

Tab 8	SJR 1216 by Gruters; (Similar to H 00157) Limitation on Terms of Office for Members of a District School Board						
327674	A	S	RCS	EE, Gruters	Delete L.34 - 53:	02/04 11:24 AM	
Tab 9	SB 814 by Perry; (Similar to CS/H 00491) Disposition of Surplus Funds by Candidates						
362040	A	S	RCS	EE, Perry	Delete L.27 - 34:	02/04 11:26 AM	
Tab 10	CS/SB 1078 by MS, Wright; (Identical to H 00881) Special Election/Surviving Spouse Ad Valorem Tax Reduction						
Tab 11	SB 1372 by Brandes; Elections						
169522	D	S	RCS	EE, Brandes	Delete everything after	02/04 11:34 AM	
402364	AA	S	RCS	EE, Brandes	btw L.22 - 23:	02/04 11:34 AM	
807962	AA	S	RCS	EE, Brandes	btw L.130 - 131:	02/04 11:34 AM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Baxley, Chair
Senator Braynon, Vice Chair

MEETING DATE: Monday, February 3, 2020
TIME: 4:00—6:00 p.m.
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Baxley, Chair; Senator Braynon, Vice Chair; Senators Diaz, Passidomo, Powell, Rodriguez, and Stargel

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
Florida Citrus Commission			
1	Johnson, Steve Allen (Bowling Green)	05/31/2021	Recommend Confirm Yeas 7 Nays 0
	Poulton, William Scott (Lakewood Ranch)	05/31/2021	Recommend Confirm Yeas 7 Nays 0
Board of Trustees of Miami-Dade College			
2	Felipe, Marcell (Miami)	05/31/2022	Recommend Confirm Yeas 7 Nays 0
Board of Trustees of St. Petersburg College			
3	Kidwell, Thomas (St. Petersburg)	05/31/2023	Recommend Confirm Yeas 7 Nays 0
Florida Housing Finance Corporation			
4	Benson, Ryan (Fort Myers)	11/13/2022	Recommend Confirm Yeas 7 Nays 0
Investment Advisory Council			
5	Jones, J. Robert, Jr. (Winter Park)	02/01/2023	Recommend Confirm Yeas 7 Nays 0
Board of Medicine			
6	Vila, Hector, Jr. (Tampa)	10/31/2022	Recommend Confirm Yeas 7 Nays 0
Board of Professional Surveyors and Mappers			
7	Fountain, Keith R. (DeLand)	10/31/2021	Recommend Confirm Yeas 7 Nays 0
	Zoltek, Michael John (Cape Coral)	10/31/2022	Recommend Confirm Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, February 3, 2020, 4:00—6:00 p.m.

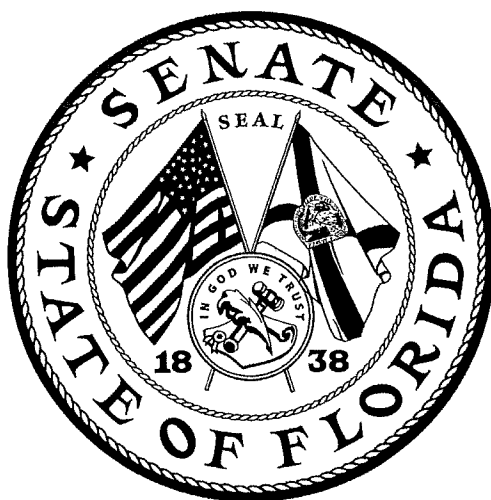
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SJR 1216 Gruters (Similar HJR 157, SJR 1480)	Limitation on Terms of Office for Members of a District School Board; Proposing amendments to the State Constitution to limit the terms of office for a member of a district school board, etc. EE 01/27/2020 Temporarily Postponed EE 02/03/2020 Fav/CS ED RC	Fav/CS Yeas 4 Nays 3
9	SB 814 Perry (Similar CS/H 491)	Disposition of Surplus Funds by Candidates; Prohibiting a candidate from donating surplus funds to a charitable organization that employs the candidate, etc. EE 02/03/2020 Fav/CS GO RC	Fav/CS Yeas 7 Nays 0
10	CS/SB 1078 Military and Veterans Affairs and Space / Wright (Identical H 881, Compare HJR 877, Linked SJR 1076)	Special Election/Surviving Spouse Ad Valorem Tax Reduction; Providing for a special election to be held on August 18, 2020, pursuant to Section 5, Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an ad valorem tax discount for spouses of certain deceased veterans who had permanent, combat-related disabilities, the transfer of the ad valorem tax discount to another permanent residence of the surviving spouse under specified conditions, and an effective date if such amendments are adopted, etc. MS 01/22/2020 Fav/CS EE 02/03/2020 Temporarily Postponed RC	Temporarily Postponed
11	SB 1372 Brandes	Elections; Deleting a provision that prohibits the use of an address appearing on identification presented by an elector at the polls as a basis to confirm or otherwise challenge an elector's legal residence; revising the timeframes for conducting public preelection testing of automatic tabulating equipment; removing the requirement that duplicate ballots be made of vote-by-mail ballots containing overvoted races; revising the timeframe in which the supervisor of elections must mail ballots in elections conducted under the Mail Ballot Election Act, etc. EE 02/03/2020 Fav/CS JU RC	Fav/CS Yeas 6 Nays 1

Other Related Meeting Documents

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, February 3, 2020, 4:00—6:00 p.m.



Committee:
ETHICS AND ELECTIONS

Senator Baxley, Chair
Senator Braynon, Vice Chair

Meeting Packet
Monday, February 3, 2020
4:00—6:00 p.m.
Pat Thomas Committee Room, 412 Knott Building

The meeting materials for bills on the agenda are in the following order behind each tab:

If a Proposed Committee Substitute is being offered, materials precede the original bill in this order (a separate tab may be used for combined PCS and materials):

- o Bill Analysis for the PCS*
- o Filed amendments to the PCS*
- o Proposed Committee Substitute*
- o Miscellaneous information*

- Bill Analysis**
- Filed amendments to the bill**
- Bill**
- Amendments from previous committees**
- Miscellaneous information**

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
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 Senator Braynon, Vice Chair

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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.			
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	Poulton, William Scott (Lakewood Ranch)	05/31/2021	
Board of Trustees of Miami-Dade College			
2	Felipe, Marcell (Miami)	05/31/2022	
Board of Trustees of St. Petersburg College			
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Florida Housing Finance Corporation			
4	Benson, Ryan (Fort Myers)	11/13/2022	
Investment Advisory Council			
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Board of Medicine			
6	Vila, Hector, Jr. (Tampa)	10/31/2022	
Board of Professional Surveyors and Mappers			
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		EE 01/27/2020 Temporarily Postponed ED RC	

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

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11	SB 1372 Brandes	Elections; Deleting a provision that prohibits the use of an address appearing on identification presented by an elector at the polls as a basis to confirm or otherwise challenge an elector's legal residence; revising the timeframes for conducting public preelection testing of automatic tabulating equipment; removing the requirement that duplicate ballots be made of vote-by-mail ballots containing overvoted races; revising the timeframe in which the supervisor of elections must mail ballots in elections conducted under the Mail Ballot Election Act, etc.	EE JU RC

Other Related Meeting Documents

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Johnson, Steve Allen
 Term: 11/15/2019 – 05/31/2021

Appointed: 11/15/2019
 Prior Term:

City/County: Bowling Green/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)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/11/19
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 1/15/20
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	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: President of Johnson Harvesting, Inc.

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.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Grower/District 2

Number 17 - Mr. Johnson serves on the Hardee Soil & Water Conservation District Board, a special district, 2007-Present.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Poulton, William Scott
 Term: 11/15/2019 – 05/31/2021
 City/County: Lakewood Ranch/Manatee
 Office: Florida Citrus Commission, Member
 Authority: 601.04, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 11/15/2019
 Prior Term:

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 12/27/19
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 1/15/20
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: Senior Director, Global Procurement, Pepsico/Tropicana

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:

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Additional Requirements:

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- 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.

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Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 6 - Mr. Poulton served in the U.S. Navy, 1988-1992.
Number 8 - Grower/Handler/Processor, District 3

COMMITTEE MEETING PACKET TAB

Ethics and Elections

2

A345F

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Felipe, Marcell

Appointed: 03/21/2019

Term: Upon Senate Confirmation – 05/31/2022

Prior Term:

City/County: Miami/Miami-Dade

Office: Board of Trustees of Miami-Dade College, Member

Authority: 1001.61(1) and (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 1/9/19
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 1/15/20
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, Marcell Felipe Attorneys (law firm)

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution boards of trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for terms of four (4) years.

A member of a board of trustees must be a resident of the service delivery area of the college.

Miami Dade College serves Miami-Dade County.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

Notes: Number 8 - Miami-Dade County Resident

Number 9 - Mr. Felipe disclosed that in October 1992, at Florida International University, he was arrested for an "altercation in protest" and the case was dismissed. There was no record of this charge in the FDLE report.

Number 18 - Mr. Felipe served on the Miami-Dade County Housing Finance Authority from 2012-2014.

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kidwell, Thomas

Appointed: 07/30/2019

Term: 07/30/2019 – 05/31/2023

Prior Term:

City/County: St. Petersburg/Pinellas

Office: Board of Trustees of St. Petersburg College, Member

Authority: 1001.61(1) and (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 2/23/20
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 9/20/19
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: Financial Advisor at UBS

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution boards of trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for terms of four (4) years.

A member of a board of trustees must be a resident of the service delivery area of the college.

St. Petersburg College serves Pinellas County.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

Notes: Number 8 - Pinellas County Resident

The Florida Senate
COMMITTEE MEETING PACKET TAB

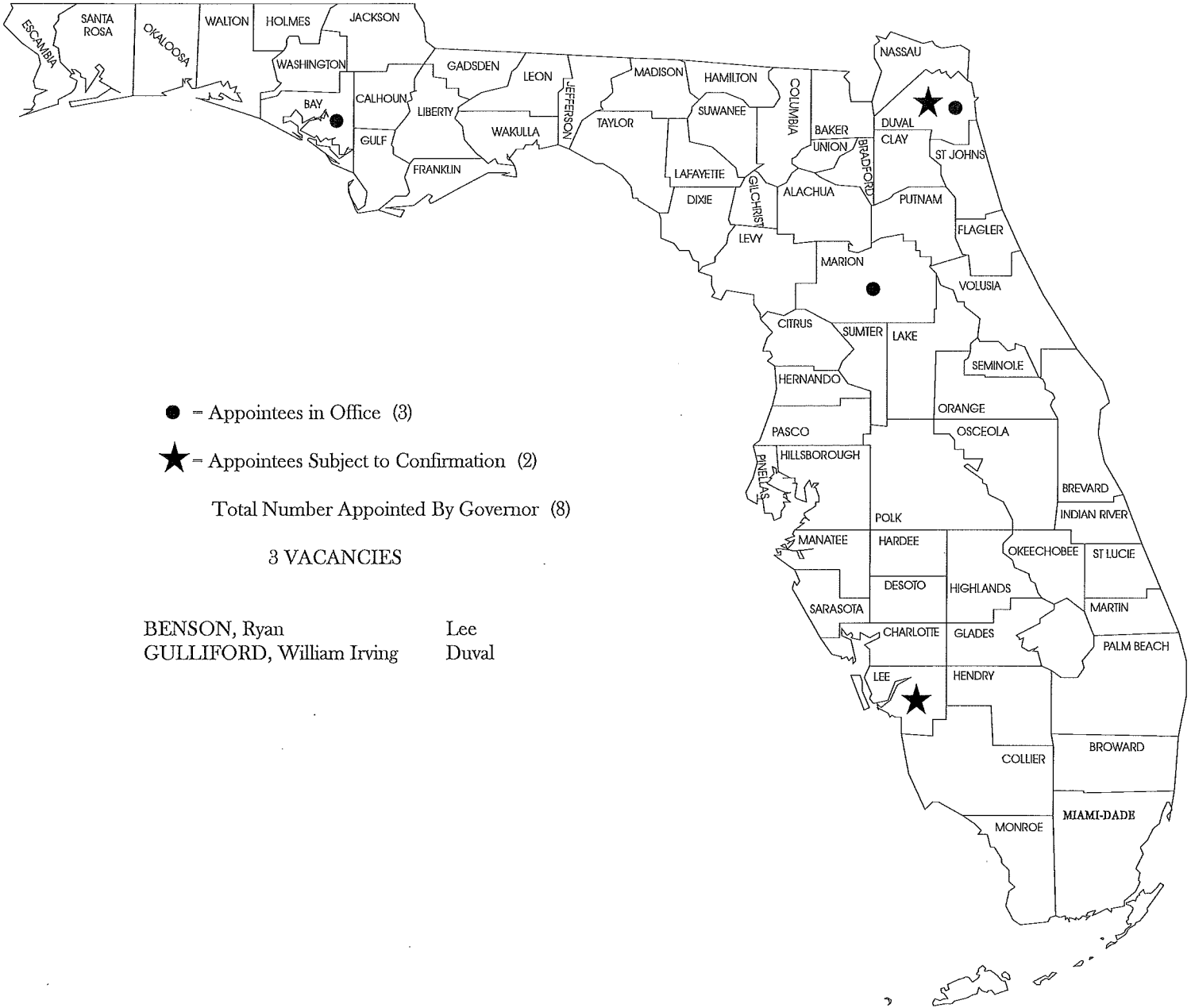
Ethics and Elections

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Florida Housing Finance Corporation



