

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

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

MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

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

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. See attached documentation for Tabs 1-19.			
Board of Accountancy			
1	Robinson, Eric W. (Venice)	10/31/2017	Recommend Confirm Yeas 11 Nays 0
Board of Architecture and Interior Design			
2	Bao-Garciga, Aida (Miami)	10/31/2015	Recommend Confirm Yeas 11 Nays 0
	Johnson, James Emory (Tallahassee)	10/31/2017	Recommend Confirm Yeas 11 Nays 0
	Rivers, E. Dylan (Tallahassee)	10/31/2016	Recommend Confirm Yeas 11 Nays 0
	Toppe, Jonathan R. (St. Petersburg)	10/31/2017	Recommend Confirm Yeas 11 Nays 0
Board of Athletic Training			
3	Schwartzberg, Randy S. (Winter Springs)	10/31/2015	Recommend Confirm Yeas 11 Nays 0
	VanOpdorp, Heather L. (Land O' Lakes)	10/31/2014	Recommend Confirm Yeas 11 Nays 0
Florida Building Commission			
4	Bahadori, Hamid R. (Lake Mary)	02/07/2017	Recommend Confirm Yeas 11 Nays 0
Regulatory Council of Community Association Managers			
5	Allende, Pedro M. (Miami)	10/31/2014	Recommend Confirm Yeas 11 Nays 0
Board of Cosmetology			
6	Fincel, Ginny Adair (St. Augustine)	10/31/2014	Recommend Confirm Yeas 11 Nays 0
	Ritenbaugh, Laurel K. (Plant City)	10/31/2016	Recommend Confirm Yeas 11 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, March 10, 2014, 4:00 —6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Education Practices Commission			
7	Diaz, Marisol (Miami)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
	Farmer, Diane A. (Tampa)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
Electrical Contractors' Licensing Board			
8	Bramlett, Robert M. (Ocala)	10/31/2015	Recommend Confirm Yeas 11 Nays 0
Board of Funeral, Cemetery, and Consumer Services			
9	Brandenburg, Joseph A. (Jacksonville)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
	Davis, James E. (Tallahassee)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
	Knopke, Keenan Lacy (Temple Terrace)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
	Oliver, Vanessa Grant (Punta Gorda)	09/30/2017	Recommend Confirm Yeas 11 Nays 0
Board of Trustees of South Lake County Hospital District			
10	Binney, Curtis A. (Clermont)	07/05/2017	Recommend Confirm Yeas 11 Nays 0
	Jones, JoAnn (Clermont)	07/05/2016	Recommend Confirm Yeas 11 Nays 0
Board of Massage Therapy			
11	Walker, Jonathan E. (Tallahassee)	10/31/2015	Recommend Confirm Yeas 11 Nays 0
Board of Nursing			
12	Trybulski, JoAnn (Doral)	10/31/2016	Recommend Confirm Yeas 11 Nays 0
	Whitson, Kathryn L. (Ocala)	10/31/2015	Recommend Confirm Yeas 11 Nays 0
Board of Nursing Home Administrators			
13	Lipman, Scott (Boca Raton)	10/31/2014	Recommend Confirm Yeas 11 Nays 0
Board of Orthotists and Prosthetists			
14	Chmielewski, Thomas J. (Tampa)	10/31/2016	Recommend Confirm Yeas 11 Nays 0
	Meyer, George H., Jr. (Apollo Beach)	10/31/2016	Recommend Confirm Yeas 11 Nays 0
	Saunders, Brett R. (Orlando)	10/31/2014	Recommend Confirm Yeas 11 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, March 10, 2014, 4:00 —6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
East Central Florida Regional Planning Council, Region 6			
15	Rivas, Jose A., Jr. (Orlando)	10/01/2015	Recommend Confirm Yeas 11 Nays 0
Southwest Florida Regional Planning Council, Region 9			
16	Mulhere, Robert J. (Naples)	10/01/2014	Recommend Confirm Yeas 11 Nays 0
South Florida Regional Planning Council, Region 11			
17	Walters, Sandra (Lower Sugarloaf Key)	10/01/2015	Recommend Confirm Yeas 11 Nays 0
Board of Trustees, Florida International University			
18	Arrizurieta, Jorge L. (Coral Gables)	01/06/2018	Recommend Confirm Yeas 11 Nays 0
Board of Trustees, University of South Florida			
19	Watkins, Nancy Hemmingway (Tampa)	01/06/2016	Recommend Confirm Yeas 11 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, March 10, 2014, 4:00 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
20	Consideration of proposed committee bill:		
	SPB 7068	Elections; Requiring the Department of State to develop an online voter registration system; authorizing the supervisor of elections to choose the method of providing sample ballots to electors; providing that an absentee ballot request from a first-time online registrant is not valid unless certain conditions are met; designating locations where the supervisor may accept or receive an elector's voted absentee ballot, etc.	Submitted as Committee Bill Yeas 11 Nays 0
21	Consideration of proposed committee bill:		
	SPB 7070	Public Records and Meetings/Florida Elections Commission; Creating an exemption from public records requirements for a sworn complaint and records relating to an investigation, investigative report, or other paper of the Florida Elections Commission with respect to violations of limitations on political activity by candidates for judicial office; creating an exemption from public meetings requirements for portions of proceedings of the Florida Elections Commission in which violations of limitations on political activity by candidates for judicial office are discussed or acted upon following a complaint or relating to an investigation; providing for future repeal and legislative review of the exemptions under the Open Government Sunset Review Act; providing statements of public necessity, etc.	Submitted as Committee Bill Yeas 11 Nays 0
Other Related Meeting Documents			



Committee:
ETHICS AND ELECTIONS

Senator Latvala, Chair
Senator Sobel, Vice Chair

Meeting Packet
Monday, March 10, 2014
4:00—6:00 p.m.
Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
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MEETING DATE: Monday, March 10, 2014
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MEMBERS: Senator Latvala, Chair; Senator Sobel, Vice Chair; Senators Benacquisto, Braynon, Clemens, Diaz de la Portilla, Flores, Gardiner, Joyner, Lee, Legg, Soto, and Thrasher

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. See attached documentation for Tabs 1-19.

Board of Accountancy

1	Robinson, Eric W. (Venice)	10/31/2017
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Board of Architecture and Interior Design

2	Bao-Garciga, Aida (Miami)	10/31/2015
	Johnson, James Emory (Tallahassee)	10/31/2017
	Rivers, E. Dylan (Tallahassee)	10/31/2016
	Toppe, Jonathan R. (St. Petersburg)	10/31/2017

Board of Athletic Training

3	Schwartzberg, Randy S. (Winter Springs)	10/31/2015
	VanOpdorp, Heather L. (Land O' Lakes)	10/31/2014

Florida Building Commission

4	Bahadori, Hamid R. (Lake Mary)	02/07/2017
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Regulatory Council of Community Association Managers

5	Allende, Pedro M. (Miami)	10/31/2014
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Board of Cosmetology

6	Fincel, Ginny Adair (St. Augustine)	10/31/2014
	Ritenbaugh, Laurel K. (Plant City)	10/31/2016

Education Practices Commission

7	Diaz, Marisol (Miami)	09/30/2017
	Farmer, Diane A. (Tampa)	09/30/2017

Electrical Contractors' Licensing Board

8	Bramlett, Robert M. (Ocala)	10/31/2015
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Board of Funeral, Cemetery, and Consumer Services

9	Brandenburg, Joseph A. (Jacksonville)	09/30/2017
	Davis, James E. (Tallahassee)	09/30/2017

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, March 10, 2014, 4:00 —6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	Knopke, Keenan Lacy (Temple Terrace)	09/30/2017	
	Oliver, Vanessa Grant (Punta Gorda)	09/30/2017	
Board of Trustees of South Lake County Hospital District			
10	Binney, Curtis A. (Clermont)	07/05/2017	
	Jones, JoAnn (Clermont)	07/05/2016	
Board of Massage Therapy			
11	Walker, Jonathan E. (Tallahassee)	10/31/2015	
Board of Nursing			
12	Trybulski, JoAnn (Doral)	10/31/2016	
	Whitson, Kathryn L. (Ocala)	10/31/2015	
Board of Nursing Home Administrators			
13	Lipman, Scott (Boca Raton)	10/31/2014	
Board of Orthotists and Prosthetists			
14	Chmielewski, Thomas J. (Tampa)	10/31/2016	
	Meyer, George H., Jr. (Apollo Beach)	10/31/2016	
	Saunders, Brett R. (Orlando)	10/31/2014	
East Central Florida Regional Planning Council, Region 6			
15	Rivas, Jose A., Jr. (Orlando)	10/01/2015	
Southwest Florida Regional Planning Council, Region 9			
16	Mulhere, Robert J. (Naples)	10/01/2014	
South Florida Regional Planning Council, Region 11			
17	Walters, Sandra (Lower Sugarloaf Key)	10/01/2015	
Board of Trustees, Florida International University			
18	Arrizurieta, Jorge L. (Coral Gables)	01/06/2018	
Board of Trustees, University of South Florida			
19	Watkins, Nancy Hemmingway (Tampa)	01/06/2016	

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Monday, March 10, 2014, 4:00 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
20	Consideration of proposed committee bill:	SPB 7068 Elections; Requiring the Department of State to develop an online voter registration system; authorizing the supervisor of elections to choose the method of providing sample ballots to electors; providing that an absentee ballot request from a first-time online registrant is not valid unless certain conditions are met; designating locations where the supervisor may accept or receive an elector's voted absentee ballot, etc.	
21	Consideration of proposed committee bill:	SPB 7070 Public Records and Meetings/Florida Elections Commission; Creating an exemption from public records requirements for a sworn complaint and records relating to an investigation, investigative report, or other paper of the Florida Elections Commission with respect to violations of limitations on political activity by candidates for judicial office; creating an exemption from public meetings requirements for portions of proceedings of the Florida Elections Commission in which violations of limitations on political activity by candidates for judicial office are discussed or acted upon following a complaint or relating to an investigation; providing for future repeal and legislative review of the exemptions under the Open Government Sunset Review Act; providing statements of public necessity, etc.	
Other Related Meeting Documents			

The Florida Senate
COMMITTEE MEETING PACKET TAB

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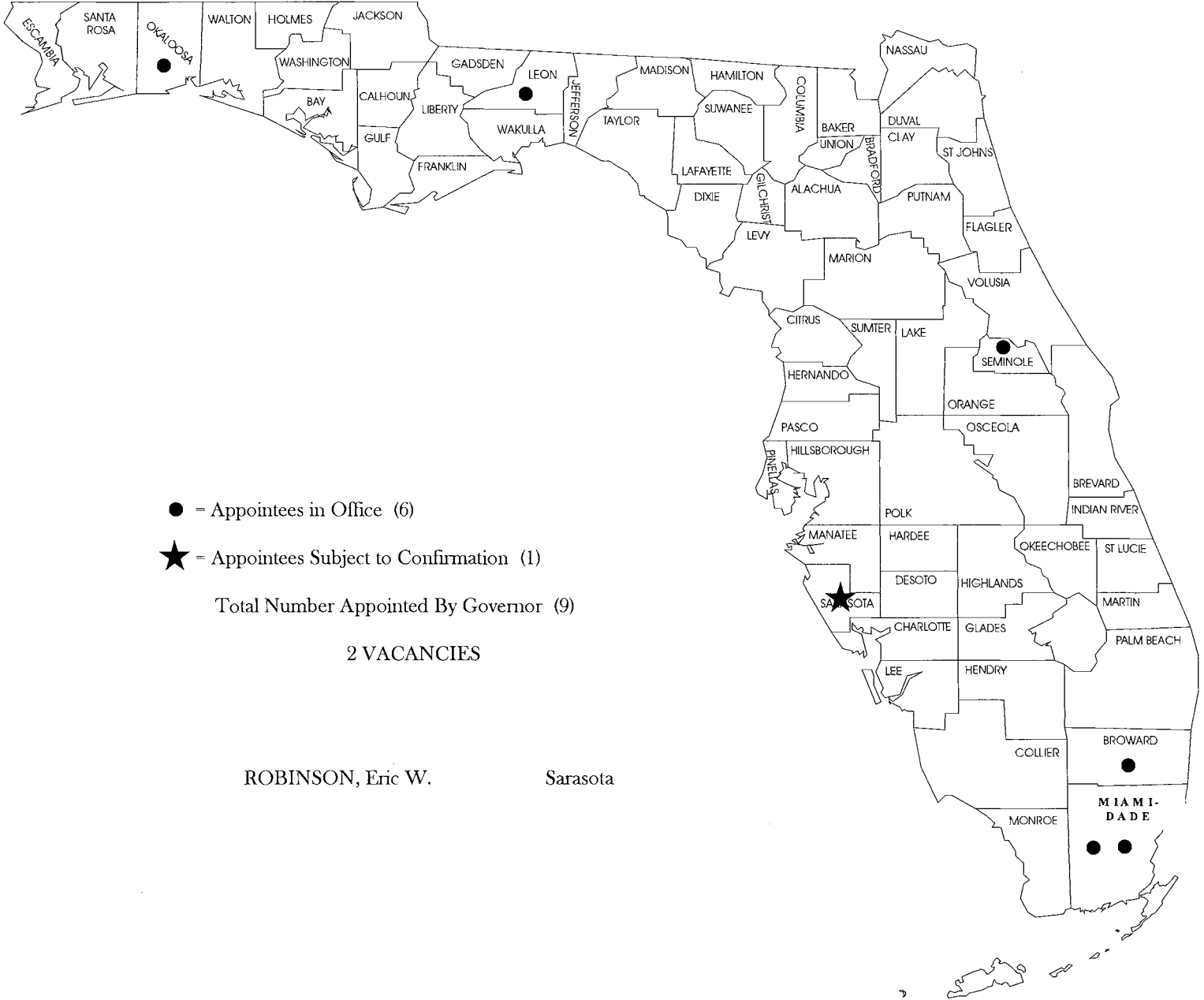
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Accountancy



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

ROBINSON, Eric W. Sarasota

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Robinson, Eric W.

