Sen. Braynon  
1:53:42 PM Chair Sobel  
1:54:07 PM Sen. Latvala opposes Sen. Braynon's Amendment  
1:54:46 PM Sen. Joyner shows support for Sen. Braynon's Amendment  
1:57:50 PM Sen. Gardiner  
1:58:40 PM Sen. Sobel  
1:59:01 PM Sen. Thrasher  
2:00:41 PM Sen. Soto  
2:01:25 PM Sen. Clemens  
2:02:29 PM Chair Sobel

2:03:45 PM Sen. Benacquisto  
2:04:58 PM Sen. Braynon closes on his amendment  
2:07:49 PM Roll call on AM 391950 - Unfavorable  
2:08:32 PM AM 822722 by Sen. Soto  
2:09:17 PM Sen. Latvala  
2:09:52 PM Sen. Soto  
2:11:02 PM Roll call on AM 822722 - Unfavorable  
2:11:37 PM AM 623094 by Sen. Soto - Withdrawn  
2:11:50 PM AM 448424 by Sen. Sobel  
2:12:25 PM Chair Sobel  
2:13:40 PM AM 448424 by Sen. Sobel - Temporarily Postponed  
2:14:09 PM AM 318644 by Sen. Clemens  
2:14:27 PM Chair Sobel  
2:14:57 PM Sen. Clemens  
2:15:33 PM Sen. Gardiner  
2:16:27 PM Sen. Clemens  
2:16:44 PM Sen. Latvala  
2:18:10 PM Sen. Clemens closes on his amendment  
2:18:44 PM Voice Vote on AM 318644 - Unfavorable  
2:19:09 PM AM 934498 by Sen. Sobel  
2:19:48 PM Sen. Benacquisto expresses concern with the Amendment  
2:20:18 PM Chair Sobel responds  
2:21:08 PM Public Testimony  
2:21:17 PM Brian Corley  
2:21:29 PM Brian Corley - Pasco County Supervisor of Elections  
2:22:08 PM Sen. Latvala  
2:25:03 PM Chair Sobel  
2:25:16 PM AMs 934498 and 467264 by Sen. Sobel - Withdrawn  
2:25:21 PM AM 474422 by Sen. Joyner  
2:26:13 PM Sen. Latvala  
2:27:10 PM Sen. Joyner  
2:28:01 PM Sen. Thrasher suggests we hear from some supervisor of elections  
2:28:30 PM Brian Corley - Pasco County Supervisor of Elections  
2:29:37 PM Sen. Gardiner  
2:29:50 PM Sen. Latvala  
2:30:01 PM Sen. Joyner  
2:30:24 PM Sen. Latvala  
2:30:29 PM Brian Corley  
2:31:13 PM Sen. Clemens  
2:31:36 PM Brian Corley  
2:31:53 PM Chair Sobel  
2:32:03 PM Sen. Soto  
2:33:27 PM Sen. Thrasher  
2:34:05 PM Sen. Clemens  
2:35:27 PM Sen. Gardiner  
2:36:45 PM Chair Sobel  
2:37:39 PM Sen. Joyner closes on her Amendment  
2:39:12 PM Roll call on AM 474422 - Unfavorable  
2:39:53 PM Sen. Latvala  
2:40:15 PM AM 572946 by Sen. Soto  
2:40:40 PM Sen. Latvala  
2:42:09 PM Sen. Clemens  
2:42:28 PM Sen. Soto closes on his Amendment  
2:43:12 PM Roll call on AM 572946 - Unfavorable  
2:43:52 PM AM 244238 by Sen. Sobel - Withdrawn  
2:44:23 PM AM 405294 by Sen. Clemens - Withdrawn  
2:44:53 PM AM 347328 by Sen. Sobel  
2:45:16 PM Brian Corley  
2:46:37 PM Chair Sobel  
2:46:52 PM Sen. Latvala  
2:47:07 PM AM 347328 by Sen. Sobel - Withdrawn  
2:47:40 PM Late-Filed AM 430418 by Sen. Sobel

**2:48:01 PM** Voice Vote on Late-Filed AM 430418 - Unfavorable  
**2:48:59 PM** Late-Filed AM 650138 by Sen. Sobel - Withdrawn  
**2:49:31 PM** Late-Filed Hand Written AM (474458) by Sen. Clemens  
**2:50:23 PM** Sen. Latvala  
**2:50:31 PM** Late-Filed Hand Written AM (474458) by Sen. Clemens - Withdrawn  
**2:50:43 PM** Late-Filed AM 626474 by Sen. Soto  
**2:51:21 PM** Late-Filed AM 626474 by Sen. Soto - Withdrawn  
**2:51:34 PM** Chair Sobel  
**2:51:47 PM** Public Testimony on PCS/SB 600 (184420)  
**2:51:53 PM** Brian Corley - Representing FL State Assoc. of Supervisors of Elections (FSASE)  
**2:53:38 PM** Pamela Burch Fort - ACLU of Florida  
**2:54:50 PM** Jabari Paul, FL State Conference of NAACP  
**2:57:15 PM** Motion by Sen. Gardiner to have staff prepare technical AMs if needed and Motion by Sen. Latvala to report out as a Committee Substitute  
**2:57:31 PM** Roll call on PCS/SB 600 (184420) - Favorable as a Committee Substitute  
**2:59:21 PM** Sen. Lee moves we rise