- - Appointees in Office (3)
 - ★ - Appointees Subject to Confirmation (2)
- Total Number Appointed By Governor (8)
- 3 VACANCIES

BENSON, Ryan	Lee
GULLIFORD, William Irving	Duval

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Benson, Ryan
 Term: 11/26/2019 – 11/13/2022

Appointed: 11/26/2019
 Prior Term:

City/County: Fort Myers/Lee

Office: Florida Housing Finance Corporation, Member

Authority: 420.504, 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
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8. Meets Requirements of Law	X		See Below
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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: Co-Owner of A. Vernon Allen Builder

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

Requirements: The corporation shall consist of a board of directors composed of the executive director of the Department of Economic Opportunity as an ex officio and voting member, or a senior-level agency employee designated by the director and eight members appointed by the Governor and subject to Senate confirmation, including:

- One citizen actively engaged in the residential home building industry;
- One citizen actively engaged in the banking or mortgage banking industry;
- One citizen who is a representative of those areas of labor engaged in home building;
- One citizen with experience in housing development who is an advocate for low income persons;
- One citizen actively engaged in the commercial building industry;
- One citizen who is a former local government elected official; and
- Two citizens of the state who are not principally employed as members or representatives of the above-named groups.

Additional Requirements: Terms are for four years.

The Governor may suspend a member for cause, including but not limited to, failure to attend at least three meetings of the board during any 12-month period.

Each member of the board of directors of the corporation shall file full and public disclosure of financial interests (Form 6) at the times and places and in the same manner required of elected constitutional officers under s. 8, Art. II of the State Constitution and any law implementing s. 8, Art. II of the State Constitution.

Notes: Number 8 - Citizen who is a representative of areas of labor engaged in home building
Number 19 - Mr. Benson worked for the Department of Business and Professional Regulation, 1998-2001, as an investigative aide.

COMMITTEE MEETING PACKET TAB

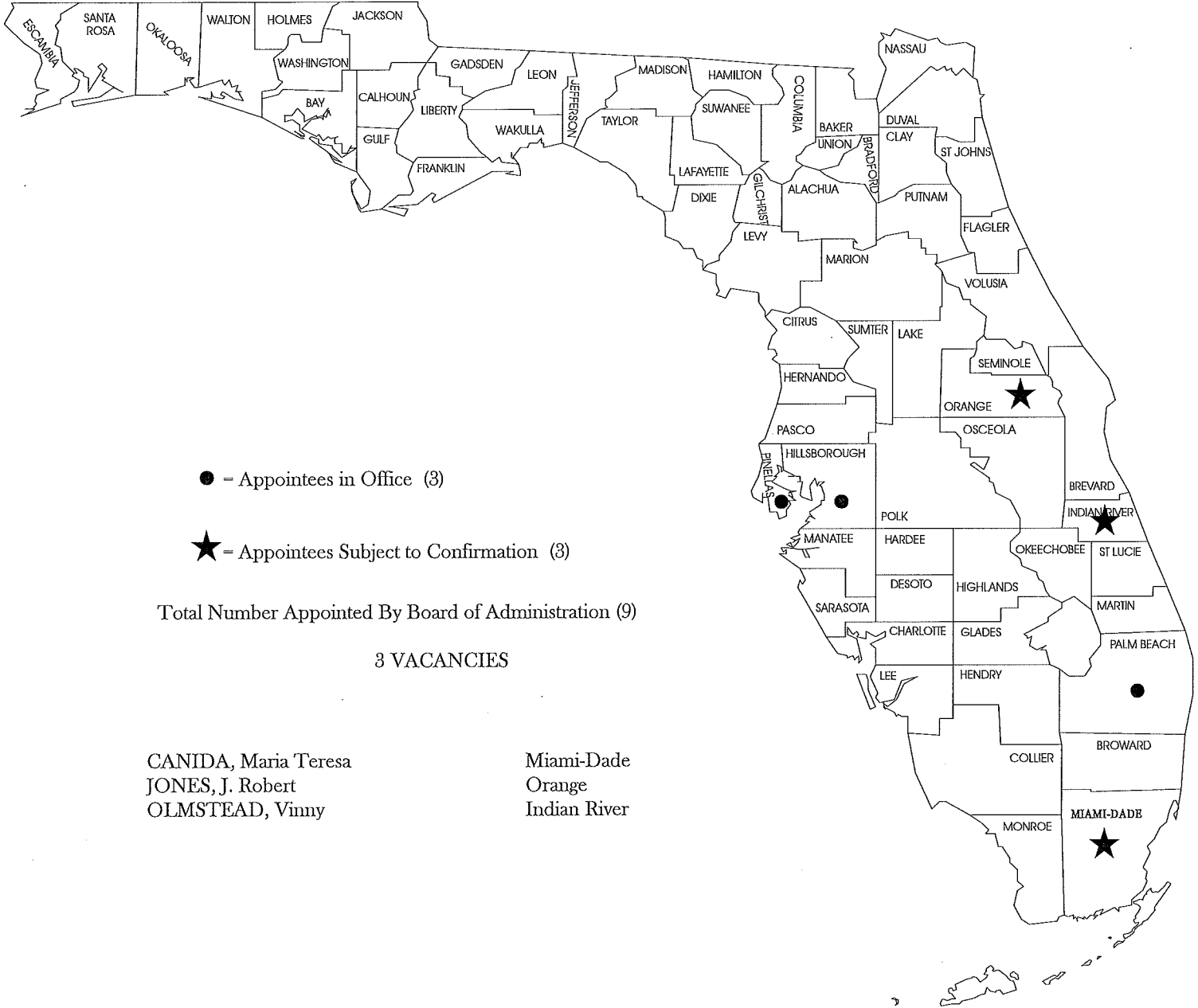
Ethics and Elections

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Investment Advisory Council



● = Appointees in Office (3)

★ = Appointees Subject to Confirmation (3)

Total Number Appointed By Board of Administration (9)

3 VACANCIES

CANIDA, Maria Teresa
 JONES, J. Robert
 OLMSTEAD, Vimmy

Miami-Dade
 Orange
 Indian River

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

COMMITTEE: Committee on Governmental Oversight and Accountability
MEETING DATE: Monday, January 27, 2020
TIME: 1:30—3:30 p.m.
PLACE: 301 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Committee on Governmental Oversight and Accountability

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

Office: Investment Advisory Council

Appointee: Jones Jr., J. Robert

Term: 3/12/2019-2/1/2023

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Jones, J. Robert, Jr.

Appointed: 12/02/2019

Term: 03/12/2019 – 02/01/2023

Prior Term: 05/05/2015 - 02/01/2019

City/County: Winter Park/Orange

Office: Investment Advisory Council, Member

Authority: 215.444, F.S.

Reference(s): Committee on Ethics and Elections

Committee on Governmental Oversight and Accountability-Recommend Confirm-01/27/2020

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	Not Required
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 12/18/19
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: Retired

Attendance: Attended 19 of 21 meetings (90%) from May 5, 2015 through December 5, 2019.

Compensation: Reimbursed for per diem and travel expenses as provided in s. 112.061.

Requirements: The membership of the council is nine members, appointed by the Board of Administration.

The members of the council shall be appointed by the board as a resource to the Board of Trustees of the State Board of Administration and shall be subject to confirmation by the Senate. These individuals shall possess special knowledge, experience, and familiarity with portfolio management, institutional investments, and fiduciary responsibilities.

Additional Requirements: Terms are for four years.

Not required to file financial disclosure form.

Notes: Number 8 - Chief Financial Officer's Nominee
Education Verified

COMMITTEE MEETING PACKET TAB

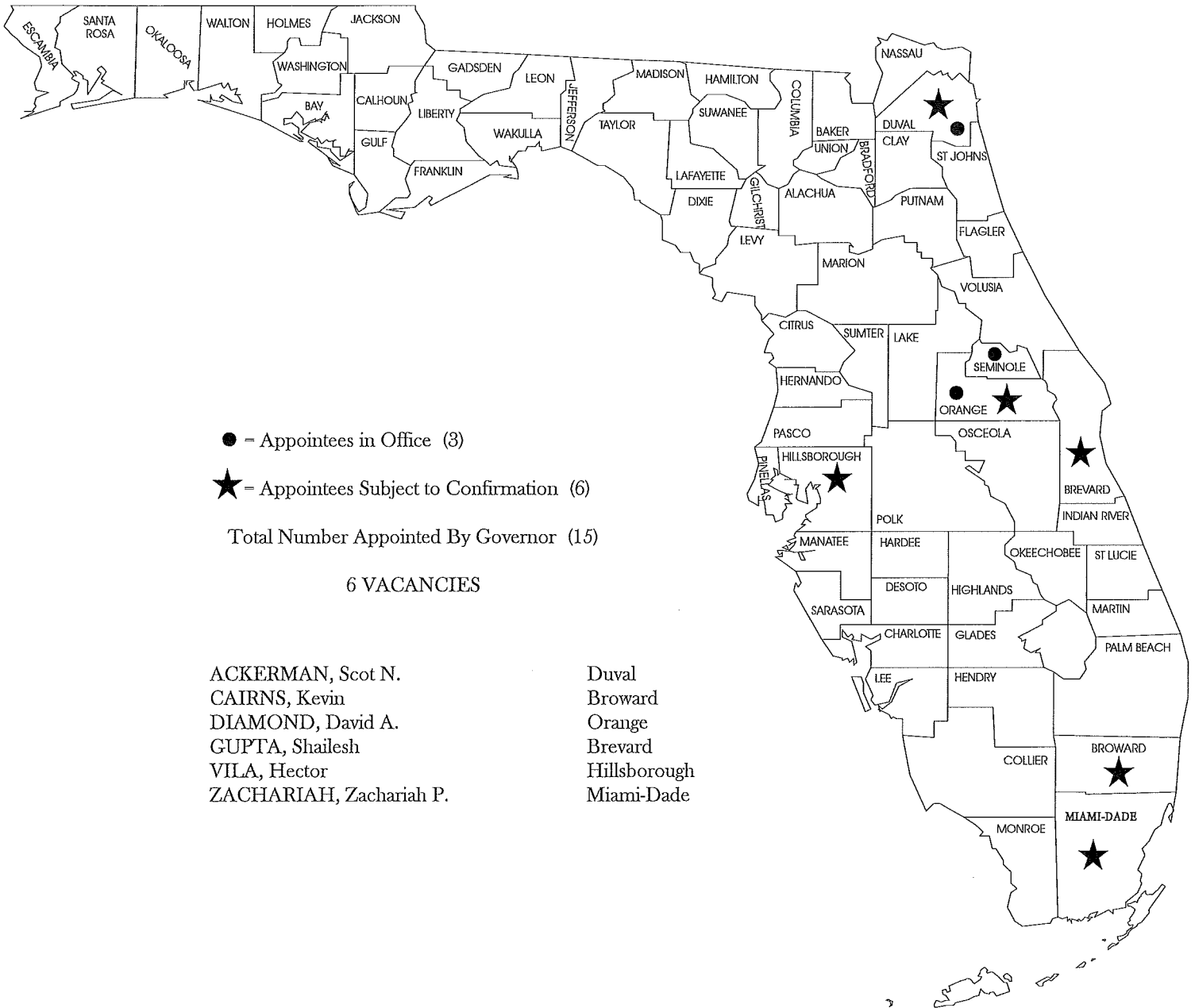
Ethics and Elections

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Medicine



● = Appointees in Office (3)
 ★ = Appointees Subject to Confirmation (6)
 Total Number Appointed By Governor (15)
 6 VACANCIES

ACKERMAN, Scot N.
 CAIRNS, Kevin
 DIAMOND, David A.
 GUPTA, Shailesh
 VILA, Hector
 ZACHARIAH, Zachariah P.