Appointed: 11/01/2013

Term: 11/01/2013 – 10/31/2017

Prior Term: 02/17/2010 - 10/31/2013

City/County: Venice/Sarasota

Office: Board of Accountancy, Member

Authority: 473.303, F.S. & 20.165(4)(b)1, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: CPA/Owner - Robinson, Hanks, Young and Roberts, CPA

Attendance: Attended 31 of 32 meetings (97%) from February 17, 2010 through January 21, 2014.

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

Requirements: The nine-member board consists of:

- Seven members who are certified public accountants who are licensed in this state and practiced public accounting in this state on a substantially full-time basis for at least five years; and
- Two lay members who are not and have never been certified public accountants or members of any closely related profession or occupation.

At least one member of the board must be sixty years of age or older.

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

Notes: Number 6 - Mr. Robinson served in the U.S. Naval Reserves from 1988 to 1996.
Number 8 - C.P.A.
Number 17 - Mr. Robinson serves on the Board of Trustees of State College of Florida, Manatee-Sarasota, 2012-Present.
Number 18 - Mr. Robinson served from 2006 to 2010 on the Sarasota-Manatee Airport Authority, a special district. In addition, he also served on the Workforce Florida Board of Directors from 2005 to 2010.
Number 19 - Mr. Robinson was the Finance Manager for Charlotte County Utilities in 2004.

The Florida Senate
COMMITTEE MEETING PACKET TAB

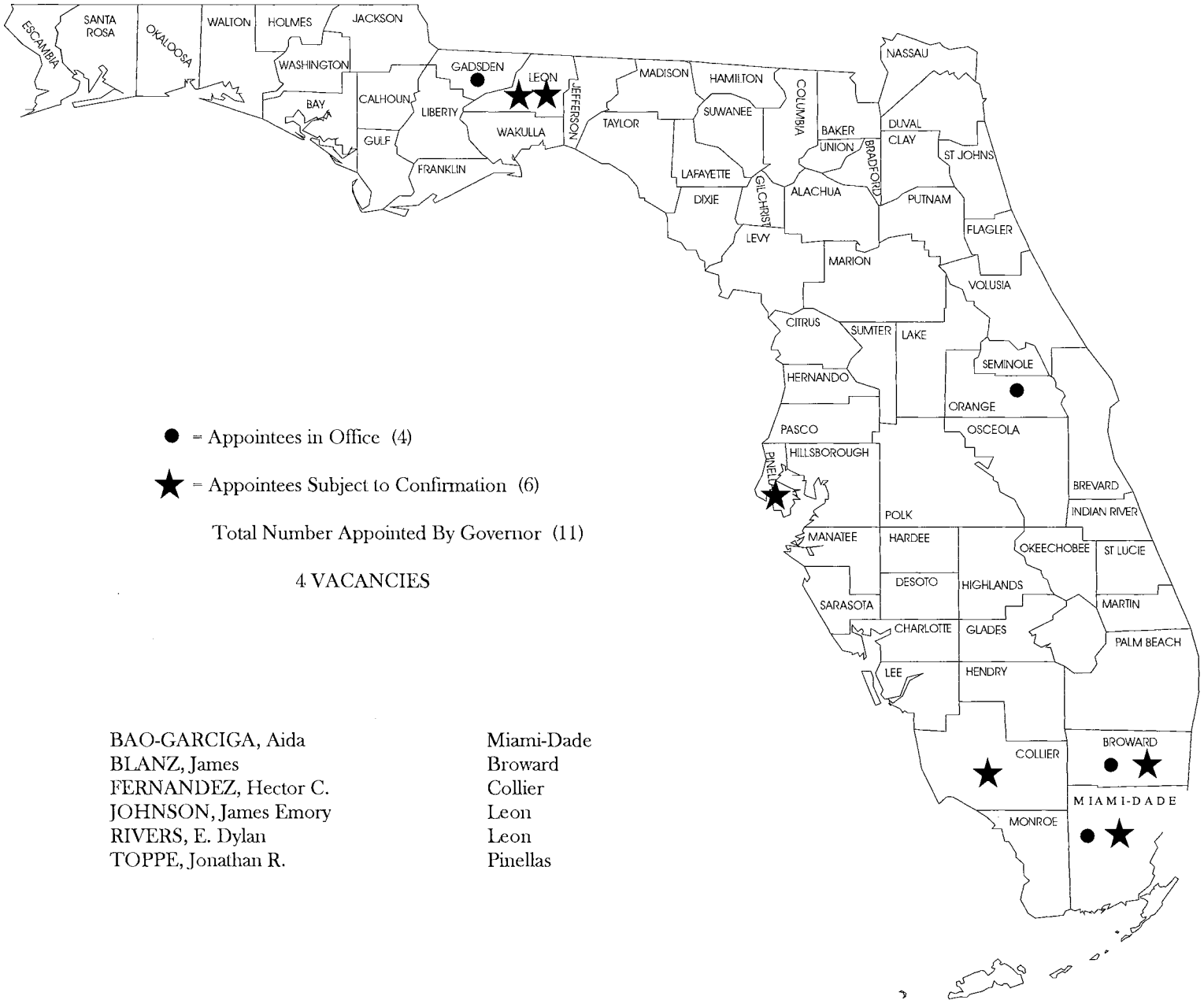
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Architecture and Interior Design



● = Appointees in Office (4)

★ = Appointees Subject to Confirmation (6)

Total Number Appointed By Governor (11)

4 VACANCIES

BAO-GARCIGA, Aida
 BLANZ, James
 FERNANDEZ, Hector C.
 JOHNSON, James Emory
 RIVERS, E. Dylan
 TOPPE, Jonathan R.

Miami-Dade
 Broward
 Collier
 Leon
 Leon
 Pinellas

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bao-Garciga, Aida

Appointed: 12/18/2013

Term: 12/18/2013 – 10/31/2015

Prior Term: 04/24/2009 - 10/31/2011

City/County: Miami/Miami-Dade

Office: Board of Architecture and Interior Design, Member

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

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/27/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/4/14
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		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Chief of Construction, Contract and Interiors, Miami-Dade County Aviation

Attendance: Attended 37 of 40 meetings (93%) from April 24, 2009 through January 21, 2014.

Attendance 20 phone meetings, missed 2. 20 face to face meetings, missed 1. All absences were excused.

Notes:

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

Requirements: The eleven-member board consists of:

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

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

Notes: Number 8 - Interior Designer
Number 17 - Mrs. Bao-Garciga serves on the Miami-Dade County Planning Advisory Board, 4/2011-Present.
Number 19 - Mrs. Bao-Garciga is the Chief of Construction at the Miami-Dade County Aviation Department.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Johnson, James Emory

Appointed: 12/18/2013

Term: 12/18/2013 – 10/31/2017

Prior Term: 02/19/2010 - 10/31/2013

City/County: Tallahassee/Leon

Office: Board of Architecture and Interior Design, Member

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

Reference(s): Committee on Ethics and Elections

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

Occupation: President, J. Emory Johnson, Interior Design Consultants, Inc.

Attendance: Attended 30 of 32 meetings (94%) from February 19, 2010 through January 21, 2014.

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

Requirements: The eleven-member board consists of:

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

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

Notes: Number 8 - Interior Designer

Number 18 - Mr. Johnson served on the following boards: Tallahassee Mayor's Advisory Board, 1977-1978; Lively Vocation School Academic Advisory Board, 1982-1984; the Florida Department of Education's State Instructional Materials Committee, 1993-1999, Committee for Student Performance Standards Committee, 1990, Committee of Vocational Education, 1987-1992.

Number 19 - Mr. Johnson was employed at the Florida State University from 6/68-8/68.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Rivers, E. Dylan

Appointed: 08/12/2013

Term: 08/09/2013 – 10/31/2016

Prior Term:

City/County: Tallahassee/Leon

Office: Board of Architecture and Interior Design, Member

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

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/6/14
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 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Attorney at Ausley & McMullin, P.A.

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

Requirements: The eleven-member board consists of:

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

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

Notes: Number 8 - Lay Member

Number 15 - Mr. Rivers indicated on his questionnaire that his employer has represented various government entities.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Toppe, Jonathan R.

Appointed: 12/23/2013

Term: 12/23/2013 – 10/31/2017

Prior Term: 04/23/2012 - 10/31/2013

City/County: St. Petersburg/Pinellas

Office: Board of Architecture and Interior Design, Member

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

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/1/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/4/14
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: Architect & Owner of Toppe Consultants, Inc. (Architecture, Planning & Consulting)

Attendance: Attended 12 of 12 meetings (100%) from April 23, 2012 through January 21, 2014.

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

Requirements: The eleven-member board consists of:

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

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

Notes: Number 8 - Registered Architect

Number 15 - Mr. Toppe indicated that his company is a contract service provider (architecture, consulting, and planning) to various county and municipal government agencies.

The Florida Senate
COMMITTEE MEETING PACKET TAB

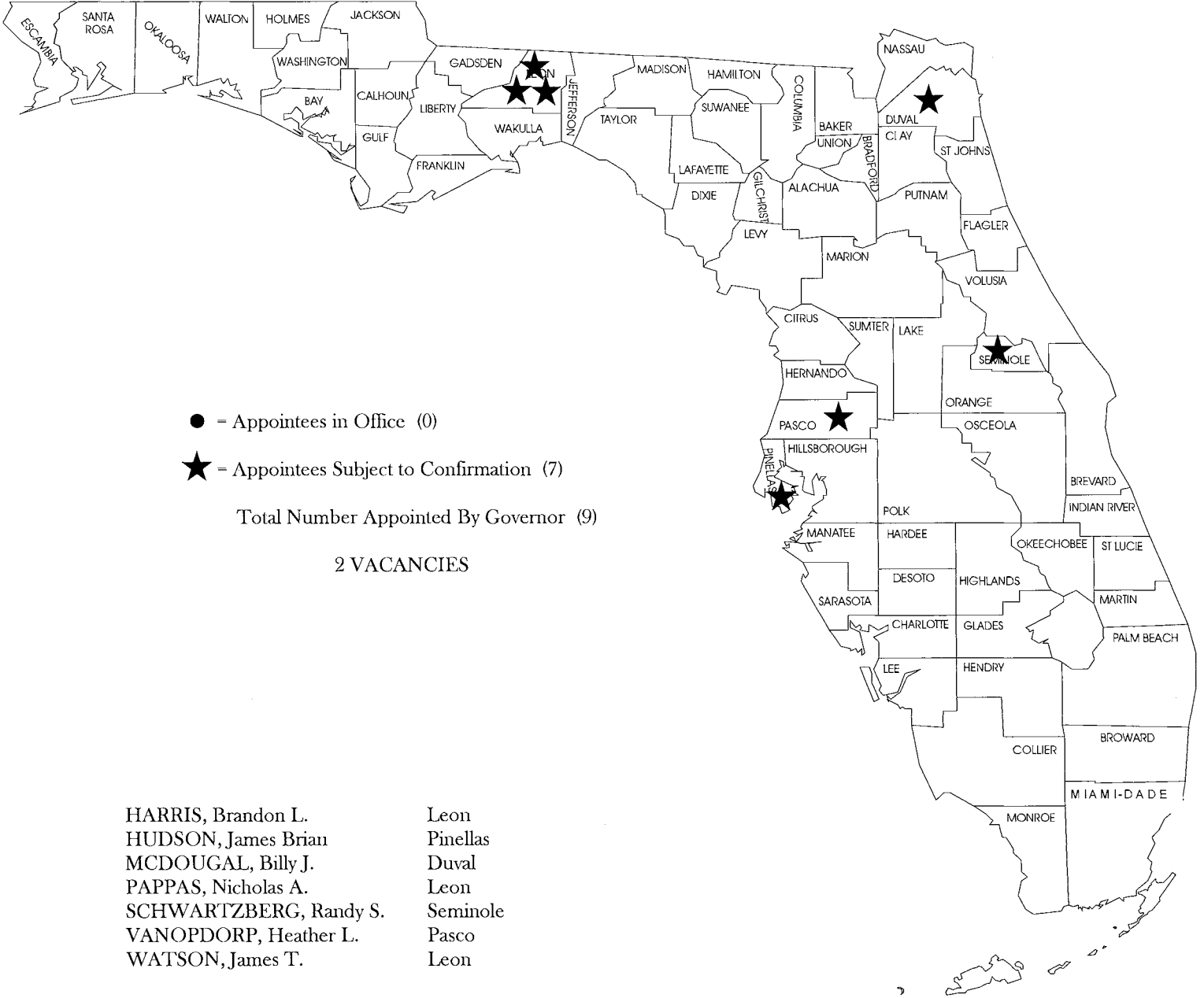
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Athletic Training



