

<b>Tab 1</b>	<b>SB 1888 by Garcia;</b> (Similar to H 01133) Energy Security and Disaster Resilience Pilot Program
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMUNICATIONS, ENERGY, AND PUBLIC UTILITIES**

**Senator Bean, Chair**  
**Senator Montford, Vice Chair**

**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

**PLACE:** 301 Senate Office Building

**MEMBERS:** Senator Bean, Chair; Senator Montford, Vice Chair; Senators Broxson, Campbell, Grimsley, Stargel, and Young

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 1888</b> Garcia (Similar H 1133)	Energy Security and Disaster Resilience Pilot Program; Creating the pilot program within the Department of Agriculture and Consumer Services; providing for the issuance of grants to offset costs relating to certain onsite solar energy storage systems for certain facilities located in areas of critical state concern, etc.  CU      02/06/2018 Favorable AEN AP	Favorable Yeas 6 Nays 0

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

<b>Florida Public Service Commission</b>			
2	Clark, Gary F. (Chipley)	01/01/2019	Recommend Confirm Yeas 4 Nays 0
3	Graham, Art (Jacksonville Beach)	01/01/2022	Recommend Confirm Yeas 5 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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Other Related Meeting Documents

**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.)

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Prepared By: The Professional Staff of the Committee on Communications, Energy, and Public Utilities

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BILL: SB 1888

INTRODUCER: Senator Garcia

SUBJECT: Energy Security and Disaster Resilience Pilot Program

DATE: February 5, 2018

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	<b>Favorable</b>
2.			AEN	
3.			AP	

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**I. Summary:**

SB 1888 creates an energy security and disaster resilience pilot program within the Department of Agriculture and Consumer Services (DACS or the department) to: demonstrate the effectiveness of distributed energy generation and energy storage technologies to provide for the energy needs of critical disaster resilience facilities located in areas of critical state concern during a natural disaster or declared state of emergency; and study and assess the benefits of grants for such technologies.

DACS must establish and issue grants to offset costs for the purchase or lease and installation of onsite solar energy storage systems placed into service after January 1, 2018, to serve critical disaster resilience facilities located in areas of critical state concern. (It appears that the grants are to offset the full costs of these systems.) Grants are to be issued to eligible applicants on a first-come, first-served basis. DACS must adopt necessary rules by December 31, 2018.

Subject to legislative appropriation and allocation of funds by DACS, the Florida Solar Energy Center (FSEC) is to conduct a study on the benefits of using solar energy storage technologies and other renewable energy generation and storage technologies. The study is to include an assessment of the benefits provided by solar energy storage technologies pursuant to the pilot program. It also must include specified findings and recommendations. The FSEC must publish the results of the study and submit copies to the Governor, the President, the Speaker, and the Commissioner of Agriculture by October 1, 2019.

The section and the pilot project expire on July 1, 2020.

The bill appropriates, for the 2018-2019 fiscal year, \$10 million in nonrecurring funds from the General Revenue Fund to DACS for the purpose of funding the energy security and disaster resilience pilot program.

This bill takes effect July 1, 2018.

## **II. Present Situation:**

Section 570.67, F.S., creates the Office of Energy within the department. The duties of the office include, but are not limited to, administering and enforcing parts II and III of chapter 377, the rules adopted under those parts. This office previously has administered grant and rebate programs relating to renewable energy.

Section 377.705, F.S., provides for the FSEC, which is to: develop and adopt standards for solar energy systems manufactured or sold in this state; establish criteria for testing performance of solar energy systems and shall maintain the necessary capability for testing or evaluating performance of solar energy systems; and test all solar energy systems manufactured or sold in the state.

According to information provided by DACS, the department utilized American Recovery and Reinvestment Act of 2009 funds to implement the SunSmart Schools Emergency Shelter (E-Shelter) program. The E-Shelter program installed more than one megawatt of solar power across Florida. These systems provide power to critical loads during emergencies, while offsetting electrical costs during normal operation. With additional funds from utilities, the program expanded to a total of 118 solar systems at schools, in 46 of Florida's 67 counties. The program ended in 2013. The Florida Solar Energy Center and the department are compiling an after-action report to assess the performance of these systems during Hurricane Irma. The preliminary data indicates that the systems performed as intended.

## **III. Effect of Proposed Changes:**

The bill creates an energy security and disaster resilience pilot program within DACS to:

- Encourage use of and demonstrate the effectiveness of distributed energy generation and energy storage technologies to provide for the energy needs of critical disaster resilience facilities located in areas of critical state concern during a natural disaster or declared state of emergency; and
- Study and assess the benefits of grants for distributed energy generation and energy storage technologies throughout the state to improve the security of the state's energy resources and enhance preparedness and resilience for a natural disaster or declared state of emergency.