Duval
 Broward
 Orange
 Brevard
 Hillsborough
 Miami-Dade

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Vila, Hector, Jr. Appointed: 11/05/2019
 Term: 11/05/2019 – 10/31/2022 Prior Term: 10/19/2016 - 10/31/2018
 City/County: Tampa/Hillsborough
 Office: Board of Medicine, Member
 Authority: 458.307(1), F.S. & 20.43(3)(g)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 5/29/19
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 1/15/20
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: President of Hector Vila, Jr., M.D., Pediatric Anesthesiology

Attendance: Attended 19 of 20 meetings (95%) from October 19, 2016 through January 14, 2020.

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 15-member board consists of Florida residents as follows: Twelve members who are licensed physicians in good standing in this state who have engaged in the active practice or teaching of medicine for at least four years prior to their appointment:

- One of whom is on the full-time faculty of a medical school in Florida;
- One of whom is in private practice and on the full-time staff of a teaching hospital in Florida; and
- At least one of whom is a graduate of a foreign medical school;

Three members who are not, and who have never been, licensed health care practitioners;

One member who is a health care risk manager

At least one member who is sixty years of age or older.

Additional Terms are for four years.

Requirements: 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 - Physician

Number 19 - Dr. Vila was on the faculty of the University of South Florida (Anesthesiologist Faculty), 2000-2007.

COMMITTEE MEETING PACKET TAB

Ethics and Elections

7

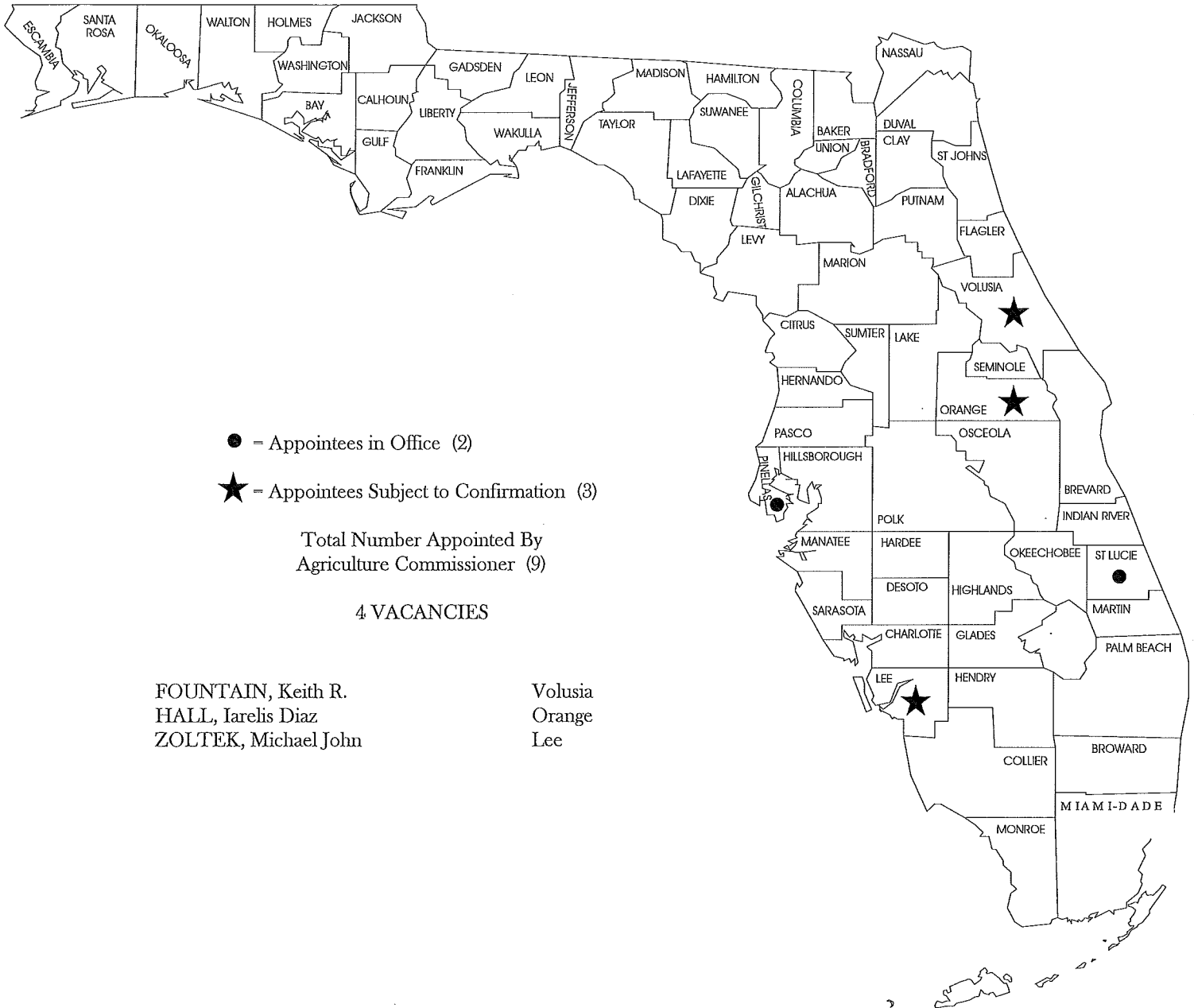
A2270F

MEETING DATE: Monday, February 3, 2020

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Professional Surveyors and Mappers



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

Total Number Appointed By
Agriculture Commissioner (9)

4 VACANCIES

FOUNTAIN, Keith R.
HALL, Iarelis Diaz
ZOLTEK, Michael John

Volusia
Orange
Lee

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Fountain, Keith R. Appointed: 11/05/2019
 Term: 11/01/2019 – 10/31/2021 Prior Term:
 City/County: DeLand/Volusia
 Office: Board of Professional Surveyors and Mappers, Member
 Authority: 472.007, F.S. & 20.165(4)(a)14, 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 1/24/20
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 1/15/20
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: Attorney, Keith Fountain Law, PLLC

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 appointed by the Commissioner of Agriculture consists of:
- Seven of whom shall be registered surveyors and mappers primarily engaged in the practice of surveying and mapping and
 - Two of whom shall be laypersons who are not and have never been surveyors and mappers or members of any closely related profession or occupation.

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 15 - Mr. Fountain disclosed that his consulting firm, Conservation Advisors, LLC, has a contractual relationship with the Florida Forest Service.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Zoltek, Michael John

Appointed: 05/06/2019

Term: 05/06/2019 – 10/31/2022

Prior Term:

City/County: Cape Coral/Lee

Office: Board of Professional Surveyors and Mappers, Member

Authority: 472.007, F.S. & 20.165(4)(a)14, 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 12/20/19
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 12/18/19
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: Project Manager for Woolpert, Inc., (surveying)

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 appointed by the Commissioner of Agriculture consists of:
- Seven of whom shall be registered surveyors and mappers primarily engaged in the practice of surveying and mapping and
 - Two of whom shall be laypersons who are not and have never been surveyors and mappers or members of any closely related profession or occupation.

Additional Terms are for four years.

Requirements: 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. Zoltek served in the U.S. Army, 1987-1989.
Number 8 - Professional Surveyor and Mapper
Number 15 - Mr. Zoltek disclosed that his employer, Woolpert, Inc., has contracts for professional surveying services with state agencies.

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/SJR 1216

INTRODUCER: Ethics and Elections Committee and Senator Gruters

SUBJECT: Limitation on Terms of Office for Members of a District School Board

DATE: February 4, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	Fav/CS
2.			ED	
3.			RC	

I. Summary:

CS/SJR 1216 proposes that district school board members be subject to an 8-year consecutive service term limitation. The language mirrors the current “eight is enough” term limit that applies to Cabinet members and legislators. The provision would operate prospectively beginning with the 2020 general election. The likely earliest date that any currently serving school board member could be “termed-out” would be in November 2028.

The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that specific purpose.

II. Present Situation:

Term Limits

The Florida Constitution provides that a person holding any of the following offices may not have his or her name on the ballot for reelection if the person has served, or but for resignation would have served, in an office for eight consecutive years:

- State Senator;
- State Representative;
- Lieutenant Governor;
- Florida Cabinet member;
- U.S. Representative from Florida; or
- U.S. Senator from Florida.¹

¹ Art. VI, s. 4(b), FLA. CONST.

The U.S. Supreme Court has held that state-imposed limits on the terms of *federal* office holders violate the U.S. Constitution, effectively rendering unenforceable Florida's term limits on its congressional members.²

The term limits provision was proposed by citizen initiative and passed at the 1992 general election by a greater than 3-to-1 margin (approved by over 76% of electors voting on the measure).³ The amendment applied *prospectively*; service prior to the 1992 election did not count toward the eight-year restriction. Thus, the term limits amendment did not begin to have a direct impact until the 2000 election cycle.

Florida School Boards

There are currently 358 school board members across the 67 districts in Florida, serving upwards of 2.83 million public school students.⁴ There is no provision in the Florida Constitution or Florida Statutes that limits the term of school board members.

Section 4(a) of Article IX of the Florida Constitution provides that:

Each county shall constitute a school district ... In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

The responsibility of each school district includes operating, controlling, and supervising all free public schools within the school district and determining the rate of school district taxes within the limits of the school district.⁵

III. Effect of Proposed Changes:

CS/SJR 1216 provides that a person may not appear on the ballot for reelection to the office of school board member if by the end of his or her current term he or she served, or but for resignation will have served, in that office for 8 consecutive years. The language mirrors the current constitutional limits that apply to Cabinet members and state legislators. The proposed amendment would operate prospectively beginning with the 2020 general election, unless the Legislature authorizes it to be voted at an earlier special election. Thus, barring a special election on the amendment, the earliest any currently serving school board member could be "termed-out" would be at the 2028 general election.

² See, *U.S. Term Limits, Inc. v. Thornton*, 115 S. Ct. 1842 (1995).

³ See Florida Division of Elections website at <http://dos.elections.myflorida.com/initiatives/> (Year= "1992"; Status = "Passed/Defeated"; Ballot Proposal #9) (last visited Jan. 13, 2020). For more information on the 1992 term-limit constitutional amendment, see <http://dos.elections.myflorida.com/initiatives/initdetail.asp?account=1066&seqnum=1> (last visited Jan. 13, 2020).

⁴ The Florida School Boards Association, *State of the Association, Vol. 4* at p.1 (2018-19 Annual Report), available at: <http://fsba.org/wp-content/uploads/2019/12/2018-2019-Annual-Report-FINAL.pdf> (last visited Jan. 13, 2020). For a list of all Florida school boards and a link to the corresponding school boards website see: <http://fsba.org/membership/school-boards/> (last visited Jan. 13, 2020).

⁵ Fla. Const. Art. IX s. 4(b).

The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that purpose. The joint resolution would apply upon approval of the voters — at least 60% of those voting on the measure.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment shall be submitted to the electors. The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments.

The Division has not completed an agency bill analysis for this bill or for the identical House Bill. Using the Division's 2018 general election estimate of \$120.31 per word, this 318-word amendment should cost just over **\$38,250**.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This joint resolution substantially amends Articles IX and XII of the Florida Constitution.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections on February 3, 2020:

The CS reduces the term-limit provisions for school board members from 12 to 8 consecutive years.

B. Amendments:

None.



327674

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (Gruters) recommended the following:

Senate Amendment

Delete lines 34 - 53
and insert:
resignation would have served, in that office for eight
consecutive years.