Recommendation for Senate Confirmation of Executive Appointment

Appointee: Schwartzberg, Randy S.

Appointed: 07/31/2013

Term: 07/30/2013 – 10/31/2015

Prior Term:

City/County: Winter Springs/Seminole

Office: Board of Athletic Training, Member

Authority: 468.703(1)-(4), F.S. & 20.43(3)(g)18, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/6/14
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 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Orthopaedic Surgeon at the Orlando Orthopaedic Center

Compensation: A board member shall be compensated fifty dollars for each day he or she attends an official board meeting and for each day he or she participates in any other board business. A board member shall also be entitled to reimbursement for expenses pursuant to s. 112.061, F. S. Travel out of the state shall require the prior approval of the secretary of the department.

Requirements: The nine-member board shall include:

- Five licensed athletic trainers
- One physician licensed under chapter 458 or chapter 459
- One physician licensed under chapter 460
- Two members shall be consumer members, each of whom must be a resident of this state who has never worked as an athletic trainer, who has no financial interest in the practice of athletic training and who has never been a licensed health care practitioner as defined in s. 456.001(4), F.S.

Additional Requirements: Terms are for four years. Terms expire on October 31st. For the purpose of staggering terms, the Governor shall appoint the initial members of the board as follows: Three members for terms of 2 years each. Three members for terms of 3 years each. Three members for terms of 4 years each. As the terms of the members expire, the Governor shall appoint successors for terms of 4 years and such members shall serve until their successors are appointed. Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Orthopaedic Surgeon

Recommendation for Senate Confirmation of Executive Appointment

Appointee: VanOpdorp, Heather L.

Appointed: 07/31/2013

Term: 07/30/2013 – 10/31/2014

Prior Term: 06/24/2008 - 10/31/2010

City/County: Land O' Lakes/Pasco

Office: Board of Athletic Training, Member

Authority: 468.703(1)-(4), F.S. & 20.43(3)(g)18, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/7/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/14
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: Assistant Athletic Trainer - University of Tampa

Attendance: Attended 9 of 10 meetings (90%) from June 24, 2008 through November 19, 2013.

Compensation: A board member shall be compensated fifty dollars for each day he or she attends an official board meeting and for each day he or she participates in any other board business. A board member shall also be entitled to reimbursement for expenses pursuant to s. 112.061, F. S. Travel out of the state shall require the prior approval of the secretary of the department.

Requirements: The nine-member board shall include:

- Five licensed athletic trainers
- One physician licensed under chapter 458 or chapter 459
- One physician licensed under chapter 460
- Two members shall be consumer members, each of whom must be a resident of this state who has never worked as an athletic trainer, who has no financial interest in the practice of athletic training and who has never been a licensed health care practitioner as defined in s. 456.001(4), F.S.

Additional Requirements: Terms are for four years. Terms expire on October 31st. For the purpose of staggering terms, the Governor shall appoint the initial members of the board as follows: Three members for terms of 2 years each. Three members for terms of 3 years each. Three members for terms of 4 years each. As the terms of the members expire, the Governor shall appoint successors for terms of 4 years and such members shall serve until their successors are appointed. Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Licensed Athletic Trainer

The Florida Senate
COMMITTEE MEETING PACKET TAB

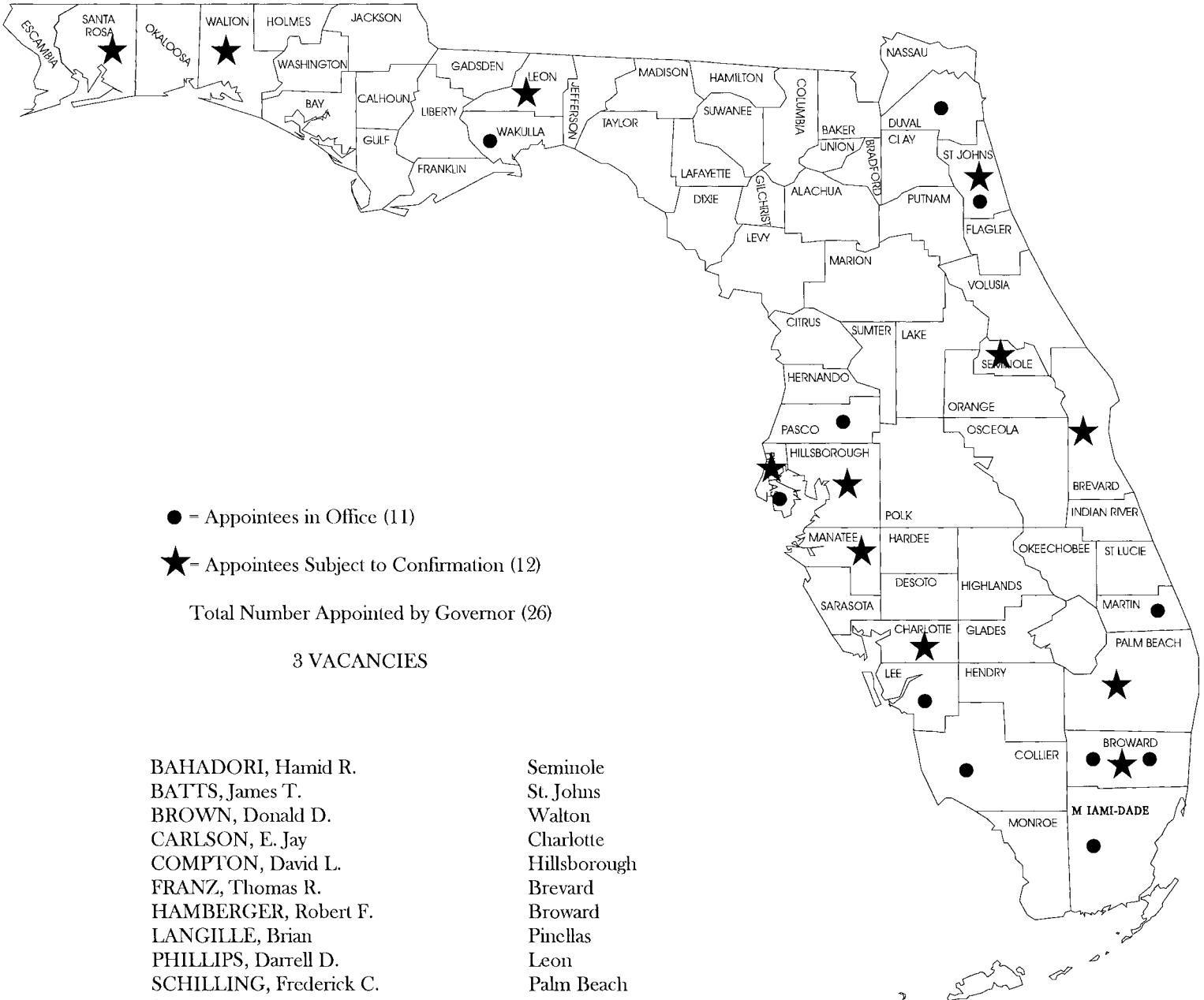
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Florida Building Commission



● = Appointees in Office (11)

★ = Appointees Subject to Confirmation (12)

Total Number Appointed by Governor (26)

3 VACANCIES

BAHADORI, Hamid R.
 BATTS, James T.
 BROWN, Donald D.
 CARLSON, E. Jay
 COMPTON, David L.
 FRANZ, Thomas R.
 HAMBERGER, Robert F.
 LANGILLE, Brian
 PHILLIPS, Darrell D.
 SCHILLING, Frederick C.
 SMITH, Drew M.
 TOLBERT, John T.

Seminole
 St. Johns
 Walton
 Charlotte
 Hillsborough
 Brevard
 Broward
 Pinellas
 Leon
 Palm Beach
 Manatee
 Santa Rosa

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bahadori, Hamid R.

Appointed: 08/28/2013

Term: 08/27/2013 – 02/07/2017

Prior Term: 06/11/2009 - 02/07/2013

City/County: Lake Mary/Seminole

Office: Florida Building Commission, Member

Authority: 553.74, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: Director/Hughes Associates, Inc. (engineering)

Attendance: Attended 21 of 27 meetings (78%) from June 11, 2009 through January 6, 2014.

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

Requirements: The 26 member commission shall be composed of the following:

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

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

Notes: Number 8 - Fire Protection Engineer
Number 18 - Mr. Bahadori served on the Florida Fire Code Advisory Council, 2000-2004. In addition, Mr. Bahadori served on the City of Orlando's Building and Fire Codes Board of Appeal from 9/2000-2/2002.
Number 19 - Mr. Bahadori was the Fire Protection Engineer for the City of Orlando, 1987-1998.

The Florida Senate
COMMITTEE MEETING PACKET TAB

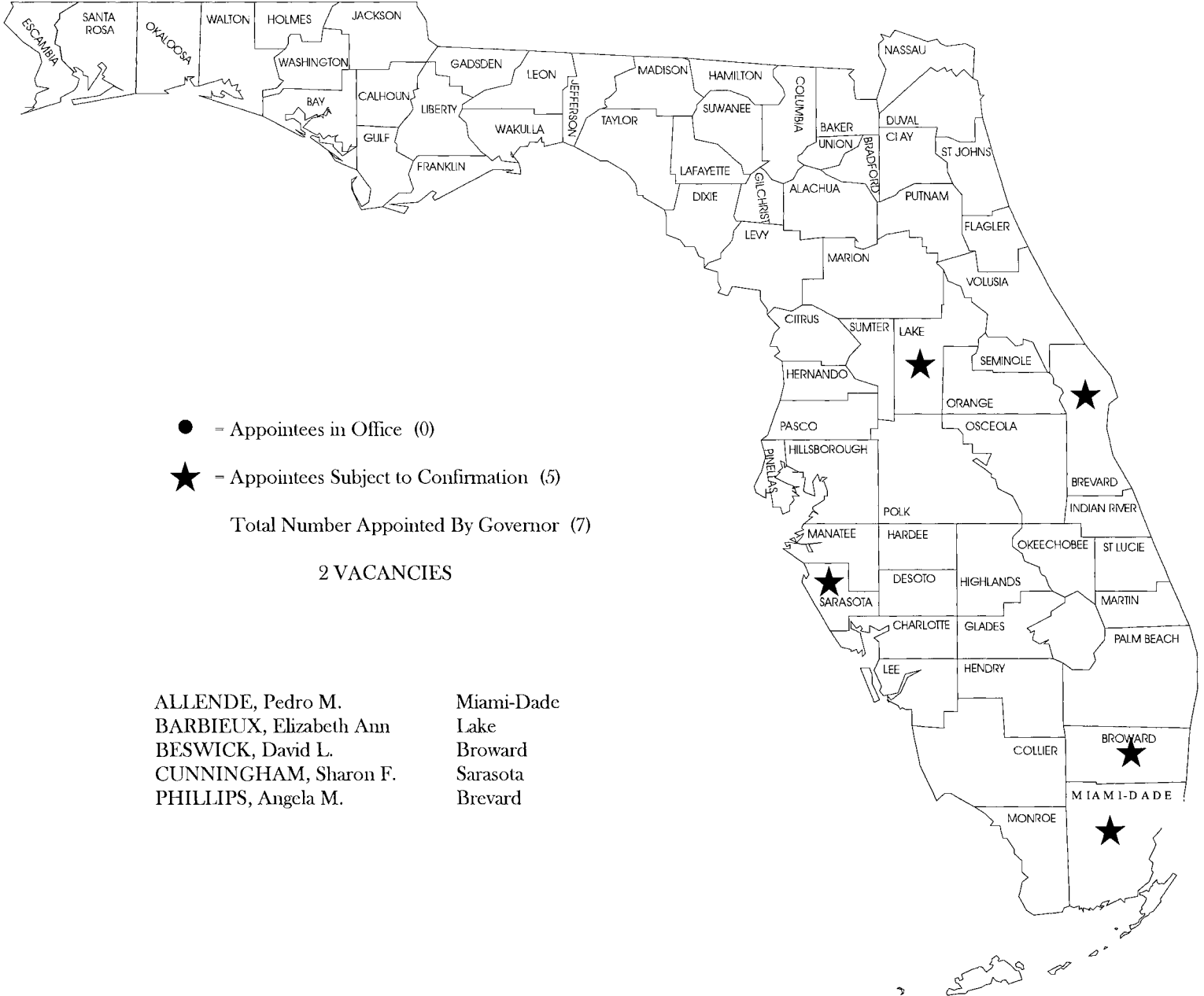
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Regulatory Council of Community Association Managers