The bill provides the following definitions:

- The term "critical disaster resilience facility" includes:
  - Any emergency operations center or other building owned by a state, county, or municipal government agency that is designated as an emergency shelter;
  - Hospitals, assisted living facilities, and other public health facilities needed to provide health services following a natural disaster or declared state of emergency;

- Airports, ports, and other transportation facilities needed for evacuation and critical transportation needs in preparation for and in response to a natural disaster or declared state of emergency;
- Facilities needed for personnel and services related to emergency management, law enforcement, public safety, fire and rescue, and first responders; and
- Buildings housing state, county, or municipal government agencies providing any services relating to disaster preparedness or response.
- The term “area of critical state concern” means an area designated pursuant to s. 380.05, F.S., which states that an area of critical state concern may be designated only for:
  - An area containing, or having a significant impact upon, environmental or natural resources of regional or statewide importance;
  - An area containing, or having a significant impact upon, historical or archaeological resources, sites, or statutorily defined historical or archaeological districts, the private or public development of which would cause substantial deterioration or complete loss of such resources, sites, or districts; and
  - An area having a significant impact upon, or being significantly impacted by, an existing or proposed major public facility or other area of major public investment including, but not limited to, highways, ports, airports, energy facilities, and water management projects.
- The term “onsite solar energy storage system” means a solar photovoltaic generation device or system that is paired with an electricity storage device or system that:
  - Is located on a critical disaster resilience facility’s premises and is used primarily to offset all or part of the facility’s onsite electrical load, or to provide backup power in the event of a utility electrical outage;
  - Is capable of isolating from the electric grid and operating independently during a utility electrical outage; and
  - Has sufficient battery storage capacity to supply at least 24 hours of backup power for the critical disaster resilience facility’s onsite electrical load or at least 5 hours of the facility’s average daily usage.

The bill requires DACS to establish and issue grants to offset costs for the purchase or lease and installation of onsite solar energy storage systems placed into service after January 1, 2018, to serve critical disaster resilience facilities located in areas of critical state concern. It appears that the grants are to offset the full costs of these systems.

The bill creates an application process, requires DACS to determine eligibility, limits the total amount of grants to the amount appropriated for the pilot program, and provides that grants are to be issued to eligible applicants on a first-come, first-served basis. DACS is required to adopt rules by December 31, 2018.

Subject to legislative appropriation and allocation of funds by DACS, the Florida Solar Energy Center is to conduct a study on the benefits of using solar energy storage technologies and other renewable energy generation and storage technologies. The study is to include an assessment of the benefits provided by solar energy storage technologies pursuant to the pilot program, based on factors that may include, but are not limited to, public health and safety, disaster preparedness and resilience, capital investment, net customer savings, net utility savings or deferred

investments, net job creation, impact on utility service rates and service quality, and any other factors related to the use of such technologies.

The study must include, but is not limited to:

- Identification of existing policies relating to the use of solar energy storage technologies and other renewable energy generation and storage technologies;
- Recommendations for expanding the pilot program as a statewide energy security and disaster resilience policy; and
- Recommendations for statewide utility planning and procurement policies that will provide net benefits from the use of solar energy storage technologies and other renewable energy generation and storage technologies.

The FSEC must publish the results of the study and submit copied to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Agriculture by October 1, 2019.

The section and the pilot project expire on July 1, 2020.

The bill appropriates, for the 2018-2019 fiscal year, \$10 million in nonrecurring funds from the General Revenue Fund to DACS for the purpose of funding the energy security and disaster resilience pilot program.

The bill takes effect July 1, 2018.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Installers of onsite solar energy storage systems placed into service after January 1, 2018, to serve critical disaster resilience facilities located in areas of critical state concern whose installations and applications are determined by DACS to be eligible for issuance of a grant while sufficient funds remain available will receive a grant to cover the full costs of the installation.

**C. Government Sector Impact:**

The department provided the following information.

- The bill will require additional staffing costing \$100,000 in FY 18-19 and FY 19-20. Additionally, it will necessitate a onetime salary expense of \$150,000 in FY 19-20 to pay for the study.
- The grants are payable retroactively for equipment installed as early as January 1, 2018. This would be before the rules are adopted [the deadline is December 31, 2018], which may lead to legal challenges.
- The bill is not clear on whether the funding for the required FSEC research and DACS program administrative costs will be deducted from the \$10 million appropriation.
- From a fiscal perspective, it would be helpful to roll back the expiration date, July 1, 2020, by one day to the close of business June 30, 2020, to align with the last day of the fiscal year.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:****Purposes of the pilot project**

The stated purposes of the “energy security and disaster resilience pilot program” are to:

- Demonstrate the effectiveness of distributed energy generation and energy storage technologies to provide for the energy needs of critical disaster resilience facilities located in areas of critical state concern *during a natural disaster or declared state of emergency*; and
- Analyze and study the benefits of grants for distributed energy generation and energy storage technologies throughout the state *to improve the security of the state’s energy resources and enhance preparedness and resilience for a natural disaster or declared state of emergency* (Lines 28-39).