ARTICLE XII

SCHEDULE

Limitation on terms of office for members of a district
school board.-This section and the amendment to Section 4 of



327674

11 Article IX imposing limits on the terms of office for members of
12 a district school board shall take effect on the date they are
13 approved by the electorate, but no service in a term of office
14 that commenced before November 3, 2020, will be counted toward
15 the limitation imposed by this amendment.

16 BE IT FURTHER RESOLVED that the following statement be
17 placed on the ballot:

18 CONSTITUTIONAL AMENDMENT

19 ARTICLE IX, SECTION 4

20 ARTICLE XII

21 LIMITATION ON TERMS OF OFFICE FOR MEMBERS OF A DISTRICT SCHOOL
22 BOARD.—Proposing an amendment to the State Constitution to limit
23 terms for school board members by prohibiting incumbent members
24 who have held the office for the preceding eight years

By Senator Gruters

23-01781A-20

20201216__

Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to limit the terms of office for a member of a district school board.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 4. School districts; school boards.—

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

23-01781A-20

20201216__

joint educational programs.

(c) A person may not appear on the ballot for reelection to the office of school board member if, by the end of his or her current term of office, the person will have served, or but for resignation would have served, in that office for twelve consecutive years.

ARTICLE XII

SCHEDULE

Limitation on terms of office for members of a district school board.—This section and the amendment to Section 4 of Article IX imposing limits on the terms of office for members of a district school board shall take effect on the date they are approved by the electorate, but no service in a term of office that commenced before November 3, 2020, will be counted toward the limitation imposed by this amendment.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTION 4

ARTICLE XII

LIMITATION ON TERMS OF OFFICE FOR MEMBERS OF A DISTRICT SCHOOL BOARD.—Proposing an amendment to the State Constitution to limit terms for school board members by prohibiting incumbent members who have held the office for the preceding twelve years from appearing on a ballot for reelection to that office and to specify that the amendment applies only to terms of office beginning on or after November 3, 2020.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/13/20

Meeting Date

Tab #8

SJR

1216

Bill Number (if applicable)

327674

Amendment Barcode (if applicable)

Topic School board term limits

Name Nick Tomboulides

Job Title Executive Director, US Term Limits

Address 3270 Swobace Blvd #201

Phone _____

Street

Melbourne

City

FL

State

32940

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing US Term Limits

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)

2-3-20

Meeting Date

SJR 1216

Bill Number (if applicable)

327674

Amendment Barcode (if applicable)

Topic Term Limit for School Board

Name Chris Doolin

Job Title Consultant

Address 1118 B Thomasville Road

Phone 850-508-5492

Street

TALLA

Fl.

32303

City

State

Zip

Email cdoolin@netally.com

Speaking: For [] Against [X] Information []

Waive Speaking: In Support [] Against []

(The Chair will read this information into the record.)

Representing Small School District Council Consortium

Appearing at request of Chair: Yes [] No []

Lobbyist registered with Legislature: Yes [X] 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.

TAB #8

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-4-20

Meeting Date

SB 1216

Bill Number (if applicable)

Topic School Board Term Limits

Amendment Barcode (if applicable)

Name Joseph M Shaffer

Job Title Material Handling Specialist

Address 3432 Dante Dr

Phone 941-586-2629

Sarasota
City

FL
State

34235
Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Myself

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)

2-4-2020

Meeting Date

SB 1216

Bill Number (if applicable)

Topic SCHOOL BOARD TERM LIMITS

Amendment Barcode (if applicable)

Name DAVID STOVER

Job Title TROPICANA PRODUCTS/REFRIGERATION OPERATOR

Address 386 SE THORNHILL DRIVE

Phone _____

Street

PORT ST. LOUISE, FL 34983

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing MYSELF

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

1216

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/3/20

Meeting Date

~~SB 1336~~

Bill Number (if applicable)

Topic School Board Term Limits

Amendment Barcode (if applicable)

Name Jonathan Howell

Job Title Electrical

Address 3935 NW 36th St

Phone 386 292 2585

Street

Gainesville

City

FL

State

32605

Zip

Email JonathanAHowell@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Myself

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/3/20

Meeting Date

1216

Bill Number (if applicable)

Topic School board term limits

Amendment Barcode (if applicable)

Name Robert Howell

Job Title Laborer

Address 31829 Sunpark Cir

Phone (407) 284-9801

Street

Leesburg

City

FL

State

34748

Zip

Email Bobby Howell28@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

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 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/3/2020

Meeting Date

1216

Bill Number (if applicable)

Topic School Board Term Limits

Amendment Barcode (if applicable)

Name William Ross

Job Title EO 4

Address 4833 Pat Ann Terrane

Phone 321 247 0619

Street

Orlando FL

32808

Email Whimpy254@gmail.com

City

State

Zip

Speaking: [] For [] Against [] Information

Waive Speaking: [] In Support [X] Against

(The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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)

2/3/20 Meeting Date

1216 Bill Number (if applicable)

Topic Limitations on school Board

Amendment Barcode (if applicable)

Name Lauren Gallo

Job Title Lobbyist

Address 106 E College Ave suite 640 Tallahassee Florida 32307

Phone (850) 224-1660

Email lngallogallo@gmail.com

Speaking: For [checked] Against [] Information []

Waive Speaking: In Support [] Against [checked] (The Chair will read this information into the record.)

Representing League of women voters

Appearing at request of Chair: Yes [] No []

Lobbyist registered with Legislature: Yes [checked] 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)

4/31/20 Meeting Date

SB 1216 Bill Number (if applicable)

Topic School board term limits

Amendment Barcode (if applicable)

Name Brett Farrell

Job Title Electrician

Address 504 SW Buechi Glen Street

Phone 352-615-4986

Farf White City FL 32038

Email

Speaking: [] For [] Against [] Information

Waive Speaking: [] In Support [x] Against (The Chair will read this information into the record.)

Representing Myself

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [] Yes [x] 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

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-3-20

Meeting Date

1216

Bill Number (if applicable)

Topic School Board Term Limits

Amendment Barcode (if applicable)

Name Raymond Caldwell

Job Title Labourer

Address 552 Bison circle
Street

Phone (407) 670-4566

Apopka FL 32712
City State Zip

Email Bigfragg82@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Myself

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 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-14

Meeting Date

1216

Bill Number (if applicable)

Topic Team Limits For School Bonds Limit

Amendment Barcode (if applicable)

Name Frank Mangood

Job Title Letter Campaign

Address 1167 Sunrise Rd

Phone 386 846-1621

Street

Daytona Beach, FL 32114

City

State

Zip

Email Poolfund10@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-3-20

Meeting Date

SB 1216

Bill Number (if applicable)

Topic TCM limits

Amendment Barcode (if applicable)

Name JAMES Eagle

Job Title Electrician

Address 3509 NW 22nd Dr

Phone 901-483-4800

Street

Gainesville FL 32605

City

State

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

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.

Tab #8

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/3/20

Meeting Date

SJR 1216

Bill Number (if applicable)

Topic School board term limits

Amendment Barcode (if applicable)

Name Nick Tomboulides

Job Title Executive Director, US Term Limits

Address 3270 Swatara Blvd #201

Phone _____

Street

Melbourne

FL

32

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing US Term Limits

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)

2/3/20

Meeting Date

SB 1216

Bill Number (if applicable)

Topic School Board Term Limits

Amendment Barcode (if applicable)

Name Mike Budd

Job Title Retired

Address 2047 Newcastle C

Phone 561-289-3599

Street

Boca Raton FL 33434

Email mbudd44@gmail.com

City

State

Zip

Speaking: [] For [X] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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)

2-3-20

Meeting Date

STR 1216

Bill Number (if applicable)

Topic Term limits for School Board

Amendment Barcode (if applicable)

Name Chris Doolin

Job Title Consultant

Address 1118-B Thomasville, Road

Phone 850-508-5492

Tallahassee, FLA. 32303

Email cdoolin@netally.com

Speaking: For [] Against [X] Information []

Waive Speaking: In Support [] Against [] (The Chair will read this information into the record.)

Representing Small School District Council Consortium

Appearing at request of Chair: Yes [] No []

Lobbyist registered with Legislature: Yes [X] 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)

2/3/20
Meeting Date

SB 1216
Bill Number (if applicable)

Topic Term Limits

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Job Title _____

Address 135 S. Monroe
Street

Phone 850 - 224 - 8526

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida AFL-CIO

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 (10/14/14)

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 814

INTRODUCER: Ethics and Elections Committee and Senator Perry

SUBJECT: Disposition of Surplus Funds by Candidates

DATE: February 4, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	Fav/CS
2.			GO	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 814 amends s. 106.141, F.S., regarding the disposition of surplus funds by candidates following elections. The bill places a limitation on the current charitable option for the disposition of surplus campaign funds. It prohibits a candidate from being employed by the charitable organization to which he or she donates the funds. Current law provides that a candidate failing to dispose of campaign funds to a charity in the manner prescribed by statute commits a first-degree misdemeanor.

The bill also allows any candidate to remit surplus campaign funds either to the State general revenue fund or to any local political subdivision's general revenue fund of the candidate's choice; currently, state candidates only have the option to give to the *State* general revenue fund, and local candidates to the political subdivision's general revenue fund.

The bill takes effect July 1, 2020.

II. Present Situation:

A candidate who withdraws his or her candidacy, becomes unopposed, or is eliminated or elected to office must dispose of surplus funds in his or her campaign account within 90 days and file a

termination report reflecting the disposition of all remaining funds.¹ Florida law provides former candidates with seven non-exclusive options for disposing of surplus funds:²

- Return funds *pro rata* to contributors;
- Give the funds as a charitable donation;
- Rebate up to \$25,000 to the candidate’s political party;
- Deposit funds to the General Revenue Fund of State (*state candidates*) or to the local political subdivision for the office the candidate is seeking to represent (*local candidates*);
- Purchase “thank you” advertising for up to 75 days;
- Pay for items obligated before the candidate withdrew, became unopposed, or was eliminated or elected; and,
- Pay for necessary expenses to close down the campaign office and prepare final reports.

The statutory language for the charitable donation option authorizes candidates to:

Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the requirements of s. 501(c)(3) of the Internal Revenue Code.³

Thus, the only limitation is that funds must be given to a 501(c)(3) organization(s).

Any candidate who fails to dispose of campaign funds to a charity in the manner provided by statute commits a first-degree misdemeanor.⁴

III. Effect of Proposed Changes:

Section 1 amends s. 106.141, F.S.; provides that, for charitable donations involving surplus campaign funds, the candidate may not be employed by the charitable organization to which he or she donates the funds; candidates who violate this new restriction commit a first-degree misdemeanor.

The bill also allows *any* candidate to remit surplus funds *either* to the State general revenue fund or to *any* local political subdivision’s general revenue fund; currently, state candidates only have the option to give to the *State* general revenue fund, and local candidates to the political subdivision’s general revenue fund for which they are seeking office.

Section 2 provides that the bill takes effect July 1, 2020.

¹ Section 106.141, F.S.

² Sections 106.11(5) and 106.141(4)(a), F.S. Successful candidates have the additional option to transfer a certain amount of the surplus funds to an “office account,” to be used for “legitimate expenses in connection with the candidate’s public office.” Section 106.141(5), F.S. Candidates receiving public campaign financing must return *all* excess funds to the State General Revenue Fund after paying for any items for which the campaign was liable before withdrawing, becoming unopposed, or being eliminated or elected. Section 106.141(4)(b), F.S.

³ Section 106.141(4)(a)2., F.S.

⁴ Section 106.141(11), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill could result in additions to State and/or local political subdivision general revenue funds that can now receive surplus campaign funds from *any* state or local candidate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 106.141 of the Florida Statutes.

IX. 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 February 3, 2020:

The CS expands the options for disposing of surplus campaign funds by allowing any candidate to remit funds either to the State general revenue fund or to any local political subdivision’s general revenue fund.

- B. **Amendments:**

None.



362040

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 27 - 34

and insert:

4. Give the funds that have not been spent or obligated:

a. ~~In the case of a candidate for state office,~~ To the state, to be deposited in either the Election Campaign Financing Trust Fund or the General Revenue Fund, as designated by the candidate; or

b. ~~In the case of a candidate for an office of a political~~



362040

11 ~~subdivision,~~ To a ~~such~~ political subdivision, to be deposited in
12 the general fund thereof.