● = Appointees in Office (0)
 ★ = Appointees Subject to Confirmation (5)
 Total Number Appointed By Governor (7)
 2 VACANCIES

- | | |
|-------------------------|------------|
| ALLENDE, Pedro M. | Miami-Dade |
| BARBIEUX, Elizabeth Ann | Lake |
| BESWICK, David L. | Broward |
| CUNNINGHAM, Sharon F. | Sarasota |
| PHILLIPS, Angela M. | Brevard |

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Allende, Pedro M.

Appointed: 09/18/2013

Term: 09/18/2013 – 10/31/2014

Prior Term:

City/County: Miami/Miami-Dade

Office: Regulatory Council of Community Association Managers, Member

Authority: 468.4315

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 10/28/13
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 1/15/14
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Attorney, Boies, Schiller, Flexner, LLP

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

Requirements: The seven member council consists of:

- Five members who are licensed community association managers, one of whom may be a community association manager employed by a timeshare managing entity as described in ss. 468.438 and 721.13, who have held an active license for at least five years; and
- Two members who are residents of the state who are not and have never been connected with the business of community association management, and shall not be prohibited from serving because the member is or has been a resident or board member of a community association.

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

- Notes:**
- Number 8 - Lay Member
 - Number 18 - Mr. Allende served on the Miami-Dade County Performance and Efficiency Commission from 2010 to 2012
 - Number 19 - Mr. Allende worked for the University of Florida from 2001 to 2002.

The Florida Senate
COMMITTEE MEETING PACKET TAB

6

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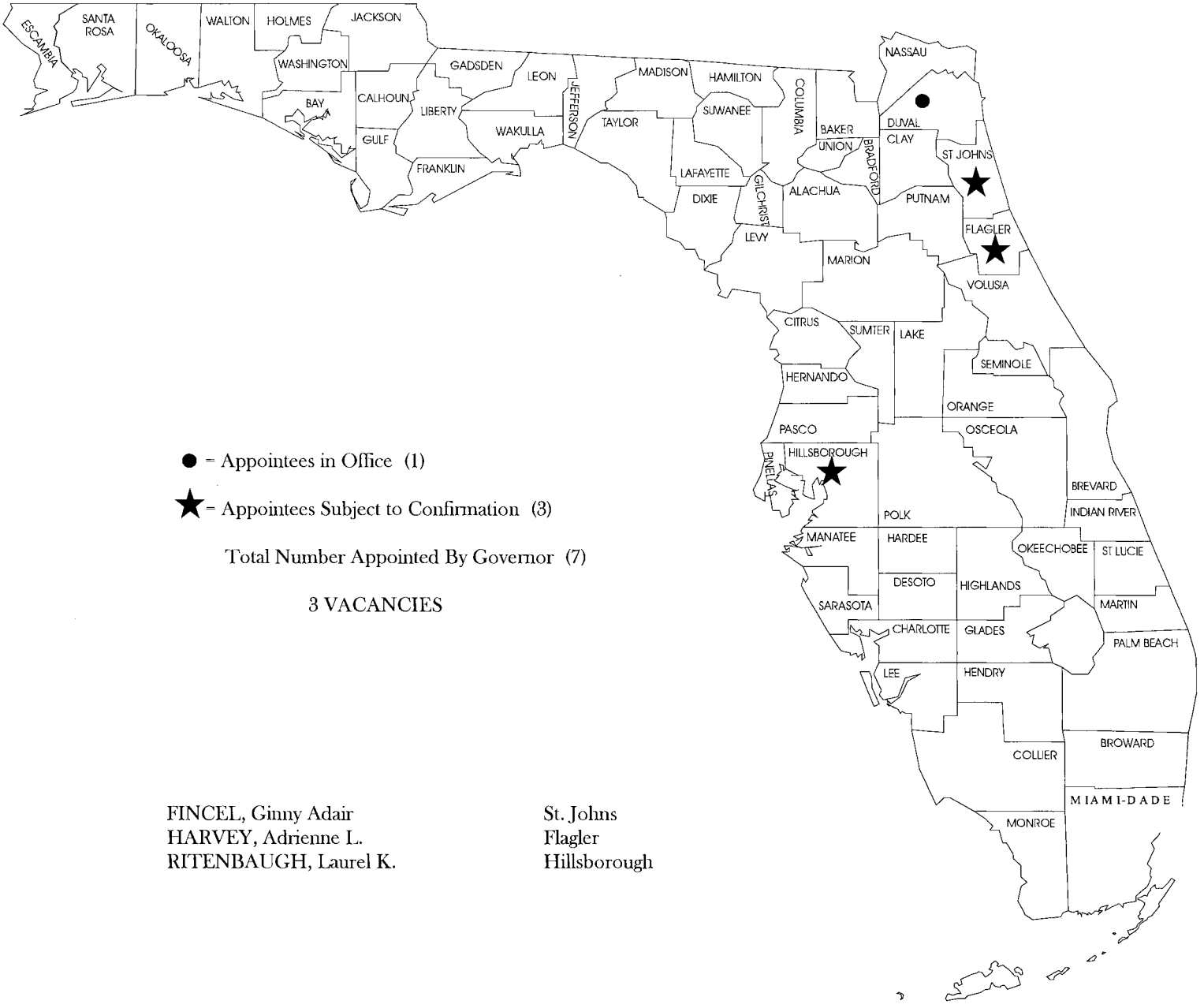
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Cosmetology



● = Appointees in Office (1)
 ★ = Appointees Subject to Confirmation (3)
 Total Number Appointed By Governor (7)
3 VACANCIES

FINCEL, Ginny Adair
 HARVEY, Adrienne L.
 RITENBAUGH, Laurel K.

St. Johns
 Flagler
 Hillsborough

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Fincel, Ginny Adair

Appointed: 05/31/2013

Term: 05/31/2013 – 10/31/2014

Prior Term: 06/08/2007 - 10/31/2010

City/County: St. Augustine/St. Johns

Office: Board of Cosmetology, Member

Authority: 477.015, F.S. & 20.165(4)(a)6, 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 5/25/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 11/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Teacher/First Coast Technical Institute Vocational School

Attendance: Attended 38 of 40 meetings (95%) from June 8, 2007 through October 7, 2013.

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

Requirements: The seven-member board, appointed by the Governor, consists of:

- Five members who are licensed cosmetologists who have been engaged in the practice of cosmetology in this state for not fewer than five years; and
- Two members who are lay persons.

Each board member shall be a resident of Florida and shall have been a resident of Florida for at least five continuous years.

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 - Cosmetologist
Number 19 - Ms. Fincel is a Teacher at the First Coast Technical College, (St. Johns County School system), 1992-Present.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Ritenbaugh, Laurel K.
 Term: 05/31/2013 – 10/31/2016
 City/County: Plant City/Hillsborough
 Office: Board of Cosmetology, Member
 Authority: 477.015, F.S. & 20.165(4)(a)6, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 05/31/2013
 Prior Term: 05/20/2009 - 10/31/2012

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/24/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Cosmetology Teacher, Hillsborough County Schools

Attendance: Attended 29 of 31 meetings (94%) from May 20, 2009 through September 25, 2013.

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

Requirements: The seven-member board, appointed by the Governor, consists of:

- Five members who are licensed cosmetologists who have been engaged in the practice of cosmetology in this state for not fewer than five years; and
- Two members who are lay persons.

Each board member shall be a resident of Florida and shall have been a resident of Florida for at least five continuous years.

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 - Cosmetologist

Number 18 - Ms. Ritenbaugh served on the Board of Cosmetology from 6/04-6/07.

Number 19 - Ms. Ritenbaugh is a cosmetology teacher for the Hillsborough County School District, July 1996-Present.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

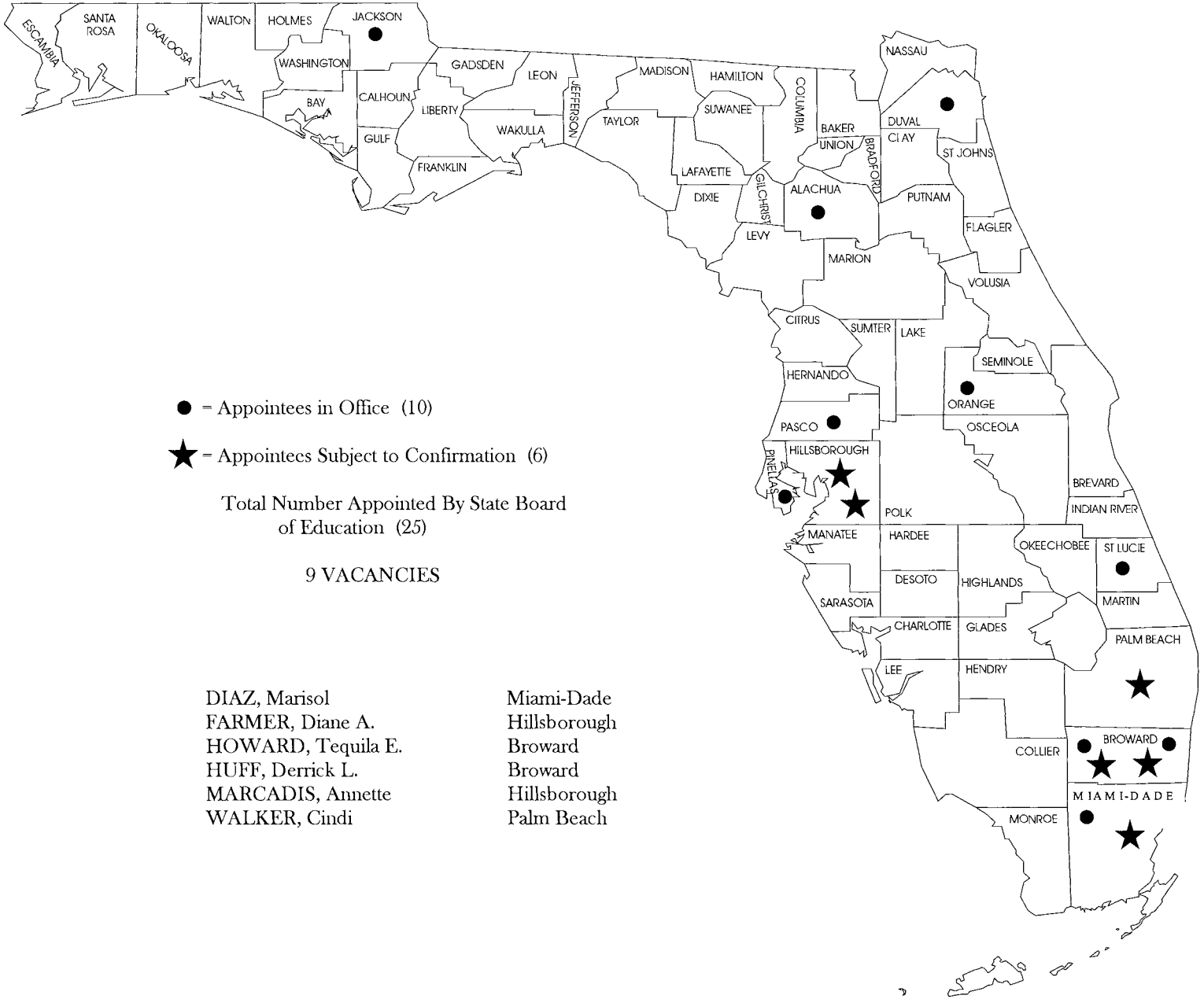
TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

7

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Education Practices Commission



● = Appointees in Office (10)

★ = Appointees Subject to Confirmation (6)

Total Number Appointed By State Board of Education (25)

9 VACANCIES

DIAZ, Marisol
 FARMER, Diane A.
 HOWARD, Tequila E.
 HUFF, Derrick L.
 MARCADIS, Annette
 WALKER, Cindi

Miami-Dade
 Hillsborough
 Broward
 Broward
 Hillsborough
 Palm Beach

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Diaz, Marisol

Appointed: 11/27/2013

Term: 11/19/2013 – 09/30/2017

Prior Term:

City/County: Miami/Miami-Dade

Office: Education Practices Commission, Member

Authority: 1012.79(1), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/12/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
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: Principal, Miami-Dade County Public School System

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

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

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

All members shall be residents of the state.