However, neither the apparent timeline for the grant process nor the specified elements of the study appear to be aimed at assessing benefits relating to preparedness and resilience for a natural disaster or declared state of emergency.

The timeline elements contained in the bill are as follows.

- The bill takes effect July 1, 2018.

- DACS has until December 31, 2018, to adopt rules to administer the grants (lines 78-82), including a provision specifying a date on which grant applications may be submitted to the department (line 87) and one setting forth the criteria for determining grant eligibility (lines 93-95).
- Grants are to be issued to applicants on a first-come, first-served basis, determined by the date the application is received (lines 97-99), for as long as funds remain.
- However, grants can be issued for “systems placed into service after January 1, 2018” (lines 78-82).
- The FSEC must conduct its study and publish the report by October 1, 2019 (lines 131-135).
- The section and the program expire on July 1, 2020 (lines 136-137).

Based on these timeline elements, there is significant uncertainty as to when installers may begin their projects.

- Grants can be paid for systems placed into service basically six months before the bill takes effect and a year before rules must be adopted. Some installers may opt to complete their installations and place their systems into service very early in this period.
- However, the rules determine the criteria or standards for grant eligibility and the date upon which an application may be filed (with the date of filing an application determining the applicant’s priority in line for receiving a grant). Anyone who installs a system prior to the determination of eligibility standards runs a significant risk of incurring costs for an ineligible system. So many installers may wait until after the requisite rules are adopted, which could be as late as December 31, 2018 (plus however much time is required to complete the prescribed application form and file it on the designated date). Anyone who waits too long to put in place crucial elements of an installation project necessary to have a complete application, potentially including procurement of a site, risks not being able to file a complete application and missing out on funding.

It appears reasonable to assume most applicants will wait to make any commitments on installations until rules are completed and adopted, but will try to act as soon as possible thereafter. Assuming the majority of installation work begins shortly after December 31, 2018, and assuming it takes 4-6 months to complete the installation, these systems will be placed into service between approximately May 1, 2019 – July 1, 2019.

The FSEC’s report deadline is October 1, 2019. Assuming that there is a significant amount of data, an amount sufficient to provide for meaningful analysis and conclusions, the gathering and analysis of this data during the study and the drafting of the report may take 3-6 months, which would require that the study begin between approximately April 1, 2019 – July 1, 2019.

Although this analysis is based on significant assumptions, it illustrates how small the likelihood is that there will be actual pilot program experience involving the use of distributed energy generation and energy storage technology systems to provide for the energy needs of critical disaster resilience facilities located in areas of critical state concern during a natural disaster or declared state of emergency to provide any sufficient level of data for a study and report on the effectiveness of these systems.



Additionally, the bill states that the FSEC study is to:

- Be “on the benefits of using solar energy storage technologies and other renewable energy generation and storage technologies,”
- Include an assessment of the benefits provided by solar energy storage technologies pursuant to the pilot program, based on factors that may include “public health and safety, disaster preparedness and resilience, capital investment, net customer savings, net utility savings or deferred investments, net job creation, impact on utility service rates and service quality, and any other factors related to the use of such technologies,” and
- Include: identification of existing policies relating to the use of solar energy storage technologies and other renewable energy generation and storage technologies; recommendations for expanding the pilot program as a statewide energy security and disaster resilience policy; and recommendations for statewide utility planning and procurement policies that will provide net benefits from the use of solar energy storage technologies and other renewable energy generation and storage technologies (lines 108-130).

Very little of the criteria has any express relevance to the stated purposes of preparedness and resilience for a natural disaster or declared state of emergency.

An additional factor, noted by the department, is that the bill provides that grants for acquisition and installation of these systems will be solely on a first-come-first-served basis, which does not provide for any geographic dispersion of facilities throughout the state to increase the chances that one or more of them may experience emergency operating conditions during the relatively short demonstration period.

The department also states concerns about the timing of the FSEC study and report, noting that delaying the report until after the completion of the pilot program on July 1, 2020, may allow the FSEC to provide more comprehensive information on the benefits of the program.

### **Retroactivity**

It is unclear why the bill provides for issuance of grants to offset costs for the purchase or lease and installation of onsite solar energy storage systems placed into service after January 1, 2018, a considerable length of time before the adoption of rules that will determine and set forth the basis for establishing grant eligibility, the forms required to obtain a grant, the required documentation, and procedures and guidelines for obtaining a grant. As noted by DACS, this may lead to litigation. It also may create circumstances where some would-be applicants do significant work and incur significant expense only to find that their systems do not comply with the eligibility standards.

### **VIII. Statutes Affected:**

The bill creates section 377.817 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.