13

14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 Delete line 5

17 and insert:

18 organization that employs the candidate; authorizing
19 any candidate to give certain surplus funds to the
20 state or a political subdivision to be disbursed in a
21 specified manner; providing an

By Senator Perry

8-01021-20

2020814__

1 A bill to be entitled
 2 An act relating to the disposition of surplus funds by
 3 candidates; amending s. 106.141, F.S.; prohibiting a
 4 candidate from donating surplus funds to a charitable
 5 organization that employs the candidate; providing an
 6 effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Paragraph (a) of subsection (4) of section
 11 106.141, Florida Statutes, is amended to read:
 12 106.141 Disposition of surplus funds by candidates.-
 13 (4) (a) Except as provided in paragraph (b), any candidate
 14 required to dispose of funds pursuant to this section shall, at
 15 the option of the candidate, dispose of such funds by any of the
 16 following means, or any combination thereof:
 17 1. Return pro rata to each contributor the funds that have
 18 not been spent or obligated.
 19 2. Donate the funds that have not been spent or obligated
 20 to a charitable organization or organizations that meet the
 21 qualifications of s. 501(c)(3) of the Internal Revenue Code,
 22 except that the candidate may not be employed by the charitable
 23 organization to which he or she donates the funds.
 24 3. Give not more than \$25,000 of the funds that have not
 25 been spent or obligated to the affiliated party committee or
 26 political party of which such candidate is a member.
 27 4. Give the funds that have not been spent or obligated:
 28 a. In the case of a candidate for state office, to the
 29 state, to be deposited in either the Election Campaign Financing

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

8-01021-20

2020814__

30 Trust Fund or the General Revenue Fund, as designated by the
 31 candidate; or
 32 b. In the case of a candidate for an office of a political
 33 subdivision, to such political subdivision, to be deposited in
 34 the general fund thereof.
 35 Section 2. This act shall take effect July 1, 2020.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Tab #9

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-3-2020
Meeting Date

SB 814
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name David Ash

Job Title _____

Address PO Box 11201

Phone 850-251-0985

Tallahassee FL 32302

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

This form is part of the public record for this meeting.

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 1078

INTRODUCER: Military and Veterans Affairs and Space Committee and Senator Wright

SUBJECT: Special Election/Surviving Spouse Ad Valorem Tax Reduction

DATE: January 28, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	<u>Fav/CS</u>
2.	<u>Mitchell</u>	<u>Roberts</u>	<u>EE</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 1078 calls for a special election to be held on August 18, 2020, concurrent with other statewide elections held on that date, if any, for voters to approve or reject Senate Joint Resolution 1076 (SJR 1076) or a similar joint resolution having substantially the same specific intent and purpose enacted in the 2020 Regular Session of the legislature.

SJR 1076, if enacted, proposes to amend the constitution to provide a tax discount on homestead property for a surviving spouse of a qualifying veteran. Specifically, the constitutional amendment would allow the homestead property tax discount for a veteran aged 65 and older who has a permanent, combat-related disability to carry over to the veteran's surviving spouse, provided that the veteran applied for and received the discount.

As the bill provides for a special election, its passage requires a vote of approval by at least three-fourths of the membership of each house of the legislature.

The bill takes effect upon becoming a law.

II. Present Situation:

Current law provides a tax discount on homestead property for a partially or totally permanently combat-disabled veteran aged 65 or older, provided that he or she received an honorable

discharge from military service.¹ While other discounts and exemptions on homestead property extend to a surviving spouse of a qualifying veteran, the discount provided in s. 196.082, F.S., does not.

III. Effect of Proposed Changes:

SB 1078 calls for a special election to be held on August 18, 2020, concurrent with other statewide elections held on that date, if any, for voters to approve or reject Senate Joint Resolution 1076 (SJR 1076) or a similar joint resolution having substantially the same specific intent and purpose enacted in the 2020 Regular Session. August 18, 2020, is the date of the Primary Election in Florida.²

SJR 1076, if enacted, proposes to amend the constitution to provide a tax discount on homestead property for a surviving spouse of a qualifying veteran. Specifically, the constitutional amendment would allow the homestead property tax discount for a veteran aged 65 and older who has a permanent, combat-related disability to carry over to the veteran's surviving spouse, provided that the veteran applied for and received the discount.

The bill specifies that notice is to be given in accordance with Article XI, section 5 of the Florida Constitution, rather than the statutory requirement for a publication of notice for a special election, thereby providing a greater length of time for the notice.³

As the bill provides for a special election, its passage requires a vote of approval by at least three-fourths of the membership of each house of the legislature.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill may require some counties or municipalities to spend funds or take action requiring the expenditure of funds in order to comply with the new election date requirements created by the bill; however, Article VII, section 18 of the Florida Constitution explicitly exempts election laws from the county/municipality "mandates" provision within that section.

B. Public Records/Open Meetings Issues:

None.

¹ Section 196.082, F.S.

² Department of State, *Election Dates for 2020*, available at <https://dos.myflorida.com/elections/for-voters/election-dates/> (last visited Jan. 31, 2020).

³ The proposed amendment or revision with notice of the date of the election must be published in one newspaper of general circulation in each county in which a newspaper is published once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held. FLA. CONST. art XI, s. 5(d) (1968).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Article XI, section 1 of the Florida Constitution authorizes the legislature to propose amendments to the State Constitution by joint resolution approved by a three-fifths vote of the membership of each house. The amendment must be placed before the electorate at the next general election held more than 90 days after the proposal has been filed with the Secretary of State or at a special election. For an amendment to be placed on the ballot at a special election, however, an affirmative vote of three-fourths of the membership of each house of the legislature is required.⁴

Article XI, section 5(e) of the Florida Constitution requires approval by 60 percent of voters for a constitutional amendment to take effect. The amendment, if approved, becomes effective on the first Tuesday after the first Monday in January following the election, or on such other date specified in the amendment.

Prior to holding an election, Article XI, section 5(d) of the Florida Constitution requires a notice of the proposed amendment or revision and the date of the election to be published in a local newspaper of general circulation once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held. Florida statutory law provides that in the absence of specified notice for a special election, there shall be at least 30 days' notice of the election by publication in a local newspaper of general circulation. Publication must be made at least twice, once in the fifth week, and once in the third week prior to the week in which the election is to be held.⁵

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A local government could incur a cost increase, based on a situation in which there were no primary races and therefore no other elections on that date, or if the amendment

⁴ FLA. CONST. art XI, s. 5(a) (1968).

⁵ Section 100.342, F.S.

resulted in a need for an additional page on the ballot. Any fiscal impact is indeterminate at this time.⁶

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates an undesignated section of law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs and Space on January 22, 2020:

The CS simply includes the number of the Senate Joint Resolution (SJR 1076) that is linked to this bill.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁶ Email from Ronald A. Labasky, General Counsel, Florida Supervisors of Elections (Jan. 16, 2020) (on file with the Senate Committee on Military and Veterans Affairs and Space).

By the Committee on Military and Veterans Affairs and Space; and
Senator Wright

583-02452-20

20201078c1

1 A bill to be entitled
2 An act relating to a special election; providing for a
3 special election to be held on August 18, 2020,
4 pursuant to Section 5, Article XI of the State
5 Constitution, for the approval or rejection by the
6 electors of this state of amendments to the State
7 Constitution, proposed by joint resolution, relating
8 to an ad valorem tax discount for spouses of certain
9 deceased veterans who had permanent, combat-related
10 disabilities, the transfer of the ad valorem tax
11 discount to another permanent residence of the
12 surviving spouse under specified conditions, and an
13 effective date if such amendments are adopted;
14 providing for publication of notice and election
15 procedures; providing a contingent effective date.
16
17 Be It Enacted by the Legislature of the State of Florida:
18
19 Section 1. Pursuant to Section 5, Article XI of the State
20 Constitution, there shall be a special election on August 18,
21 2020, to be held concurrently with other statewide elections
22 held on that date, if any, at which there shall be submitted to
23 the electors of this state for approval or rejection the
24 amendments to the State Constitution proposed in Senate Joint
25 Resolution 1076, 2020 Regular Session, or a similar joint
26 resolution having substantially the same specific intent and
27 purpose.
28 Section 2. Publication of notice shall be in accordance
29 with Section 5, Article XI of the State Constitution. The

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

583-02452-20

20201078c1

30 special election shall be held in the same manner in which other
31 special elections are held.
32 Section 3. This act shall take effect upon becoming a law,
33 if enacted by a vote of at least three-fourths of the membership
34 of each house of the Legislature and if Senate Joint Resolution
35 1076, 2020 Regular Session, or a similar joint resolution having
36 substantially the same specific intent and purpose, is adopted
37 by both houses of the Legislature.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Brown, Cindy

From: Ronald Labasky <rlabasky@bplawfirm.net>
Sent: Thursday, January 16, 2020 1:22 PM
To: Brown, Cindy
Cc: Tammy Jones; David Ramba
Subject: SB 1078

Cindy: I am responding to your email to Tammy Jones concerning SB 1078. I am the General Counsel to the Florida Supervisors of Elections. We don't think we can quantify or provide possible cost increases or figures dealing with this bill being placed on Florida's August primary election ballot. Reasons for possible cost increase would be if a county did not have any primary races and thus no other elections on that date or if the amendment caused a county to have an additional page for that election. We wouldn't know about the actual primary ballot until qualifying occurs.

Ronald A. Labasky
Brewton Plante, PA
215 S. Monroe St., Suite 825 (32301)
P.O. Box 350 (32302)
Tallahassee, FL
850-222-7718 Office
222-8222 Fax
rlabasky@bplawfirm.net

Tab # 10

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2 3 20

Meeting Date

1078

Bill Number (if applicable)

Topic Surviving Spouse Tax Reduction

Amendment Barcode (if applicable)

Name Dan Hendrickson

Job Title president Tallahassee Veterans Legal Collaborative

Address PO Box 1201

Phone 850/570-1967

Street

Tallahassee

Fl

32302

Email danbhendrickson@comcast.net

City

State

Zip

Speaking: [] For [] Against [] Information

Waive Speaking: [x] In Support [] Against (The Chair will read this information into the record.)

Representing TALLAHASSEE VETERANS LEGAL COLLABORATIVE

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [] Yes [x] 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 (10/14/14)

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 1372

INTRODUCER: Ethics and Elections Committee and Senator Brandes

SUBJECT: Elections

DATE: February 5, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Mitchell	Roberts	EE	Fav/CS
2.			JU	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1372 makes technical election administration changes that the Florida State Supervisors of Elections Association (FSE) recommends for the 2020 general election cycle. The bill:

- Removes a prohibition against using the address on a voter's identification presented at the polls as the basis for confirming an elector's legal residence.
- Moves up the date for testing vote-tabulating equipment.
- Eliminates the duplication and substitution of vote-by-mail ballots with overvotes.
- Authorizes the initial mail-out date for domestic ballots in an all-mail, local referendum election to conform with domestic vote-by-mail ballots in other elections.
- Allows a qualifying office with the Department of State or supervisors of elections to accept and hold qualifying papers submitted by a state or county political party executive committeeperson candidate as much as 14 days before the beginning of the qualifying period.

In addition, CS/SB 1372 requires a poll watcher to be a qualified and registered elector of the state, broadening the current requirement to be a qualified and registered elector of the county.

CS/SB 1372 also preempts local governmental entities from enacting or adopting any limitation or restriction involving contributions to a political committee or electioneering communications organization or expenditures for an electioneering communication or an independent expenditure.

The bill takes effect July 1, 2020.

II. Present Situation:

“Technical” Election Administration Component of the FSE’s 2020 Legislative Package¹

Voter ID at the Polls

Section 101.043, F.S., governs voter intake at the polls on Election Day and during early voting, including such items as voter identification, signing-in the voter, signature verification, address verification, confirming the voter’s precinct, issuance of the proper ballot, etc.