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

Notes: Number 8 - Administrator
Number 19 - Ms. Diaz is a Principal in the Miami-Dade County Public School system.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Farmer, Diane A.

Appointed: 10/10/2013

Term: 10/01/2013 – 09/30/2017

Prior Term: 05/18/2010 - 09/30/2013

City/County: Tampa/Hillsborough

Office: Education Practices Commission, Member

Authority: 1012.79(1), F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: Teacher-Principal, Lutz Prep Charter School

Attendance: Attended 15 of 15 meetings (100%) from May 18, 2010 through January 7, 2014.

Attendance Notes: While Commission has had 59 meetings, Ms. Farmer has attended all meetings when called upon to serve.

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

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

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

All members shall be residents of the state.

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

Notes: Number 8 - Administrator
Number 18 - Mrs. Farmer served on the Florida Education Standards Commission from 1995 to 2000.
Number 19 - Mrs. Farmer has been an employee of the Hillsborough County School System since 1986 and her current position is school principal at Lutz Prep Charter School. She was a teacher in the Orange County School system from 1983-1986.

The Florida Senate
COMMITTEE MEETING PACKET TAB

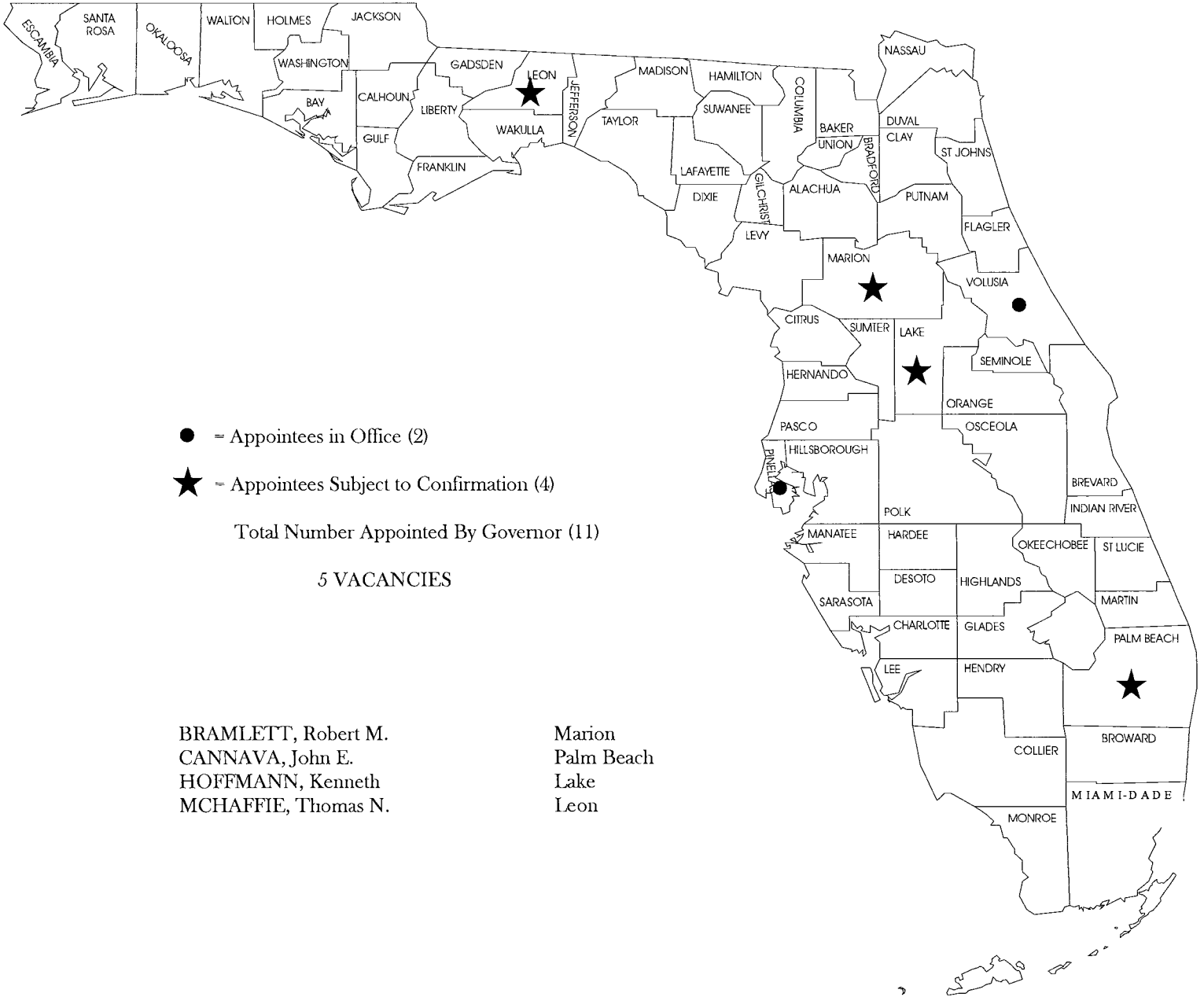
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Electrical Contractors Licensing Board



● = Appointees in Office (2)

★ = Appointees Subject to Confirmation (4)

Total Number Appointed By Governor (11)

5 VACANCIES

BRAMLETT, Robert M.
 CANNAVA, John E.
 HOFFMANN, Kenneth
 MCHAFFIE, Thomas N.

Marion
 Palm Beach
 Lake
 Leon

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bramlett, Robert M.

Appointed: 09/12/2013

Term: 09/12/2013 – 10/31/2015

Prior Term: 12/13/2009 - 10/31/2012

City/County: Ocala/Marion

Office: Electrical Contractors' Licensing Board, Member

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

Reference(s): Committee on Ethics and Elections

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

Occupation: Owner/Bramlett Electric, Inc. (electrical contractor)

Attendance: Attended 27 of 29 meetings (93%) from February 13, 2009 through November 19, 2013.

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

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

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

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

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

Notes: Number 8 - Certified Electrical Contractor
Number 18 - Mr. Bramlett served eight years on the Marion County License Review Board.

The Florida Senate
COMMITTEE MEETING PACKET TAB

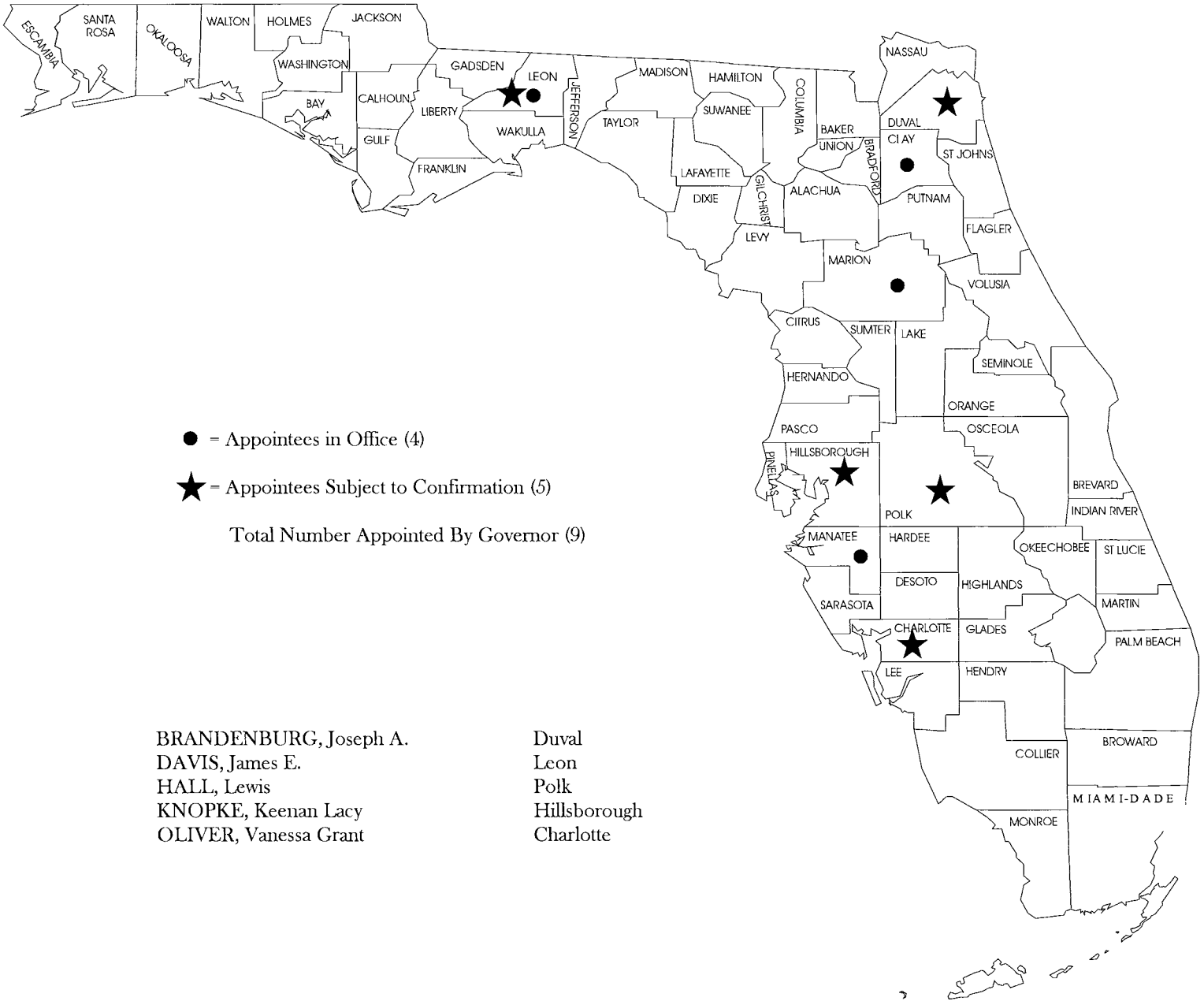
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Funeral, Cemetery, and Consumer Services



- = Appointees in Office (4)
- ★ = Appointees Subject to Confirmation (5)

Total Number Appointed By Governor (9)

BRANDENBURG, Joseph A.
 DAVIS, James E.
 HALL, Lewis
 KNOPKE, Keenan Lacy
 OLIVER, Vanessa Grant

Duval
 Leon
 Polk
 Hillsborough
 Charlotte

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Brandenburg, Joseph A.

Appointed: 11/07/2013

Term: 11/07/2013 – 09/30/2017

Prior Term: 10/16/2009 - 09/30/2013

City/County: Jacksonville/Duval

Office: Board of Funeral, Cemetery, and Consumer Services, Member

Authority: 497.101, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: President/Funeral Director - Hardage-Giddens

Attendance: Attended 55 of 55 meetings (100%) from October 16, 2009 through January 7, 2014.