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

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By Senator Garcia

36-01553-18

20181888\_\_

1 A bill to be entitled  
 2 An act relating to the energy security and disaster  
 3 resilience pilot program; creating s. 377.817, F.S.;  
 4 creating the pilot program within the Department of  
 5 Agriculture and Consumer Services; specifying program  
 6 purpose; defining terms; providing for the issuance of  
 7 grants to offset costs relating to certain onsite  
 8 solar energy storage systems for certain facilities  
 9 located in areas of critical state concern; providing  
 10 policies and procedures for grant application  
 11 approval; directing the department to adopt rules by a  
 12 specified date; directing the Florida Solar Energy  
 13 Center to conduct a specified study under certain  
 14 circumstances and to publish and provide copies of the  
 15 study to the Governor, the Legislature, and the  
 16 Commissioner of Agriculture by a specified date;  
 17 providing an expiration date; providing an  
 18 appropriation; providing an effective date.  
 19  
 20 Be It Enacted by the Legislature of the State of Florida:  
 21  
 22 Section 1. Section 377.817, Florida Statutes, is created to  
 23 read:  
 24 377.817 Energy security and disaster resilience pilot  
 25 program.—  
 26 (1) PROGRAM CREATION AND PURPOSE.—There is created within  
 27 the Department of Agriculture and Consumer Services an energy  
 28 security and disaster resilience pilot program. The purpose of  
 29 the pilot program is to:

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

36-01553-18

20181888\_\_

30 (a) Encourage use of and demonstrate the effectiveness of  
 31 distributed energy generation and energy storage technologies to  
 32 provide for the energy needs of critical disaster resilience  
 33 facilities located in areas of critical state concern during a  
 34 natural disaster or declared state of emergency; and  
 35 (b) Study and assess the benefits of grants for distributed  
 36 energy generation and energy storage technologies throughout the  
 37 state to improve the security of the state's energy resources  
 38 and enhance preparedness and resilience for a natural disaster  
 39 or declared state of emergency.  
 40 (2) DEFINITIONS.—As used in this section, the term:  
 41 (a) "Area of critical state concern" means an area  
 42 designated pursuant to s. 380.05.  
 43 (b) "Critical disaster resilience facility" means:  
 44 1. Any emergency operations center or other building owned  
 45 by a state, county, or municipal government agency that is  
 46 designated by appropriate authorities as a place of community  
 47 refuge made available to provide temporary shelter and housing  
 48 to citizens during any natural disaster or declared state of  
 49 emergency;  
 50 2. Hospitals, assisted living facilities, and other public  
 51 health facilities needed to provide health services following a  
 52 natural disaster or declared state of emergency;  
 53 3. Airports, ports, and other transportation facilities  
 54 needed for evacuation and critical transportation needs in  
 55 preparation for and in response to a natural disaster or  
 56 declared state of emergency;  
 57 4. Facilities needed for personnel and services related to  
 58 emergency management, law enforcement, public safety, fire and

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rescue, and first responders; and

5. Buildings housing state, county, or municipal government agencies providing any services relating to disaster preparedness or response.

(c) "Department" means the Department of Agriculture and Consumer Services.

(d) "Onsite solar energy storage system" means a solar photovoltaic generation device or system that is paired with an electricity storage device or system that:

1. Is located on a critical disaster resilience facility's premises and is used primarily to offset all or part of the facility's onsite electrical load, or to provide backup power in the event of a utility electrical outage;

2. Is capable of isolating from the electric grid and operating independently during a utility electrical outage; and

3. Has sufficient battery storage capacity to supply at least 24 hours of backup power for the critical disaster resilience facility's onsite electrical load or at least 5 hours of the facility's average daily usage.

(3) GRANTS.—The department shall establish and issue grants to offset costs for the purchase or lease and installation of onsite solar energy storage systems placed into service after January 1, 2018, to serve critical disaster resilience facilities located in areas of critical state concern.

(4) APPLICATION PROCESS.—

(a) An applicant seeking a grant, including an owner or installer of the onsite solar energy storage system applying on behalf of a critical disaster resilience facility, shall submit an application to the department by a specified date as

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20181888

determined by department rule. The application shall require a complete description of all eligible costs, proof of purchase or lease of the onsite solar energy storage system for which the applicant is seeking a grant, and any other information deemed necessary by the department.

(b) The department shall determine the grant eligibility of each applicant in accordance with the requirements of this section and department rule. The total amount of grants issued to eligible applicants may not exceed the amount appropriated for the pilot program. Grants shall be issued to eligible applicants on a first-come, first-served basis, determined by the date the application is received, until all appropriated funds are expended or the program ends, whichever occurs first.

(5) RULES.—The department shall adopt rules to administer this section by December 31, 2018, including rules relating to the forms required to obtain a grant under this section, the required documentation and basis for establishing grant eligibility, and procedures and guidelines for obtaining a grant.