The FSE’s 2020 legislative package identifies a conflict between the following two paragraphs of subsection (1) of that section.²

(b) If the (voter’s) picture identification does not contain the signature of the elector,³ an additional identification that provides the elector’s signature shall be required. The address appearing on the identification presented by the elector may not be used as the basis to confirm an elector’s legal residence or otherwise challenge an elector’s legal residence. ...

(c) When an elector presents his or her picture identification to the clerk or inspector and the elector’s address on the picture identification matches the elector’s address in the supervisor’s records, the elector may not be asked to provide additional information or to recite his or her home address.

The FSE proposes eliminating the underlined language above from paragraph (b).⁴

Logic & Accuracy Testing; Voting Tabulators

Each county election supervisor publicly tests the voting tabulating equipment for proper operation within 10 days before the start of early voting in the county.⁵ Since each supervisor has the discretion to begin early voting from the 10th to the 15th day before the election,⁶ supervisors must conduct logic and accuracy testing sometime between the 20th and 25th days before an election.

In 2019, the Legislature’s major election administration reform act moved up by one week the earliest starting date to canvass vote-by-mail ballots from the 15th to the 22nd day before the start of an election.⁷ The act’s oversight in not conforming the overlapping logic and accuracy testing dates, however, means that supervisors who don’t start early voting until the 10th, 11th, or 12th

¹ FSE, *2020 Legislative Priorities and Issues* (on file with the Senate Committee on Ethics and Elections) [hereinafter, *FSE 2020 Legislative Package*]. Note that the change conforming the initial mail-out date for ballots in all-vote-by-mail-ballot elections is not specifically mentioned in the FSE’s written package.

² Section 101.043(1)(b) and (c), F.S.

³ The statute enumerates 12 acceptable types of voter IDs with pictures, some of which may not contain a voter’s signature. Section 101.043(1)(a), F.S.

⁴ *FSE 2020 Legislative Package*, *supra* note 1.

⁵ Section 101.5612 (1) and (2), F.S.

⁶ Section 101.657(1)(d), F.S.

⁷ Section 101.68(2)(a), F.S.

day before an election will have to delay starting their vote-by-mail canvass by a couple of days in order to complete logic and accuracy testing.

The FSE's 2020 Legislative Package recommends moving the date for the start of vote-by-mail canvassing to 25 days before the election.⁸

Defective Ballot Duplication

Current law requires poll workers to duplicate two types of defective ballots in the presence of witnesses and to substitute the duplicate ballot for the original:⁹

- Physically damaged ballots that cannot be properly counted by the tabulators; and
- Overvoted and completely undervoted ballots, including all valid votes as determined by the canvassing board based on rules adopted by the Division of Elections.

The FSE's position is that, "(T)his duplication (of overvoted ballots) is very time consuming and completely wasteful."¹⁰

All-Mail-Ballot, Local Issue Elections

While not well-known or often implemented, Florida law does authorize the conduct of local referendum elections through an all-mail-ballot process (the "Mail Ballot Election Act").¹¹ Domestic all-mail ballots may not be sent to voters before the 20th day before the election.¹²

In 2019, the Legislature adopted a major election administration reform act that moved up the authorization date to begin mailing domestic vote-by-mail ballots in candidate elections, from 35 to 40 days before the election.¹³ No corresponding change, however, was made to the initial ballot mailing date for all-mail-ballot elections.

Political Party Committeeperson Qualifying Dates

Candidates for major political party executive committeepersons may qualify at the same time as most state and local partisan candidates, from noon on the 71st day before the primary election through noon on the 67th day before the primary election.¹⁴ The FSE asserts that this qualifying period is "a very busy week for every SOE (supervisor of elections)."¹⁵

Other Aspects of Florida's Election Law

Poll Watchers

Section 101.131, F.S., sets forth election day requirements for watchers at polls, including:

- Limitations on the number of watchers per political party, candidate, or political committee;

⁸ *FSE 2020 Legislative Package, supra* note 1.

⁹ Section 101.5614(4)(a), F.S.

¹⁰ *FSE 2020 Legislative Package, supra* note 1.

¹¹ See generally §§ 101.6101-101.6107, F.S.

¹² Section 101.6103(1), F.S.

¹³ Section 101.62(4)(b), F.S.

¹⁴ Section 103.091(4), F.S.; see s. 99.061(3), F.S.

¹⁵ *FSE 2020 Legislative Package, supra* note 1.

- Delineations of polling place areas accessible to poll watchers; and
- Necessity for poll watchers to register with supervisors of election.

Current law requires each poll worker to be a qualified and registered elector of the county in which he or she serves.¹⁶

Preemption of Local Government Enactments or Adoptions

Limitations on contributions in elections are governed by s. 106.08, F.S. There are no current statutory preemptions of local governmental entities regarding the adoption by local governments of limitations on contributions to political committees or electioneering communications organizations or on expenditures by those entities.

On November 9, 2017, the St. Petersburg City Council adopted Ordinance No. 306-H, which became effective January 1, 2018. The ordinance amended the St. Petersburg City Code to:

- Impose limits on contributions related to municipal elections from super PACs and foreign-influenced entities; and
- Require increased disclosure of independent expenditures, expenditures for electioneering communications, and other campaign finance matters related to municipal elections.¹⁷

III. Effect of Proposed Changes:

Section 1. Amends s. 101.043, F.S.; removes a perceived conflict regarding providing voter ID and confirming the voter's address and precinct.

Section 2. Amends s. 101.131, F.S.; broadens the pool of electors eligible to be poll watchers for a given polling room or early voting area by requiring that a poll watcher need only be a qualified and registered elector of the state, instead of a qualified and registered elector of the county in which he or she serves.

Section 3. Amends s. 101.5612, F.S.; moves the date for Logic and Accuracy Testing for vote tabulating equipment from any day not more than 10 days to any day not more than 25 days before the beginning of early voting to conform with 2019 statutory changes allowing canvassing boards to start canvassing vote-by-mail ballots on the 22nd day before an election; makes a conforming change to the public notice requirement.

Section 4. Amends s. 101.5614, F.S.; removes the requirement to duplicate and substitute overvoted ballots.

Section 5. Amends s. 101.6103, F.S.; allows supervisors to mail domestic vote-by-mail ballots and instructions to electors in all-mail-ballot, local referenda elections starting on the 40th day before the elections, to align with 2019 changes for mailing domestic, partisan candidate ballots.

Section 6. Amends s. 103.091, F.S.; allows a qualifying office with the Department of State or supervisors of elections to accept and hold qualifying papers submitted by a state or county

¹⁶ Section 101.131(1), F.S.

¹⁷ Ordinance No. 306-H, St. Petersburg City Code (2018).

political party executive committee person candidate as much as 14 days before the beginning of the qualifying period, to be processed and filed during the qualifying period. This will likely alleviate administrative burdens on the supervisors of elections during the qualifying week.

Section 7. Amends s. 106.08, F.S.; expressly preempts a county, municipality, or any other local governmental entity from enacting or adopting any limitation or restriction involving contributions to a political committee or electioneering communications organization or expenditures for an electioneering communication or an independent expenditure.

The bill takes effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. Bills which affect state or local elections are exempt from Article VII, section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill could result in greater participation and contributions from individuals and political committees in local government elections.

C. Government Sector Impact:

Supervisors of elections may realize some cost savings with respect to mailing vote-by-mail ballots in all-mail-ballot, local referenda elections at the same time as partisan

candidates. Such savings are expected to be minimal, and will not impact state revenues since such elections are paid for by the local counties and any savings will accrue thereto.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 101.043, 101.131, 101.5612, 101.5614, 101.6103, 103.091, and 106.08.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



169522

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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	.	

The Committee on Ethics and Elections (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (1) of section
101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.-

(1)

(b) If the picture identification does not contain the
signature of the elector, an additional identification that



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11 provides the elector's signature shall be required. The address
12 appearing on the identification presented by the elector may not
13 be used as the basis to ~~confirm an elector's legal residence or~~
14 ~~otherwise~~ challenge an elector's legal residence. The elector
15 shall sign his or her name in the space provided on the precinct
16 register or on an electronic device provided for recording the
17 elector's signature. The clerk or inspector shall compare the
18 signature with that on the identification provided by the
19 elector and enter his or her initials in the space provided on
20 the precinct register or on an electronic device provided for
21 that purpose and allow the elector to vote if the clerk or
22 inspector is satisfied as to the identity of the elector.

23 Section 2. Subsection (2) of section 101.5612, Florida
24 Statutes, is amended to read:

25 101.5612 Testing of tabulating equipment.—

26 (2) On any day not more than 25 ~~10~~ days before ~~prior to~~ the
27 commencement of early voting as provided in s. 101.657, the
28 supervisor of elections shall have the automatic tabulating
29 equipment publicly tested to ascertain that the equipment will
30 correctly count the votes cast for all offices and on all
31 measures. If the ballots to be used at the polling place on
32 election day are not available at the time of the testing, the
33 supervisor may conduct an additional test not more than 10 days
34 before election day. Public notice of the time and place of the
35 test shall be given at least 48 hours prior thereto by
36 publication on the supervisor of elections' website and once in
37 one or more newspapers of general circulation in the county or,
38 if there is no newspaper of general circulation in the county,
39 by posting the notice in at least four conspicuous places in the



169522

40 county. The supervisor or the municipal elections official may,
41 at the time of qualifying, give written notice of the time and
42 location of the public preelection test to each candidate
43 qualifying with that office and obtain a signed receipt that the
44 notice has been given. The Department of State shall give
45 written notice to each statewide candidate at the time of
46 qualifying, or immediately at the end of qualifying, that the
47 voting equipment will be tested and advise each candidate to
48 contact the county supervisor of elections as to the time and
49 location of the public preelection test. The supervisor or the
50 municipal elections official shall, at least 30 ~~15~~ days before
51 ~~prior to~~ the commencement of early voting as provided in s.
52 101.657, send written notice by certified mail to the county
53 party chair of each political party and to all candidates for
54 other than statewide office whose names appear on the ballot in
55 the county and who did not receive written notification from the
56 supervisor or municipal elections official at the time of
57 qualifying, stating the time and location of the public
58 preelection test of the automatic tabulating equipment. The
59 canvassing board shall convene, and each member of the
60 canvassing board shall certify to the accuracy of the test. For
61 the test, the canvassing board may designate one member to
62 represent it. The test shall be open to representatives of the
63 political parties, the press, and the public. Each political
64 party may designate one person with expertise in the computer
65 field who shall be allowed in the central counting room when all
66 tests are being conducted and when the official votes are being
67 counted. The designee shall not interfere with the normal
68 operation of the canvassing board.



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69 Section 3. Paragraph (a) of subsection (4) of section
70 101.5614, Florida Statutes, is amended to read:

71 101.5614 Canvass of returns.—

72 (4) (a) If any vote-by-mail ballot is physically damaged so
73 that it cannot properly be counted by the automatic tabulating
74 equipment, a true duplicate copy shall be made of the damaged
75 ballot in the presence of witnesses and substituted for the
76 damaged ballot. ~~Likewise,~~ A duplicate ballot must also ~~shall~~ be
77 made of a ~~vote-by-mail ballot containing an overvoted race or a~~
78 marked vote-by-mail ballot in which every race is undervoted,
79 including ~~which shall include~~ all valid votes as determined by
80 the canvassing board based on rules adopted by the division
81 pursuant to s. 102.166(4). Upon request, a physically present
82 candidate, a political party official, a political committee
83 official, or an authorized designee thereof, must be allowed to
84 observe the duplication of ballots. All duplicate ballots shall
85 be clearly labeled "duplicate," bear a serial number which shall
86 be recorded on the defective ballot, and be counted in lieu of
87 the defective ballot. After a ballot has been duplicated, the
88 defective ballot shall be placed in an envelope provided for
89 that purpose, and the duplicate ballot shall be tallied with the
90 other ballots for that precinct.

91 Section 4. Subsection (1) of section 101.6103, Florida
92 Statutes, is amended to read:

93 101.6103 Mail ballot election procedure.—

94 (1) Except as otherwise provided in subsection (7), the
95 supervisor of elections shall mail all official ballots with a
96 secrecy envelope, a return mailing envelope, and instructions
97 sufficient to describe the voting process to each elector



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98 entitled to vote in the election not sooner than the 40th ~~20th~~
99 day before the election and not later than the 10th day before
100 the date of the election. All such ballots shall be mailed by
101 first-class mail. Ballots shall be addressed to each elector at
102 the address appearing in the registration records and placed in
103 an envelope which is prominently marked "Do Not Forward."