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 Board of Funeral, Cemetery, and Consumer Services consists of 10 members,

- Nine of whom shall be appointed by the Governor from nominations made by the Chief Financial Officer and confirmed by the Senate.
 - One member must be the State Health Officer or her or his designee.
 - Two members shall be funeral directors licensed under part III of this chapter who are associated with a funeral establishment.
 - One member shall be a funeral director licensed under part III of this chapter who is associated with a funeral establishment licensed under part III of this chapter that has a valid preneed license issued pursuant to this chapter and who owns or operates a cinerator facility approved under chapter 403 and licensed under part VI of this chapter.
 - Two members shall be persons whose primary occupation is associated with a cemetery company licensed pursuant to this chapter.
 - Three members shall be consumers who are residents of the state have never been licensed as funeral directors or embalmers, are not connected with a cemetery or cemetery company licensed pursuant to this chapter, and are not connected with the death care industry or the practice of embalming, funeral directing, or direct disposition. One of the consumer members shall be at least 60 years of age and one shall be licensed as a certified public accountant under chapter 473.
- One member of the board shall be a principal of a monument establishment licensed under this chapter as a monument builder.

There shall not be two or more board members who are principals or employees of the same company or partnership or group of companies or partnerships under common control.

Additional Requirements: Terms are for four years. The State Health Officer shall serve as long as that person holds that office. The designee of the State Health Officer shall serve at the pleasure of the Governor. When the terms of the initial board members expire, the Chief Financial Officer shall stagger the terms of the successor members as follows: one funeral director, one cemetery representative, the monument dealer, and one consumer member appointed for terms of 2 years, and the remaining members shall be appointed for terms of 4 years. All subsequent terms shall be for 4 years Required to file Form 1 with the Commission on Ethics.

Notes: Number 6 - Mr. Brandenburg served in the Florida National Guard in 1964.
Number 8 - Mr. Brandenburg is a funeral director and is associated with a funeral establishment with crematory funeral services.
Number 18 - Mr. Brandenburg previously served on the Board of Funeral Directors and Embalmers, 2004-2005.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Davis, James E.

Appointed: 11/07/2013

Term: 11/07/2013 – 09/30/2017

Prior Term:

City/County: Tallahassee/Leon

Office: Board of Funeral, Cemetery, and Consumer Services, Member

Authority: 497.101, 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 11/3/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Owner, James E. Davis, CPA ; Tax Principal, Bean Team Group

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 Board of Funeral, Cemetery, and Consumer Services consists of 10 members,

- Nine of whom shall be appointed by the Governor from nominations made by the Chief Financial Officer and confirmed by the Senate.

- One member must be the State Health Officer or her or his designee.

- Two members shall be funeral directors licensed under part III of this chapter who are associated with a funeral establishment.

- One member shall be a funeral director licensed under part III of this chapter who is associated with a funeral establishment licensed under part III of this chapter that has a valid preneed license issued pursuant to this chapter and who owns or operates a cinerator facility approved under chapter 403 and licensed under part VI of this chapter.

- Two members shall be persons whose primary occupation is associated with a cemetery company licensed pursuant to this chapter.

- Three members shall be consumers who are residents of the state have never been licensed as funeral directors or embalmers, are not connected with a cemetery or cemetery company licensed pursuant to this chapter, and are not connected with the death care industry or the practice of embalming, funeral directing, or direct disposition. One of the consumer members shall be at least 60 years of age and one shall be licensed as a certified public accountant under chapter 473.

One member of the board shall be a principal of a monument establishment licensed under this chapter as a monument builder.

There shall not be two or more board members who are principals or employees of the same company or partnership or group of companies or partnerships under common control.

Additional Requirements: Terms are for four years. The State Health Officer shall serve as long as that person holds that office. The designee of the State Health Officer shall serve at the pleasure of the Governor. When the terms of the initial board members expire, the Chief Financial Officer shall stagger the terms of the successor members as follows: one funeral director, one cemetery representative, the monument dealer, and one consumer member appointed for terms of 2 years, and the remaining members shall be appointed for terms of 4 years. All subsequent terms shall be for 4 years Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Consumer Member/CPA

Number 15 - Mr. Davis indicated that he is a contract provider of financial services to state and local government agencies.

Number 18 - Mr. Davis served on the Leon County Housing Finance Authority from 2009 to 2011.

Number 19 - Mr. Davis worked at the Office of the Auditor General from 1978 to 1979 and at the Department of Banking and Finance in 1978.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Knopke, Keenan Lacy

Appointed: 11/07/2013

Term: 11/07/2013 – 09/30/2017

Prior Term:

City/County: Temple Terrace/Hillsborough

Office: Board of Funeral, Cemetery, and Consumer Services, Member

Authority: 497.101, 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 12/12/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: President/CEO of Curlew Hills Memory Gardens

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 Board of Funeral, Cemetery, and Consumer Services consists of 10 members,

- Nine of whom shall be appointed by the Governor from nominations made by the Chief Financial Officer and confirmed by the Senate.

- One member must be the State Health Officer or her or his designee.

- Two members shall be funeral directors licensed under part III of this chapter who are associated with a funeral establishment.

- One member shall be a funeral director licensed under part III of this chapter who is associated with a funeral establishment licensed under part III of this chapter that has a valid preneed license issued pursuant to this chapter and who owns or operates a cinerator facility approved under chapter 403 and licensed under part VI of this chapter.

- Two members shall be persons whose primary occupation is associated with a cemetery company licensed pursuant to this chapter.

- Three members shall be consumers who are residents of the state have never been licensed as funeral directors or embalmers, are not connected with a cemetery or cemetery company licensed pursuant to this chapter, and are not connected with the death care industry or the practice of embalming, funeral directing, or direct disposition. One of the consumer members shall be at least 60 years of age and one shall be licensed as a certified public accountant under chapter 473.

One member of the board shall be a principal of a monument establishment licensed under this chapter as a monument builder.

There shall not be two or more board members who are principals or employees of the same company or partnership or group of companies or partnerships under common control.

Additional Requirements: Terms are for four years. The State Health Officer shall serve as long as that person holds that office. The designee of the State Health Officer shall serve at the pleasure of the Governor. When the terms of the initial board members expire, the Chief Financial Officer shall stagger the terms of the successor members as follows: one funeral director, one cemetery representative, the monument dealer, and one consumer member appointed for terms of 2 years, and the remaining members shall be appointed for terms of 4 years. All subsequent terms shall be for 4 years Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Funeral Director/Embalmer

Number 18 - Mr. Knopke served on the Board of Funeral and Cemetery Services from 1993 to 2001.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Oliver, Vanessa Grant

Appointed: 11/07/2013

Term: 11/07/2013 – 09/30/2017

Prior Term:

City/County: Punta Gorda/Charlotte

Office: Board of Funeral, Cemetery, and Consumer Services, Member

Authority: 497.101, 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 12/18/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
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		See Below
20. Currently a Registered Lobbyist		X	

Occupation: General Counsel and Compliance Officer for Ambulance Management Systems, LLC

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 Board of Funeral, Cemetery, and Consumer Services consists of 10 members,

- Nine of whom shall be appointed by the Governor from nominations made by the Chief Financial Officer and confirmed by the Senate.
- One member must be the State Health Officer or her or his designee.
- Two members shall be funeral directors licensed under part III of this chapter who are associated with a funeral establishment.
- One member shall be a funeral director licensed under part III of this chapter who is associated with a funeral establishment licensed under part III of this chapter that has a valid preneed license issued pursuant to this chapter and who owns or operates a cinerator facility approved under chapter 403 and licensed under part VI of this chapter.
- Two members shall be persons whose primary occupation is associated with a cemetery company licensed pursuant to this chapter.
- Three members shall be consumers who are residents of the state have never been licensed as funeral directors or embalmers, are not connected with a cemetery or cemetery company licensed pursuant to this chapter, and are not connected with the death care industry or the practice of embalming, funeral directing, or direct disposition. One of the consumer members shall be at least 60 years of age and one shall be licensed as a certified public accountant under chapter 473.

One member of the board shall be a principal of a monument establishment licensed under this chapter as a monument builder.

There shall not be two or more board members who are principals or employees of the same company or partnership or group of companies or partnerships under common control.

Additional Requirements: Terms are for four years. The State Health Officer shall serve as long as that person holds that office. The designee of the State Health Officer shall serve at the pleasure of the Governor. When the terms of the initial board members expire, the Chief Financial Officer shall stagger the terms of the successor members as follows: one funeral director, one cemetery representative, the monument dealer, and one consumer member appointed for terms of 2 years, and the remaining members shall be appointed for terms of 4 years. All subsequent terms shall be for 4 years Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Consumer Member
Number 15 - Ms. Oliver's employer, Ambulance Management Systems has contractual relationships with the state and county government agencies.
Number 19 - Ms. Oliver was an Assistant Public Defender for the Ninth Judicial Circuit from 2007 to 2008.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Binney, Curtis A.

Appointed: 10/15/2013

Term: 10/15/2013 – 07/05/2017

Prior Term: 04/23/2012 - 07/05/2013

City/County: Clermont/Lake

Office: Board of Trustees of South Lake County Hospital District, Member

Authority: 01-290, s. 2(a), L.O.F.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/10/13
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 2/4/14
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		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Certified Public Accountant/Sines, Blakeslee, Madyda, P.A.

Attendance: Attended 16 of 19 meetings (84%) from April 23, 2012 through January 8, 2014.

Compensation: Reimbursed for necessary expenses incurred while engaged in the performance of duties.

Requirements: The board shall consist of eleven members, all of whom must reside within the district and must be appointed by the Governor, subject to confirmation by the Senate.

Additional Terms are for four years.

Requirements: Members shall serve until successors have been appointed. Required to file Form 1 with SOE's office.

Notes: Number 6 - Mr. Binney served in the U.S. Army from 1984 to 1992.

Number 15 - Mr. Binny's employer, Sines, Blakeslee, Madyda, P.A. provides auditing services to local government agencies.

Number 17 - Mr. Binney serves on the Audit Committee of Lake County School District, 2008-Present.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Jones, JoAnn

Appointed: 10/15/2013

Term: 10/15/2013 – 07/05/2016

Prior Term: 05/20/2009 - 07/05/2012

City/County: Clermont/Lake

Office: Board of Trustees of South Lake County Hospital District, Member

Authority: 01-290, s. 2(a), L.O.F.

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 5/28/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/14
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: Teacher, Lake County Schools

Attendance: Attended 39 of 49 meetings (80%) from May 20, 2009 through December 6, 2013.

Compensation: Reimbursed for necessary expenses incurred while engaged in the performance of duties.

Requirements: The board shall consist of eleven members, all of whom must reside within the district and must be appointed by the Governor, subject to confirmation by the Senate.

Additional Terms are for four years.

Requirements: Members shall serve until successors have been appointed. Required to file Form 1 with SOE's office.

Notes: Number 8 - Lake County Resident

Number 19 - Mrs. Jones is a teacher with the Lake County School System, 8/93-6/05 and 8/07-Present. She also was a professor at the University of Central Florida from 8/05-2/05.