(6) ENERGY STORAGE AND RENEWABLE ENERGY RESOURCES STUDY.—

(a) The Florida Solar Energy Center shall, subject to legislative appropriation and allocation of funds by the department, conduct a study on the benefits of using solar energy storage technologies and other renewable energy generation and storage technologies.

(b) The study must include an assessment of the benefits provided by solar energy storage technologies pursuant to the pilot program, based on factors that may include, but are not limited to, public health and safety, disaster preparedness and

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117 resilience, capital investment, net customer savings, net  
118 utility savings or deferred investments, net job creation,  
119 impact on utility service rates and service quality, and any  
120 other factors related to the use of such technologies.

121 (c) The study shall include, but is not limited to:

122 1. Identification of existing policies relating to the use  
123 of solar energy storage technologies and other renewable energy  
124 generation and storage technologies;

125 2. Recommendations for expanding the pilot program as a  
126 statewide energy security and disaster resilience policy; and

127 3. Recommendations for statewide utility planning and  
128 procurement policies that will provide net benefits from the use  
129 of solar energy storage technologies and other renewable energy  
130 generation and storage technologies.

131 (d) By October 1, 2019, the Florida Solar Energy Center  
132 shall publish the results of the study and submit copies of the  
133 study to the Governor, the President of the Senate, the Speaker  
134 of the House of Representatives, and the Commissioner of  
135 Agriculture.

136 (7) PILOT PROGRAM EXPIRATION.—This section expires on July  
137 1, 2020.

138 Section 2. For the 2018-2019 fiscal year, the sum of \$10  
139 million in nonrecurring funds is appropriated from the General  
140 Revenue Fund to the Department of Agriculture and Consumer  
141 Services for the purpose of funding the energy security and  
142 disaster resilience pilot program created by this act.

143 Section 3. This act shall take effect July 1, 2018.



**The Florida Senate**  
State Senator René García  
36<sup>th</sup> District

Please reply to:

□ District Office:

1490 West 68 Street  
Suite # 201  
Hialeah, FL. 33014  
Phone# (305) 364-3100

January 23<sup>rd</sup>, 2018

The Honorable Aaron Bean  
Chair, Communications, Energy, and Public Utilities  
225 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Dear Senator Bean,

Please have this letter serve as my formal request to have **SB 1888: Energy Security and Disaster Resilience Pilot Program** be heard during the next scheduled Chair, Communications, Energy, and Public Utilities Committee Meeting. Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "René García".

State Senator René García  
District 36

CC: Diana Caldwell  
Tamra Redig

**Committees:** Children, Families, and Elder Affairs, Chair, Appropriations Subcommittee on Finance and Tax, Vice Chair, Appropriations Subcommittee on the Environment and Natural Resources, Appropriations Subcommittee on General Government, Banking and Insurance, Judiciary, Joint Administrative Procedures Committee.

THE FLORIDA SENATE

APPEARANCE RECORD

2-7-18

Meeting Date

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

SB1888

Bill Number (if applicable)

Topic Energy Security & Disaster Resilience

Amendment Barcode (if applicable)

Name Amy Datz

Job Title Self

Address 1130 Crestview Ave.

Street

Tallahassee

City

FL

State

32303

Zip

850 322-7399

Phone

amalie.datz@gmail.com

Email

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Environmental Caucus of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

Feb. 6, 2018

*Meeting Date*

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

1888

*Bill Number (if applicable)*

Topic Energy, Security and Disaster Resilience

*Amendment Barcode (if applicable)*

Name David Cullen

Job Title \_\_\_\_\_

Address 1674 University Pkwy #296

Phone 941-323-2404

*Street*

Sarasota

FL

34243

Email cullenasea@aol.com

*City*

*State*

*Zip*

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Sierra Club Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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

S-001 (10/14/14)



## APPEARANCE RECORD

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

2/6/18  
Meeting Date1888  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Maggie ClarkJob Title Solar Energy Industries AssociationAddress 119 S. Monroe St Phone 850-205-9000

Street

TallahasseeFL32312

City

State

Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)Representing Solar Energy Industries AssociationAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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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)

Meeting Date \_\_\_\_\_

1888  
Bill Number (if applicable)

Topic Energy Storage

Amendment Barcode (if applicable) \_\_\_\_\_

Name Susan Blickman

Job Title Florida Director

Address PO Box 310

Phone \_\_\_\_\_

Street

City

State

Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against

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

Representing Southern Alliance for Clean Energy

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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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)

Meeting Date \_\_\_\_\_

Bill Number (if applicable) 1888

Topic Solar / Grid Resilience

Amendment Barcode (if applicable) \_\_\_\_\_

Name Sean Stafford

Job Title \_\_\_\_\_

Address 115 E. Park Ave  
Street

Phone 727-5000

City

State

Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing The Nature Conservancy

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

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S-001 (10/14/14)