104 Section 5. Subsection (4) of section 103.091, Florida
105 Statutes, is amended to read:

106 103.091 Political parties.—

107 (4) Any political party other than a minor political party
108 may by rule provide for the membership of its state or county
109 executive committee to be elected for 4-year terms at the
110 primary election in each year a presidential election is held.
111 The terms begin ~~shall commence~~ on the first day of the month
112 following each presidential general election, ~~+~~ but the names of
113 candidates for political party offices may ~~shall~~ not be placed
114 on the ballot at any other election. The results of such
115 election shall be determined by a plurality of the votes cast.
116 In such event, electors seeking to qualify for such office shall
117 do so with the Department of State or supervisor of elections no
118 ~~not~~ earlier than noon of the 71st day, or later than noon of the
119 67th day, preceding the primary election. Notwithstanding the
120 qualifying period prescribed in this subsection, a qualifying
121 office may accept and hold qualifying papers submitted no
122 earlier than 14 days before the beginning of the qualifying
123 period, to be processed and filed during the qualifying period.
124 The outgoing chair of each county executive committee shall,
125 within 30 days after the committee members take office, hold an
126 organizational meeting of all newly elected members for the



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127 purpose of electing officers. The chair of each state executive
128 committee shall, within 60 days after the committee members take
129 office, hold an organizational meeting of all newly elected
130 members for the purpose of electing officers.

131 Section 6. This act shall take effect July 1, 2020.

132

133 ===== T I T L E A M E N D M E N T =====

134 And the title is amended as follows:

135 Delete everything before the enacting clause
136 and insert:

137 A bill to be entitled
138 An act relating to elections; amending s. 101.043,
139 F.S.; deleting a provision that prohibits the use of
140 an address appearing on identification presented by an
141 elector at the polls as a basis to confirm an
142 elector's legal residence; amending s. 101.5612, F.S.;
143 revising the timeframes for conducting public
144 preelection testing of automatic tabulating equipment;
145 amending s. 101.5614, F.S.; removing the requirement
146 that duplicate ballots be made of vote-by-mail ballots
147 containing overvoted races; amending s. 101.6103,
148 F.S.; revising the timeframe in which the supervisor
149 of elections must mail ballots in elections conducted
150 under the Mail Ballot Election Act; amending s.
151 103.091, F.S.; authorizing a qualifying office to
152 accept and hold qualifying papers for candidates for
153 political party executive committees before the
154 beginning of the qualifying period; providing an
155 effective date.



402364

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Ethics and Elections (Brandes) recommended the following:

1 **Senate Amendment to Amendment (169522) (with title**
2 **amendment)**

3
4 Between lines 22 and 23
5 insert:

6 Section 2. Subsection (1) of section 101.131, Florida
7 Statutes, is amended to read:

8 101.131 Watchers at polls.—

9 (1) Each political party and each candidate may have one
10 watcher in each polling room or early voting area at any one



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11 time during the election. A political committee formed for the
12 specific purpose of expressly advocating the passage or defeat
13 of an issue on the ballot may have one watcher for each polling
14 room or early voting area at any one time during the election. A
15 ~~No~~ watcher may not ~~shall be permitted to~~ come closer to the
16 officials' table or the voting booths than is reasonably
17 necessary to properly perform his or her functions, but is each
18 ~~shall be~~ allowed within the polling room or early voting area to
19 watch and observe the conduct of electors and officials. The
20 poll watchers shall furnish their own materials and necessities
21 and may ~~shall~~ not obstruct the orderly conduct of any election.
22 The poll watchers shall pose any questions regarding polling
23 place procedures directly to the clerk for resolution. They may
24 not interact with voters. Each poll watcher must ~~shall~~ be a
25 qualified and registered elector of this state ~~the county in~~
26 ~~which he or she serves.~~

27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Delete line 142

31 and insert:

32 elector's legal residence; amending s. 101.131, F.S.;

33 revising requirements for eligibility to serve as a

34 poll watcher; amending s. 101.5612, F.S.;



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Ethics and Elections (Brandes) recommended the following:

1 **Senate Amendment to Amendment (169522) (with title**
2 **amendment)**

3
4 Between lines 130 and 131
5 insert:

6 Section 6. Subsection (11) is added to section 106.08,
7 Florida Statutes, to read:

8 106.08 Contributions; limitations on; preemption.—
9 (11) A county, a municipality, or any other local
10 governmental entity is expressly preempted from enacting or



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11 adopting any limitation or restriction involving:

12 (a) Contributions to a political committee or an
13 electioneering communications organization.

14 (b) Expenditures for an electioneering communication or an
15 independent expenditure.

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 Delete line 154

20 and insert:

21 beginning of the qualifying period; amending s.
22 106.08, F.S.; preempting counties, municipalities, and
23 other local governmental entities from enacting or
24 adopting any limitation or restriction involving
25 certain contributions and expenditures; providing an

By Senator Brandes

24-01581-20

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1 A bill to be entitled
 2 An act relating to elections; amending s. 101.043,
 3 F.S.; deleting a provision that prohibits the use of
 4 an address appearing on identification presented by an
 5 elector at the polls as a basis to confirm or
 6 otherwise challenge an elector's legal residence;
 7 amending s. 101.5612, F.S.; revising the timeframes
 8 for conducting public preelection testing of automatic
 9 tabulating equipment; amending s. 101.5614, F.S.;
 10 removing the requirement that duplicate ballots be
 11 made of vote-by-mail ballots containing overvoted
 12 races; amending s. 101.6103, F.S.; revising the
 13 timeframe in which the supervisor of elections must
 14 mail ballots in elections conducted under the Mail
 15 Ballot Election Act; amending s. 103.091, F.S.;
 16 expanding the timeframe within which candidates for
 17 political party executive committees may qualify for
 18 office; providing an effective date.

19 Be It Enacted by the Legislature of the State of Florida:

20 Section 1. Paragraph (b) of subsection (1) of section
 21 101.043, Florida Statutes, is amended to read:
 22 101.043 Identification required at polls.—
 23 (1)
 24 (b) If the picture identification does not contain the
 25 signature of the elector, an additional identification that
 26 provides the elector's signature shall be required. ~~The address~~
 27 ~~appearing on the identification presented by the elector may not~~
 28
 29

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30 ~~be used as the basis to confirm an elector's legal residence or~~
 31 ~~otherwise challenge an elector's legal residence.~~ The elector
 32 shall sign his or her name in the space provided on the precinct
 33 register or on an electronic device provided for recording the
 34 elector's signature. The clerk or inspector shall compare the
 35 signature with that on the identification provided by the
 36 elector and enter his or her initials in the space provided on
 37 the precinct register or on an electronic device provided for
 38 that purpose and allow the elector to vote if the clerk or
 39 inspector is satisfied as to the identity of the elector.

40 Section 2. Subsection (2) of section 101.5612, Florida
 41 Statutes, is amended to read:

42 101.5612 Testing of tabulating equipment.—

43 (2) On any day not more than 25 ~~40~~ days before ~~prior to~~ the
 44 commencement of early voting as provided in s. 101.657, the
 45 supervisor of elections shall have the automatic tabulating
 46 equipment publicly tested to ascertain that the equipment will
 47 correctly count the votes cast for all offices and on all
 48 measures. If the ballots to be used at the polling place on
 49 election day are not available at the time of the testing, the
 50 supervisor may conduct an additional test not more than 10 days
 51 before election day. Public notice of the time and place of the
 52 test shall be given at least 48 hours prior thereto by
 53 publication on the supervisor of elections' website and once in
 54 one or more newspapers of general circulation in the county or,
 55 if there is no newspaper of general circulation in the county,
 56 by posting the notice in at least four conspicuous places in the
 57 county. The supervisor or the municipal elections official may,
 58 at the time of qualifying, give written notice of the time and

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59 location of the public preelection test to each candidate
 60 qualifying with that office and obtain a signed receipt that the
 61 notice has been given. The Department of State shall give
 62 written notice to each statewide candidate at the time of
 63 qualifying, or immediately at the end of qualifying, that the
 64 voting equipment will be tested and advise each candidate to
 65 contact the county supervisor of elections as to the time and
 66 location of the public preelection test. The supervisor or the
 67 municipal elections official shall, at least 30 ~~45~~ days before
 68 ~~prior to~~ the commencement of early voting as provided in s.
 69 101.657, send written notice by certified mail to the county
 70 party chair of each political party and to all candidates for
 71 other than statewide office whose names appear on the ballot in
 72 the county and who did not receive written notification from the
 73 supervisor or municipal elections official at the time of
 74 qualifying, stating the time and location of the public
 75 preelection test of the automatic tabulating equipment. The
 76 canvassing board shall convene, and each member of the
 77 canvassing board shall certify to the accuracy of the test. For
 78 the test, the canvassing board may designate one member to
 79 represent it. The test shall be open to representatives of the
 80 political parties, the press, and the public. Each political
 81 party may designate one person with expertise in the computer
 82 field who shall be allowed in the central counting room when all
 83 tests are being conducted and when the official votes are being
 84 counted. The designee shall not interfere with the normal
 85 operation of the canvassing board.

86 Section 3. Paragraph (a) of subsection (4) of section
 87 101.5614, Florida Statutes, is amended to read:

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88 101.5614 Canvass of returns.-
 89 (4) (a) If any vote-by-mail ballot is physically damaged so
 90 that it cannot properly be counted by the automatic tabulating
 91 equipment, a true duplicate copy shall be made of the damaged
 92 ballot in the presence of witnesses and substituted for the
 93 damaged ballot. ~~Likewise,~~ A duplicate ballot must also ~~shall~~ be
 94 made of ~~a vote-by-mail ballot containing an overvoted race or a~~
 95 marked vote-by-mail ballot in which every race is undervoted,
 96 including which shall include all valid votes as determined by
 97 the canvassing board based on rules adopted by the division
 98 pursuant to s. 102.166(4). Upon request, a physically present
 99 candidate, a political party official, a political committee
 100 official, or an authorized designee thereof, must be allowed to
 101 observe the duplication of ballots. All duplicate ballots shall
 102 be clearly labeled "duplicate," bear a serial number which shall
 103 be recorded on the defective ballot, and be counted in lieu of
 104 the defective ballot. After a ballot has been duplicated, the
 105 defective ballot shall be placed in an envelope provided for
 106 that purpose, and the duplicate ballot shall be tallied with the
 107 other ballots for that precinct.

108 Section 4. Subsection (1) of section 101.6103, Florida
 109 Statutes, is amended to read:

110 101.6103 Mail ballot election procedure.-

111 (1) Except as otherwise provided in subsection (7), the
 112 supervisor of elections shall mail all official ballots with a
 113 secrecy envelope, a return mailing envelope, and instructions
 114 sufficient to describe the voting process to each elector
 115 entitled to vote in the election not sooner than the 40th ~~20th~~
 116 day before the election and not later than the 10th day before

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117 the date of the election. All such ballots shall be mailed by
118 first-class mail. Ballots shall be addressed to each elector at
119 the address appearing in the registration records and placed in
120 an envelope which is prominently marked "Do Not Forward."

121 Section 5. Subsection (4) of section 103.091, Florida
122 Statutes, is amended to read:

123 103.091 Political parties.—

124 (4) Any political party other than a minor political party
125 may by rule provide for the membership of its state or county
126 executive committee to be elected for 4-year terms at the
127 primary election in each year a presidential election is held.
128 The terms begin ~~shall commence~~ on the first day of the month
129 following each presidential general election,~~r~~ but the names of
130 candidates for political party offices may ~~shall~~ not be placed
131 on the ballot at any other election. The results of such
132 election shall be determined by a plurality of the votes cast.
133 In such event, electors seeking to qualify for such office shall
134 do so with the Department of State or supervisor of elections no
135 ~~not earlier than noon of the 71st day, or~~ later than noon of the
136 67th day~~r~~ preceding the primary election. The outgoing chair of
137 each county executive committee shall, within 30 days after the
138 committee members take office, hold an organizational meeting of
139 all newly elected members for the purpose of electing officers.
140 The chair of each state executive committee shall, within 60
141 days after the committee members take office, hold an
142 organizational meeting of all newly elected members for the
143 purpose of electing officers.