The Florida Senate
COMMITTEE MEETING PACKET TAB

11

A1515W

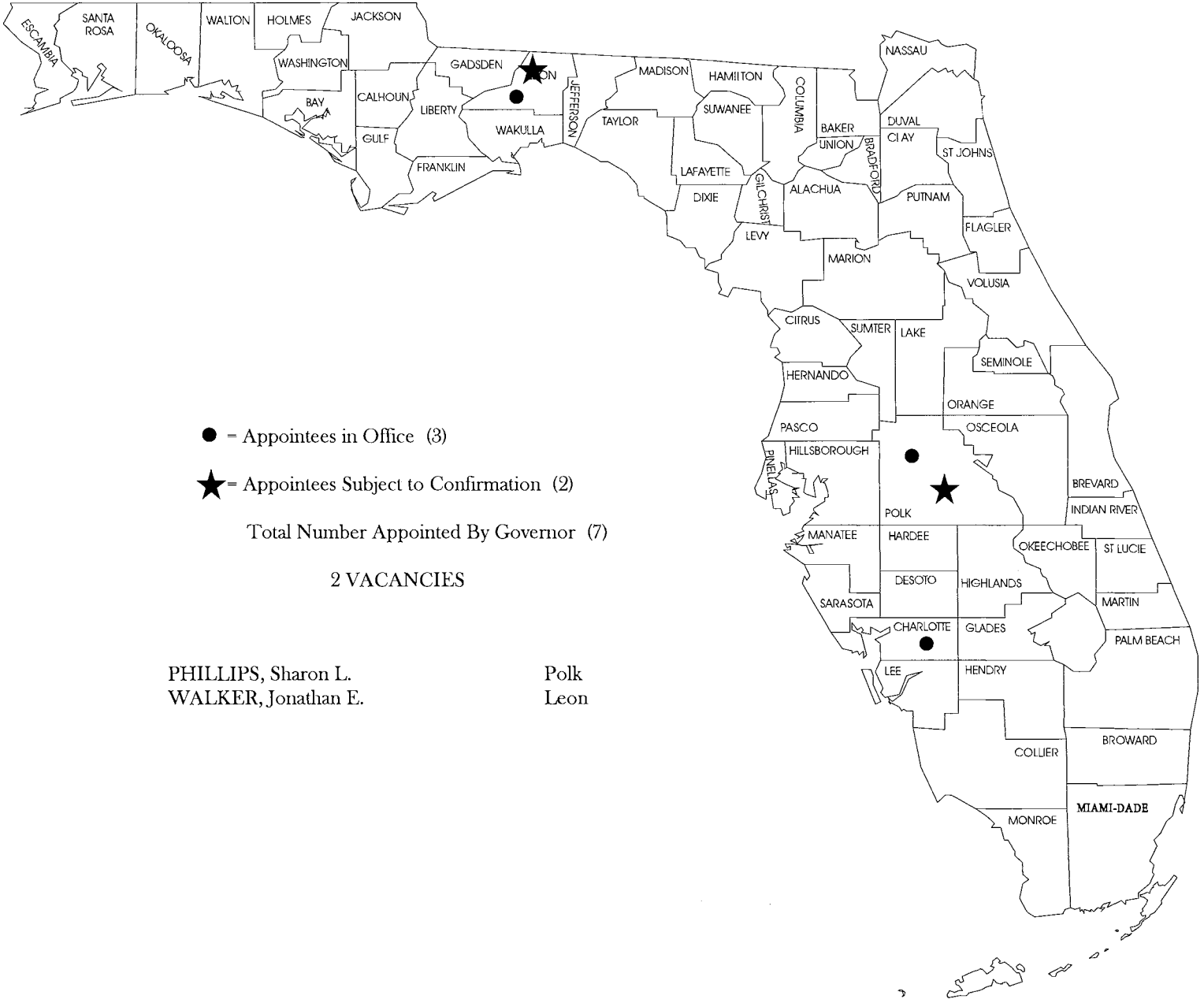
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Massage Therapy



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

Total Number Appointed By Governor (7)

2 VACANCIES

PHILLIPS, Sharon L.
WALKER, Jonathan E.

Polk
Leon

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Walker, Jonathan E.

Appointed: 07/12/2013

Term: 07/12/2013 – 10/31/2015

Prior Term:

City/County: Tallahassee/Leon

Office: Board of Massage Therapy, Member

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

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 2/12/14
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 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Massage Therapist

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

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

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

Additional 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. Walker served in the U.S. Navy from 1987 to 1991.
Number 8 - Massage Therapist

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

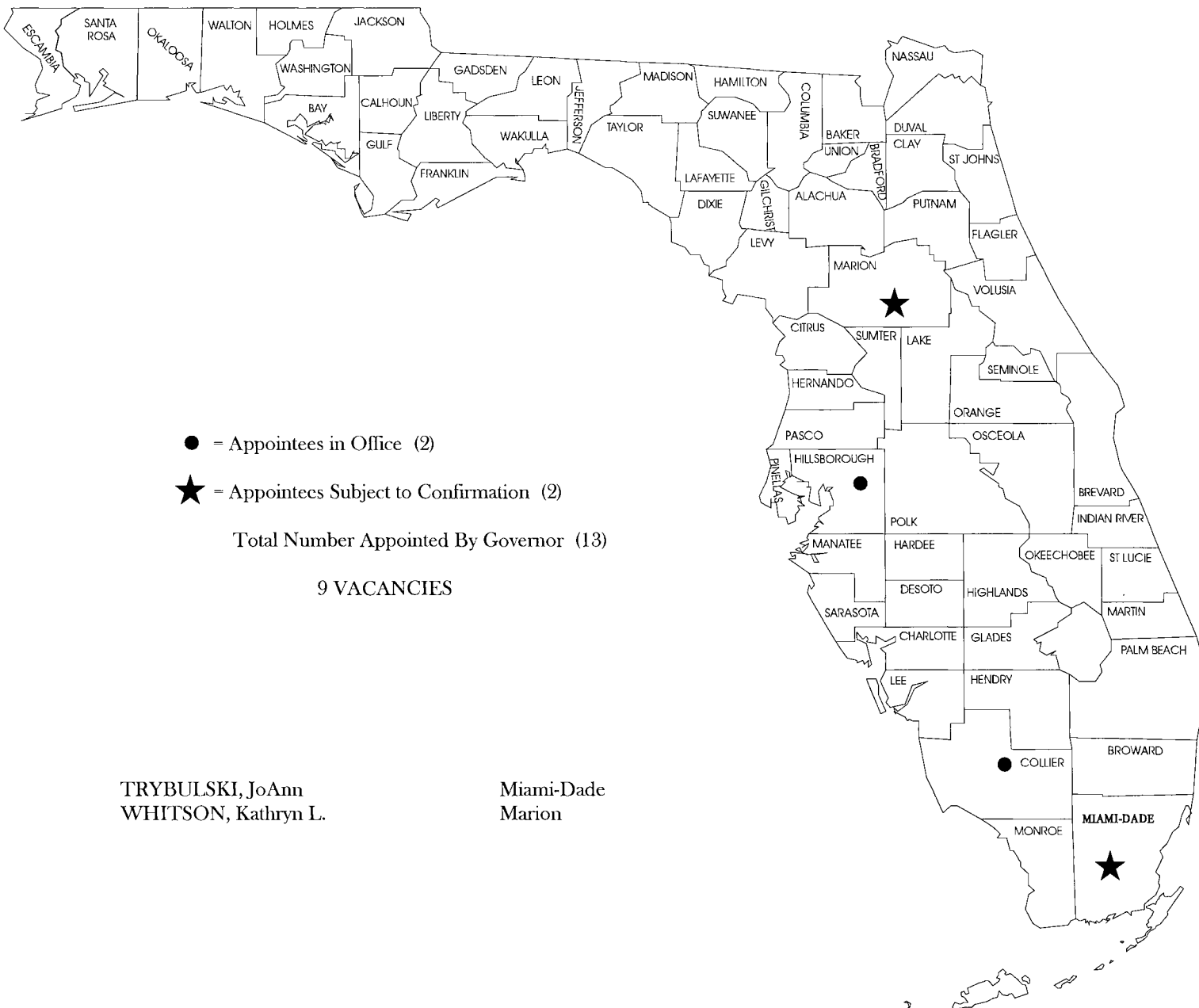
TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

12

A1605G

Board of Nursing



● = Appointees in Office (2)

★ = Appointees Subject to Confirmation (2)

Total Number Appointed By Governor (13)

9 VACANCIES

TRYBULSKI, JoAnn
WHITSON, Kathryn L.

Miami-Dade
Marion

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Trybulski, JoAnn

Appointed: 08/29/2013

Term: 08/29/2013 – 10/31/2016

Prior Term:

City/County: Doral/Miami-Dade

Office: Board of Nursing, Member

Authority: 464.004, F.S. & 20.43(3)(g)8, 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 9/20/13
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 11/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CNO at University of Miami Hospital

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 thirteen-member board consists of:
- Seven members must be registered nurses who are residents of the state, and have been in the practice of professional nursing for at least 4 years, including at least one advanced registered nurse practitioner, one nurse executive and one nurse educator member of an approved program. These seven board members should be representative of the diverse areas of practice within the nursing profession.
 - Three members who are resident, licensed practical nurses who have practiced for at least four years;
 - Three members who are residents of the state who have never been licensed as nurses, who are in no way connected with the practice of nursing, and who are not connected with and do not hold any financial interest in a health care facility, agency, or insurer; and
 - At least one member who is sixty years of age or older.

Additional Requirements: Terms are for four years.

Terms expire on October 31.

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

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - A.R.N.P. with 4 plus years' experience

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Whitson, Kathryn L.

Appointed: 08/29/2013

Term: 08/29/2013 – 10/31/2015

Prior Term:

City/County: Ocala/Marion

Office: Board of Nursing, Member

Authority: 464.004, F.S. & 20.43(3)(g)8, 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 10/3/13
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 11/18/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Higher Level ED Nursing Facility for Rasmussen College

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 thirteen-member board consists of:
- Seven members must be registered nurses who are residents of the state, and have been in the practice of professional nursing for at least 4 years, including at least one advanced registered nurse practitioner, one nurse executive and one nurse educator member of an approved program. These seven board members should be representative of the diverse areas of practice within the nursing profession.
 - Three members who are resident, licensed practical nurses who have practiced for at least four years;
 - Three members who are residents of the state who have never been licensed as nurses, who are in no way connected with the practice of nursing, and who are not connected with and do not hold any financial interest in a health care facility, agency, or insurer; and
 - 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 - R.N.

Number 18 - Ms. Whitson served on the Education Practices Commission from 2000 to 2004. From 2001-2008, Ms. Whitson served on the Florida Center for Nursing.

The Florida Senate
COMMITTEE MEETING PACKET TAB

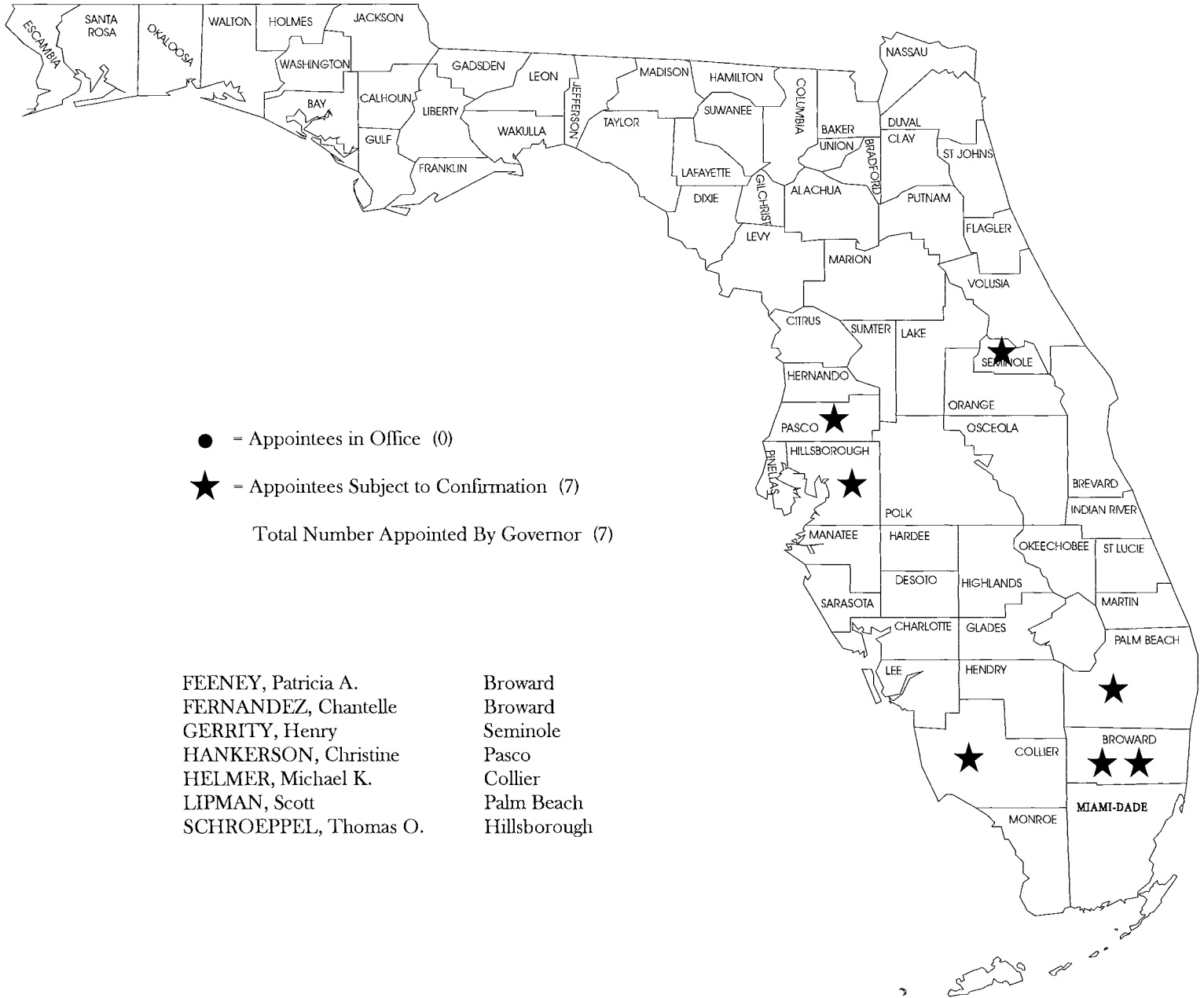
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Nursing Home Administrators



Recommendation for Senate Confirmation of Executive Appointment

Appointee: Lipman, Scott

Appointed: 11/01/2013

Term: 11/01/2013 – 10/31/2014

Prior Term:

City/County: Boca Raton/Palm Beach

Office: Board of Nursing Home Administrators, Member

Authority: 468.1665(1), F.S. & 20.43(3)(g)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 12/16/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
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: Nursing Home Administrator at Marrinson Group Inc.