The Florida Senate  
**Committee Notice Of Hearing**

IN THE FLORIDA SENATE  
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of  
Gary F. Clark  
Florida Public Service Commission

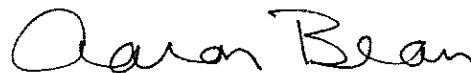
**NOTICE OF HEARING**

TO: Mr. Gary F. Clark

YOU ARE HEREBY NOTIFIED that the Committee on Communications, Energy, and Public Utilities of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, February 6, 2018, in 301 Senate Office Building, commencing at 2:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.  
DATED this the 1st day of February, 2018

Committee on Communications, Energy, and  
Public Utilities



\_\_\_\_\_  
Senator Aaron Bean  
As Chair and by authority of the committee

cc: Members, Committee on Communications, Energy, and Public Utilities  
Office of the Sergeant at Arms

## CERTIFICATION

STATE OF FLORIDA

COUNTY OF

Leon

Before me, the undersigned Notary Public of Florida, personally appeared

Gary F. Clark

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

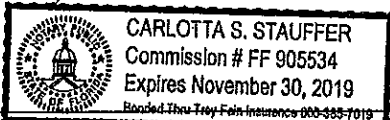
[Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 1<sup>st</sup> day of November, 2017.

Carlotta S. Stauffer

Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: \_\_\_\_\_

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

(seal)

2020

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Gary F. Clark***

is duly appointed a member of the

**Florida Public Service Commission**

for a term beginning on the Fifteenth day of September, A.D.,  
2017, until the First day of January, A.D., 2019 and is subject to  
be confirmed by the Senate during the next regular session of the  
Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Sixth day of November, A.D., 2017*



*Ken Detzner*

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



**RICK SCOTT**  
GOVERNOR

RECEIVED  
17 SEP 20 AM 9:39  
DIVISION OF ELECTIONS  
SECRETARY OF STATE

September 15, 2017

Secretary Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of  
Section 350.01, Florida Statutes:

Mr. Gary F. Clark  
1670 Peel Road  
Chipley, Florida 32428

as a member of the Florida Public Service Commission, filling a vacant seat, subject to  
confirmation by the Senate. This appointment is effective September 15, 2017, for a term  
ending January 1, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/kb

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

17 OCT 20 PM 1:43

STATE OF FLORIDA

County of Leon

DIVISION OF ELECTIONS  
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Public Service Commissioner

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

Sworn to and subscribed before me this 5<sup>th</sup> day of October, 2017.

Carlotta S Stauffer  
Signature of Carlotta S Stauffer of Notary Public  
Commission # FF 905534  
Expires November 30, 2019

Print, Type, and Stamp Commission # FF 905534 of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

## ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

1670 Peel Rd  
Street or Post Office Box

Chipley FL 32428  
City, State, Zip Code

Gary F. Clark  
Print Name

[Signature]  
Signature



THE FLORIDA SENATE

# COMMITTEE WITNESS OATH

---

**CHAIR:**

**Please raise your right hand and be sworn in as a witness.**

**Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?**

**WITNESS'S NAME:** Gary F. Clark

---

**ANSWER:** "I do."

---

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

**COMMITTEE NAME:** Communications, Energy, and Public Utilities

---

**DATE:** February 6, 2018

---

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

2-6-18

Meeting Date

Bill Number (if applicable)

Topic Confirmation - PSC

Amendment Barcode (if applicable)

Name Gary Clark

Job Title Commissioner

Address 2540 Shumard Oaks Blvd  
Street

Phone 850-326-0318

Jalisco FL 32455  
City State Zip

Email gclark@psc.state.fl.us

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Self

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  
**COMMITTEE RECOMMENDATION ON  
EXECUTIVE APPOINTMENT**

**COMMITTEE:** Committee on Communications, Energy, and Public Utilities  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 301 Senate Office Building

---

**TO:** The Honorable Joe Negron, President

**FROM:** Committee on Communications, Energy, and Public Utilities

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

**Office:** Florida Public Service Commission

**Appointee:** Clark, Gary F.

**Term:** 9/15/2017-1/1/2019

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

The Florida Senate  
**Committee Notice Of Hearing**

IN THE FLORIDA SENATE  
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of  
Art Graham  
Florida Public Service Commission

**NOTICE OF HEARING**

TO: Commissioner Art Graham

YOU ARE HEREBY NOTIFIED that the Committee on Communications, Energy, and Public Utilities of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, February 6, 2018, in 301 Senate Office Building, commencing at 2:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.  
DATED this the 1st day of February, 2018

Committee on Communications, Energy, and  
Public Utilities



\_\_\_\_\_  
Senator Aaron Bean  
As Chair and by authority of the committee

cc: Members, Committee on Communications, Energy, and Public Utilities  
Office of the Sergeant at Arms

## CERTIFICATION

STATE OF FLORIDA

COUNTY OF Leon

Before me, the undersigned Notary Public of Florida, personally appeared

Arthur Graham,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

ah  
Signature of Applicant-Affiant

Sworn to and subscribed before me this 3rd day of October, 2017.