144 Section 6. This act shall take effect July 1, 2020.



Florida Supervisors Association

2020 Legislative Priorities and Issues

Executive Committee
2019 - 2020

President
Tammy Jones
President-Elect
Craig Latimer
Vice-President
Wesley Wilcox
Secretary
Mark Earley
Treasurer
Ron Turner
Past President
Paul Lux

Board Of Directors
2019 - 2020

David Stafford
Mark Andersen
Tommy Hardee
Charles Overturf
Kaiti Lenhart
Lori Scott
Shirley Anderson
Mark Negley
Diãne Hagan
Brenda Hoots

General Counsel

Ronald Labasky, Esq.

The Florida Supervisors of Elections respectfully asks the Legislature to assist us in the coming 2020 elections by adopting these priorities and supporting these issues for the coming session.

1. Funding for ERIC - Electronic Registration Information Center - Legislation was passed in 2018 authorizing Florida to join ERIC. It was announced by the Governor DeSantis and Secretary of State Lee on August 21, 2019 that Florida will join ERIC. The financial obligations are approximately \$1.3 million to improve voter registration by contacting potentially eligible but unregistered voters with instructions on how to register to vote. The outreach to potentially eligible voters is conducted every two years ahead of each federal general election. It is far better to do this statewide than doing it county by county. (House budget bill and Senate project sponsors needed)
2. Super Voting Sites - As evidenced by the disruption of voting sites and locations after Hurricane Michael, and still today, many precincts in Bay County are unavailable to be used or are destroyed. Legislation is needed to allow each SOE the option, at the county level, for early voting and on Election Day to use Super Voting Sites where any voter from the county can cast their ballot. The benefits include less confusion for voters on precinct changes, equipment and personnel cost savings, greater organization and ease of location provided to voters, and ballots not rejected for being at the wrong precinct. In essence this is early voting extended through Election Day at 7:00 PM. This will also empower SOE's to utilize Super Sites in the event of another hurricane or natural disaster without having to wait on action by the Governor.
3. Allow a local supervisor and canvassing board the option to utilize for recounts, automated independent audit systems which have been approved and certified by the Division of Elections Bureau of Standards. (SB 582 in 2019)

4. Public Records Exemption for ALL voter information contained in the statewide voter database, including email addresses and phone numbers, except for use for legitimate political purposes. (Amend 97.0585) This will assist in the completion of signature cure issues as well as improve the security of personal information of the voters.
5. Remove the \$.10 limitation for initiative signature petition review and allow the Department of State, by rule, to set the actual cost to county taxpayers that must be paid for the cost of review. (Amend 99.097(4)) The \$.10 maximum allowed now is woefully inadequate!!
6. Remove language added in the 2019 Session requiring solicitation to be allowed on Private Property used as a polling place beyond the 150' No Solicitation Zone. (Amend 102.031) This language has resulted in the loss of several previously utilized polling places. The property owners refuse to allow solicitation on their property and thus are refusing to allow their facility to be a polling place.
7. Extend the current 30 day review period for initiative petition verification to 60 days.
8. Allow two additional days for recount deadlines. This will greatly assist the large counties who have several million ballots to recount.
9. Review and match statute for Mail-Only-Elections to comply with the time frames and certificate envelope match of Vote-By-Mail Ballots.
10. Modify the qualifying bounced check requirements in statute as a result of Wright v. City of Miami Gardens. Require the qualifying check to be either a cashier's check or a bank check.
11. In the instance of polling hours being extended by Court order or by order of a Governor's action, eliminate the requirement to use provisional ballot envelopes for all votes cast by voters not in line at 7:00 PM. The ballot cast during the extended time can be securely segregated much easier and more reliably than using provisional ballot envelopes. The envelopes slow down the whole process.
12. Expand the allowed number of "wildcard" early voting locations to allow a total of two locations.

TECHNICAL CHANGES IN STATUTE NEEDED

-
- Amend 103.091 to allow State Committeemen and State Committeewomen to prequalify. They are currently allowed to qualify only during qualifying week, a VERY busy week for every SOE.
 - Move Logic & Accuracy Testing to 25 days before the election. The 2019 changes allowed canvassing of ballots 22 days prior to the election. L&A Testing needs to be allowed prior to canvassing.
 - Remove conflict in 101.043(1)(b)&(c) regarding providing identification and confirming address and correct precinct of voter.
 - Remove portion of 101.5614 which requires duplication of over-voted ballots. This duplication is very time consuming and completely wasteful.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-3-2020
Meeting Date

SB 1372
Bill Number (if applicable)

169522
Amendment Barcode (if applicable)

Topic _____

Name David Ash

Job Title _____

Address PO Box 11201

Phone 850-251-0985

Tallahassee FL 32302
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

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 Feb 20

Meeting Date

1372

Bill Number (if applicable)

169522

Amendment Barcode (if applicable)

Topic Elections

Name Paul Lux

Job Title Sup. of Elections, Okaloosa County

Address 302 N. Wilson St, Suite 102

Phone 850-689-5600

Street

Crestview FL 32536

City

State

Zip

Email plux@myokaloosa.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Supervisors of Elections (FSE)

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

Requests w/d

2-3-2020
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 1372
Bill Number (if applicable)
402364
Amendment Barcode (if applicable)

Topic _____

Name David Ash

Job Title _____

Address PO Box 11201
Street
Tallahassee FL 32302
City State Zip

Phone 850-251-0985

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

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)

2-3-2020
Meeting Date

SB 1372
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name David Ash

Job Title _____

Address PO Box 11201
Street

Phone 850-251-0985

Tallahassee FL 32302
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

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.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: KN 412
Caption: Senate Committee on Ethics and Elections

Case No.:

Type:
Judge:

Started: 2/3/2020 4:05:13 PM
Ends: 2/3/2020 5:12:48 PM **Length:** 01:07:36

4:05:12 PM Meeting called to order
4:05:18 PM Roll Call - Quorum is present
4:05:34 PM Chair
4:05:48 PM Tabs 1-7 Confirmation of appointees
4:06:09 PM Appearance Forms?
4:06:45 PM Debate?
4:06:48 PM Motion by Senator Stargel to recommend confirmation of all appointees under Tabs 1-7
4:06:58 PM Objections to motion? Seeing none
4:07:03 PM
4:07:07 PM Roll Call on confirmation
4:07:23 PM Confirmation of appointees on Tabs 1-7 recommended favorably
4:07:36 PM Tab 9 - SB 814 by Senator Perry - Disposition of Surplus Funds by Candidates
4:07:55 PM Questions? None
4:08:00 PM Amendment 362040 by Senator Perry
4:08:26 PM Questions on amendment?
4:08:31 PM Appearance forms on amendment?
4:08:35 PM Debate on amendment?
4:08:41 PM Senator Perry waives close
4:08:50 PM Amendment is adopted
4:08:54 PM Questions on bill as amended?
4:09:01 PM Appearance Forms?
4:09:09 PM David Ash, Common Cause, waives in support
4:09:22 PM Debate? None
4:09:28 PM Senator Perry waives close
4:09:33 PM Roll Call on SB 814 - Fav/CS
4:10:03 PM Tab 10 - SB CS/SB 1078 by Senator Wright -Special Election/Surviving Spouse Ad Valorem Tax Reduction (TP'd)
4:10:09 PM Recording Paused - waiting for senators to present their bills
4:14:38 PM Recording Resumed
4:15:00 PM Tab 11 - SB 1372 by Senator Brandes - Elections
4:16:12 PM Amendment 169522 by Senator Brandes
4:17:00 PM Questions?
4:17:59 PM Senator Braynon
4:18:22 PM Senator Brandes
4:18:35 PM Senator Rodriguez
4:19:17 PM Senator Brandes
4:20:31 PM Senator Rodriguez
4:21:56 PM Senator Brandes
4:22:18 PM Senator Stargel
4:24:53 PM Appearance Cards on amendment 169522
4:24:57 PM David Ash, Common Cause of Florida, waives in opposition
4:25:32 PM Paul Lux, Supervisor of Elections, Okaloosa County, speaking for FSE
4:26:51 PM Chair
4:27:37 PM Debate on amendment?
4:27:47 PM AM 402364 (to AM 169522) by Senator Brandes
4:28:24 PM Questions on amendment?
4:28:39 PM Senator Powell
4:29:29 PM Senator Brandes
4:30:03 PM Senator Rodriguez
4:30:16 PM Appearance Forms?
4:30:27 PM David Ash wishes to withdraw appearance card for this amendment
4:30:39 PM Debate? None

4:30:43 PM Senator Brandes waives close
4:30:49 PM AM 402364 (to AM 169522) by Senator Brandes adopted
4:30:59 PM AM 807962 (to AM 169522) by Senator Brandes
4:31:17 PM Questions?
4:31:29 PM Senator Rodriguez
4:32:02 PM Senator Brandes
4:32:25 PM Questions?
4:33:03 PM Senator Rodriguez
4:33:33 PM Senator Brandes
4:33:49 PM Appearance Forms? None
4:33:55 PM Debate on amendment? None
4:33:59 PM Senator Brandes to closes
4:34:07 PM AM 807962 (to AM 169522) by Senator Brandes adopted
4:35:10 PM Back on AM 169522 as amended
4:35:19 PM Questions?
4:35:22 PM Appearance?
4:35:26 PM David Ash, waives in opposition
4:35:35 PM Debate?
4:35:41 PM Senator Rodriguez
4:35:57 PM Senator Baxley in debate
4:37:28 PM Senator Brandes to close
4:38:19 PM Roll Call on SB 1372 - Fav/CS
4:38:57 PM Recording Paused - Waiting on Senators to present bills
4:43:02 PM Recording Resumed
4:43:20 PM Tab 8 - SJR 1216 by Senator Gruters - Limitations on Terms of Office for Members of a District School Board
4:44:52 PM Questions on bill?
4:45:01 PM Amendment 327674 by Senator Gruters
4:45:32 PM Questions? None
4:45:39 PM Appearance Cards?
4:45:43 PM Nick Tomboulides, Exec. Dir., US Term Limits, speaks for amendment
4:47:07 PM Chris Dolin, Consultant, Small School District Council Consortium, speaking against
4:47:48 PM Debate? None
4:48:26 PM Senator Gruters to close on AM 327674
4:48:39 PM AM 327674 is adopted
4:49:01 PM Chair
4:49:09 PM Questions on bill as amended? None
4:49:17 PM Appearance Cards?
4:49:20 PM Joseph M. Shaffer, waives in opposition
4:49:30 PM David Stover, waives in opposition
4:49:38 PM Jonathan Howell, waives in opposition
4:49:47 PM Robert Howell, waives in opposition
4:49:55 PM William Ross, waives in opposition
4:50:00 PM Lauren Gallo, League of Women Voters, waives in opposition
4:50:27 PM Brett Farrell, waives in opposition
4:50:38 PM Raymond Caldwell, waives in opposition
4:50:44 PM Frank Marinacci, waives in opposition
4:50:55 PM James Ingle, waives in opposition
4:51:05 PM Nick Tomboulides, Exec. Dir., US Term Limits, speaking for
4:52:59 PM Mike Budd, speaking in opposition
4:56:15 PM Senator Powell question of Mike Budd
4:57:36 PM Mike Budd
4:58:15 PM Senator Powell
4:58:42 PM Mike Budd
4:58:50 PM Chris Doolin, Consultant, Small School District Council Consortium speaking against
5:00:52 PM Dr. Rich Templin, Florida AFL-CIO, speaking against
5:00:57 PM
5:06:04 PM Debate?
5:07:03 PM Senator Powell
5:08:40 PM Senator Braynon
5:10:17 PM Senator Gruters to close
5:10:35 PM Roll Call on SJR 1216 - Fav/CS

5:11:40 PM Any Senators wishing to be recorded as voting for bills?
5:12:10 PM Senators Diaz and Powell, Tabs 1-7 and Tab 9 - SB 814 voting "yea" after the roll call
5:12:13 PM Motion adopted
5:12:34 PM Any other business before the committee? Seeing none.
5:12:38 PM Adjournment