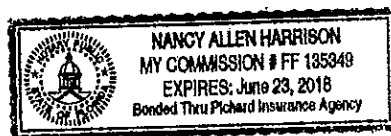
Nancy A. Harrison  
Signature of Notary Public-State of Florida

Nancy A. Harrison  
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 6/23/18

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced n/a



(seal)

2020

STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections

I, Ken Detzner, Secretary of State,  
do hereby certify that

**Art Graham**

is duly appointed a member of the

**Florida Public Service Commission**

for a term beginning on the Second day of January, A.D., 2018,  
until the First day of January, A.D., 2022 and is subject to be  
confirmed by the Senate during the next regular session of the  
Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Nineteenth day of October, A.D., 2017.*



*Ken Detzner*

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document



**RICK SCOTT**  
GOVERNOR

RECEIVED  
17 SEP 20 AM 9:39  
DIVISION OF ELECTIONS  
SECRETARY OF STATE

September 15, 2017

Secretary Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 350.01, Florida Statutes:

Mr. Arthur L. Graham  
602 Third Avenue North  
Jacksonville Beach, Florida 32250

as a member of the Florida Public Service Commission, subject to confirmation by the Senate. This appointment is effective January 2, 2018, for a term ending January 1, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/kb

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Leon

RECEIVED  
DEPARTMENT OF STATE  
17 OCT 16 AM 9:27  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Public Service Commissioner

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

*[Signature]*

Signature

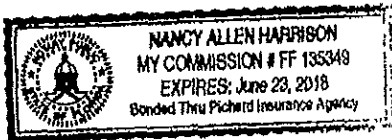
Sworn to and subscribed before me this 3rd day of October, 2017.

*[Signature]*

Signature of Officer Administering Oath or of Notary Public

Nancy A. Harrison

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced n/a

## ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

602 3rd Avenue North

Street or Post Office Box

Jacksonville Beach, FL 32250

City, State, Zip Code

Art Graham

Print Name

*[Signature]*

Signature



THE FLORIDA SENATE

# COMMITTEE WITNESS OATH

---

**CHAIR:**

**Please raise your right hand and be sworn in as a witness.**

**Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?**

**WITNESS'S NAME:** Art Graham

**ANSWER:** "Yes, I do."

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

**COMMITTEE NAME:** Communications, Energy, and Public Utilities

**DATE:** February 6, 2018

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

2/6/18  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic PSC

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Art Graham

Job Title Commissioner

Address 2540 Shadmar Oak Blvd  
Street

Phone (904) 249-4888

Tally FL 32399  
City State Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Art Graham

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)

# Public Service Commission Report Card: 7/1/2010 - 12/31/17

	<u>2010</u>	<u>2018</u>	
Public Service Commission Budget	\$28 million	\$24.6 million	- \$3.4 million
Public Service Commission Headcount	323 <u>667</u> 56	267	- 56 FTE
Average residential electric bill	\$102.87/mo	\$102.42/mo	- \$0.45/mo
Average residential electric bill (with storm surcharges)	\$103.20/mo	\$105.30/mo	\$2.10/mo

	<u>Requested by utilities</u>	<u>Granted by PSC</u>	<u>Percent granted</u>
Utility rate case decisions	\$5.03 billion	\$2.93 billion	58%

	<u>PSC dockets</u>	<u>Appeals</u>	<u>Overtured</u>
PSC dockets and appeals	2,131	42	3



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

**COMMITTEE:** Committee on Communications, Energy, and Public Utilities  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 301 Senate Office Building

---

**TO:** The Honorable Joe Negron, President

**FROM:** Committee on Communications, Energy, and Public Utilities

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

**Office:** Florida Public Service Commission

**Appointee:** Graham, Art

**Term:** 1/2/2018-1/1/2022

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



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Commerce and Tourism, *Chair*  
Communications, Energy, and Public Utilities,  
*Vice Chair*  
Appropriations  
Appropriations Subcommittee on Pre-K - 12  
Education  
Health Policy  
Rules

**SENATOR BILL MONTFORD**  
3rd District

February 5, 2018

Senator Aaron Bean, Chair  
Senate Committee on Communications, Energy, and  
Public Utilities  
225 Knott Building  
Tallahassee, Florida 32399-1100

Dear Senator Bean:

I respectfully request to be excused from the Senate Committee on Communications, Energy,  
and Public Utilities meeting scheduled for February 6, 2018.

Your consideration is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Bill Montford".

William "Bill" Montford  
State Senate, District 3

WM/md

Cc: Diana Caldwell, Staff Director

A large, handwritten signature in cursive script that reads "Approved Aaron Bean".

**REPLY TO:**

- ☐ 410 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5003
- ☐ 20 East Washington Street, Suite D, Quincy, Florida 32351 (850) 627-9100
- ☐ 105 North Jefferson Street, Perry, Florida 32347 (850) 223-0902

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**JOE NEGRON**  
President of the Senate

**ANITERE FLORES**  
President Pro Tempore

# CourtSmart Tag Report

**Room:** SB 301  
**Caption:** Communications, Energy, and Public Utilities Committee

**Case No.:**

**Type:**  
**Judge:**

**Started:** 2/6/2018 2:02:29 PM  
**Ends:** 2/6/2018 2:39:25 PM **Length:** 00:36:57

2:02:35 PM Meeting called to order  
2:03:27 PM Chair comments on committee meeting  
2:03:33 PM Vice Chair Montford is excused  
2:03:45 PM Roll Call - Quorum is present  
2:03:54 PM Chair, comments regarding meeting  
2:04:18 PM Tab 1 - SB 1888 by Sen. Garcia - Energy Security and Disaster Resilience Pilot Program  
2:04:43 PM Questions?  
2:04:52 PM Sen. Young, what does this bill do?  
2:04:57 PM Response by Sen. Garcia  
2:05:42 PM Appearance Cards to speak against? None  
2:06:40 PM Amy Datz, Environmental Caucus of Florida, speaking for the bill  
2:07:00 PM David Cullen, Sierra Club Florida, waives in support  
2:07:49 PM Maggie Clark, Solar Industries Association, speaking for the bill  
2:09:15 PM Sean Stafford, Native Conservancy waives support  
2:09:35 PM Susan Glickman, Fla. Director, Southern Alliance for Clear Fueling, speaking for the bill  
2:10:38 PM Questions and debate? None.  
2:10:45 PM Sen. Garcia to close  
2:11:40 PM Roll call - SB 1888 - Favorable  
2:12:03 PM Chair, Appointments to PSC  
2:12:27 PM Art Graham sworn in as witness  
2:12:48 PM Chair, PSC report card?  
2:13:13 PM Art Graham addresses committee  
2:15:26 PM Questions?  
2:15:45 PM Chair, recovery clause question?  
2:16:00 PM Art Graham response  
2:16:23 PM Chair, what is the greatest challenge?  
2:16:31 PM Art Graham in response  
2:16:48 PM Chair, what are your challenges?  
2:16:58 PM Art Graham in response  
2:17:41 PM Chair, do you think there is a balance between Solar and the grid?  
2:17:52 PM Art Graham in response  
2:19:19 PM Chair, Future of Florida Power and micro grids and how they would affect the main grid going forward?  
2:19:27 PM Art Graham in response  
2:19:54 PM Chair, what is the future of energy in Florida?  
2:20:02 PM Art Graham in response  
2:21:13 PM Chair, what is the future of water and wastewater?  
2:21:21 PM Art Graham in response  
2:22:30 PM Questions?  
2:22:54 PM Sen. Broxson, wastewater and problems? Across the state deep-well injections.  
2:23:50 PM Art Graham in response  
2:25:02 PM Questions? None  
2:25:22 PM Motion to recommend for confirmation Art Graham by Sen. Stargel, 2nd by Sen. Campbell and 3rd Sen. Broxson  
2:25:35 PM Debate? None  
2:25:50 PM Roll Call on Confirmation of Art Graham - Confirmation favorable  
2:26:29 PM Gary F. Clark sworn in as witness  
2:26:47 PM Remarks by Gary Clark  
2:27:48 PM Chair, recovery clauses?  
2:28:16 PM Gary Clark in response.  
2:31:04 PM Chair, what about fuel diversity?  
2:31:11 PM Gary Clark in response  
2:32:43 PM Chair, current grids? Solar energy?

**2:32:53 PM** Gary Clark in response  
**2:33:52 PM** Chair, bills moving through legislative process and selling back?  
**2:34:10 PM** Gary Clark in response  
**2:34:44 PM** Chair, what does the future of energy in Florida look like?  
**2:34:55 PM** Gary Clark in response  
**2:36:15 PM** Questions?  
**2:36:36 PM** Chair, thoughts on water storage in Florida?  
**2:36:43 PM** Gary Clark in response  
**2:37:46 PM** Additional questions? None  
**2:38:09 PM** Motion by Sen. Campbell to recommend confirmation  
**2:38:10 PM** Debate?  
**2:38:15 PM** Sen. Stargel compliments for moving forward  
**2:38:25 PM** Debate? None  
**2:38:42 PM** Roll call for Confirmation of Gary F. Clark - Confirmation favorable  
**2:39:00 PM** Chair, other business  
**2:39:08 PM** Motion by Sen. Grimsley to be shown as voting in favor of Art Graham's confirmation  
**2:39:17 PM** Sen. Campbell moves to adjourn