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

- Requirements:** The seven-member board consists of:
- Three members who are licensed nursing home administrators;
 - Two members who are health care practitioners; and
 - Two lay members who are not and have never been nursing home administrators or members of any health care profession or occupation.

At least one of the members must be sixty years of age or older and only members who are nursing home administrators may have a direct financial interest in any nursing home.

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 - Nursing Home Administrator

Number 15 - Mr. Lipman disclosed that his employer, the Marrinson Group Inc., a senior care residences firm contracts with the Agency for Health Care Administration as a service provider on behalf of Medicaid eligible clients.

The Florida Senate
COMMITTEE MEETING PACKET TAB

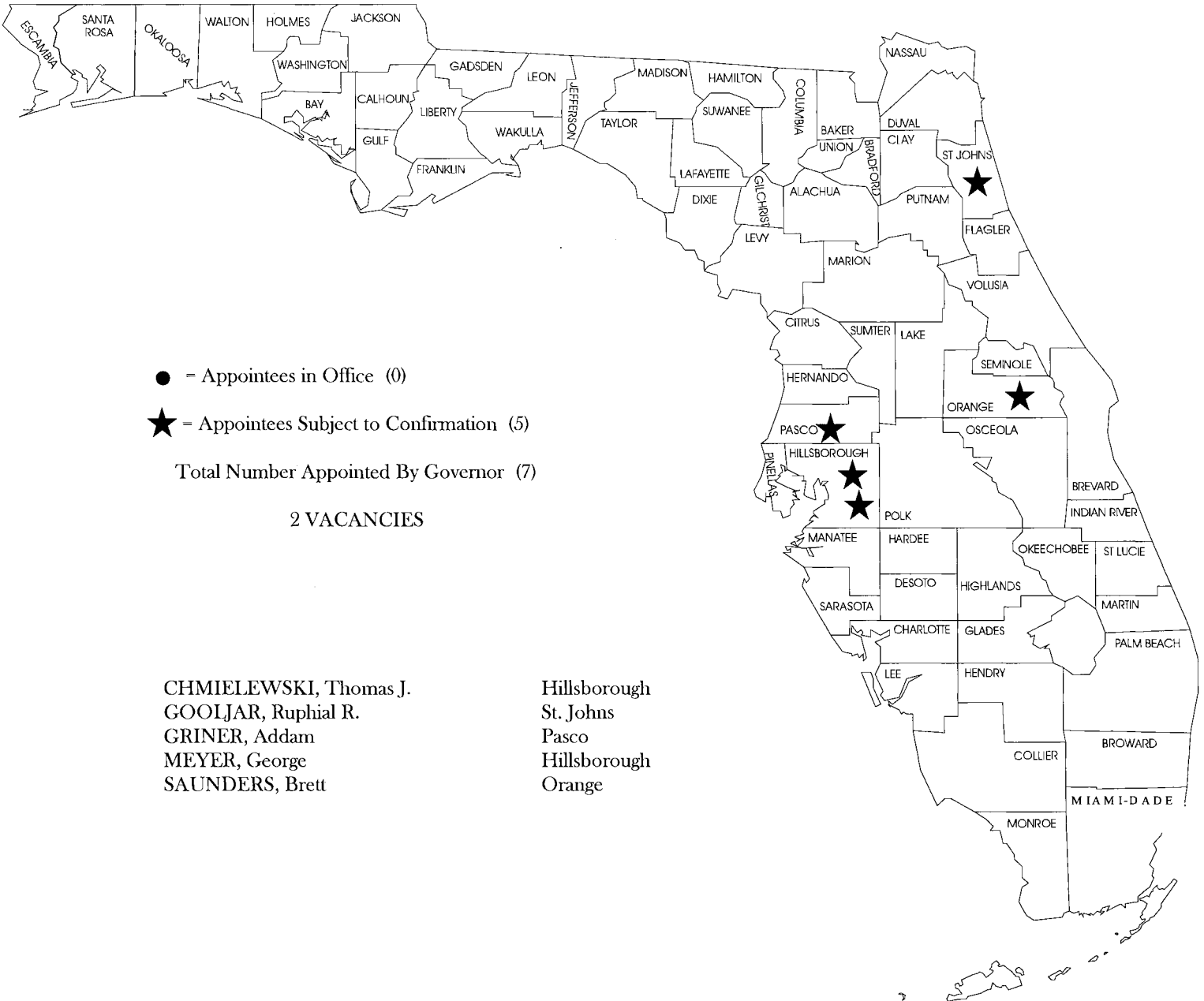
Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Orthotists and Prosthetists



- = Appointees in Office (0)
- ★ = Appointees Subject to Confirmation (5)

Total Number Appointed By Governor (7)

2 VACANCIES

CHMIELEWSKI, Thomas J.
 GOOLJAR, Ruphial R.
 GRINER, Addam
 MEYER, George
 SAUNDERS, Brett

Hillsborough
 St. Johns
 Pasco
 Hillsborough
 Orange

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Chmielewski, Thomas J.

Appointed: 11/21/2013

Term: 11/21/2013 – 10/31/2016

Prior Term: 05/20/2009 - 10/31/2012

City/County: Tampa/Hillsborough

Office: Board of Orthotists and Prosthetists, Member

Authority: 468.801, F.S. & 20.43(3)(g)19, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/21/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 2/4/14
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: Instructor, St. Petersburg College

Attendance: Attended 21 of 22 meetings (95%) from May 20, 2009 through January 8, 2014.

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

- Requirements:** The seven member board consists of residents of the state appointed as follows:
- Two members must be licensed practicing prosthetists, with a minimum of 3 years' clinical or practical experience, at least one of whom has attained a minimum of a bachelor's degree;
 - One member must be a licensed practicing orthotist with a minimum of 3 years' clinical or practical experience who has attained a minimum of a bachelor's degree;
 - Two members must be prosthetic or orthotic users, the parents, guardians, or spouses of prosthetic or orthotic users, or any combination of such users and nonusers who are not deriving economic benefit from the fitting or dispensing of orthotic or prosthetic devices and who have never been orthotists or prosthetists or members of a closely related profession;
 - One member must be a physician licensed under Chapter 458, Chapter 459, Chapter 460, or Chapter 461, F.S., who has extensive knowledge of orthotics or prosthetics; and
 - One member must be a licensed practicing orthotist, orthotic fitter, or pedorthist with a minimum of 3 years' clinical or practical experience.

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 - Mr. Chmielewski is a licensed prosthetist.
Number 19 - Mr. Chmielewski is an instructor at St. Petersburg College, 2008-Present.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Meyer, George H., Jr.

Appointed: 11/21/2013

Term: 11/21/2013 – 10/31/2016

Prior Term:

City/County: Apollo Beach/Hillsborough

Office: Board of Orthotists and Prosthetists, Member

Authority: 468.801, F.S. & 20.43(3)(g)19, 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 2/28/14
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation:

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

- Requirements:** The seven member board consists of residents of the state appointed as follows:
- Two members must be licensed practicing prosthetists, with a minimum of 3 years' clinical or practical experience, at least one of whom has attained a minimum of a bachelor's degree;
 - One member must be a licensed practicing orthotist with a minimum of 3 years' clinical or practical experience who has attained a minimum of a bachelor's degree;
 - Two members must be prosthetic or orthotic users, the parents, guardians, or spouses of prosthetic or orthotic users, or any combination of such users and nonusers who are not deriving economic benefit from the fitting or dispensing of orthotic or prosthetic devices and who have never been orthotists or prosthetists or members of a closely related profession;
 - One member must be a physician licensed under Chapter 458, Chapter 459, Chapter 460, or Chapter 461, F.S., who has extensive knowledge of orthotics or prosthetics; and
 - One member must be a licensed practicing orthotist, orthotic fitter, or pedorthist with a minimum of 3 years' clinical or practical experience.

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 - Prosthetic or Orthotic User

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Saunders, Brett R.

Appointed: 11/21/2013

Term: 11/21/2013 – 10/31/2014

Prior Term:

City/County: Orlando/Orange

Office: Board of Orthotists and Prosthetists, Member

Authority: 468.801, F.S. & 20.43(3)(g)19, 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 12/16/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/4/14
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		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Prosthetist/Orthotist with Saunders Prosthetics & Orthotics

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

- Requirements:** The seven member board consists of residents of the state appointed as follows:
- Two members must be licensed practicing prosthetists, with a minimum of 3 years' clinical or practical experience, at least one of whom has attained a minimum of a bachelor's degree;
 - One member must be a licensed practicing orthotist with a minimum of 3 years' clinical or practical experience who has attained a minimum of a bachelor's degree;
 - Two members must be prosthetic or orthotic users, the parents, guardians, or spouses of prosthetic or orthotic users, or any combination of such users and nonusers who are not deriving economic benefit from the fitting or dispensing of orthotic or prosthetic devices and who have never been orthotists or prosthetists or members of a closely related profession;
 - One member must be a physician licensed under Chapter 458, Chapter 459, Chapter 460, or Chapter 461, F.S., who has extensive knowledge of orthotics or prosthetics; and
 - One member must be a licensed practicing orthotist, orthotic fitter, or pedorthist with a minimum of 3 years' clinical or practical experience.

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 - Prosthetist
Number 15 - Mr. Saunders disclosed that his employer, Saunders Prosthetics & Orthotics Groups, is a contract provider of services funded by Medicaid.
Number 19 - Mr. Saunders worked as an EMT for both the City of Maitland in 1981 and the Reedy Creek Improvement District, 1981-1989.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Rivas, Jose A., Jr.

Appointed: 10/03/2013

Term: 10/02/2013 – 10/01/2015

Prior Term:

City/County: Orlando/Orange

Office: East Central Florida Regional Planning Council, Region 6, Member

Authority: 186.504, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: Owner of Sol Time, Inc.

Compensation: The Florida Statutes make no provision for compensation.

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

- Brevard;
- Lake;
- Orange;
- Osceola;
- Seminole; and
- Volusia.

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

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

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

Additional Requirements: The Florida Statutes make no provision for terms.

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

Required to file Form 1 with SOE's office.

Notes: Number 8 - Orange County Resident
Number 17 - Mr. Rivas is serving on the Orange Blossom Trail Development Board, 2012-Present. Mr. Rivas is also serving on the Orange County Code Enforcement Board, 2013-Present.
Number 18 - Mr. Rivas served on the Orange County Sheriff Citizens Advisory Board from 2010 to 2012.

The Florida Senate
COMMITTEE MEETING PACKET TAB

16

A2165M

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Mulhere, Robert J.

Appointed: 10/17/2013

Term: 10/15/2013 – 10/01/2014

Prior Term: 05/13/2009 - 10/01/2011

City/County: Naples/Collier

Office: Southwest Florida Regional Planning Council, Region 9, Member

Authority: 186.504, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: Director of Planning for Holemontes Inc.

Attendance: Attended 37 of 47 meetings (79%) from May 13, 2009 through January 8, 2014.

Compensation: The Florida Statutes make no provision for compensation.

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

- Charlotte;
- Collier;
- Glades;
- Hendry;
- Lee; and
- Sarasota.

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

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

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

Additional Requirements: The Florida Statutes make no provision for terms.

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

Required to file Form 1 with SOE's office.

- Notes:**
- Number 8 - Collier County Resident
 - Number 15 - Mr. Mulhere owns and works for consulting firms that provides services to various state and local agencies.
 - Number 18 - Mr. Mulhere served on the Collier County development Services Advisory Committee from 2003-2007.
 - Number 19 - Mr. Mulhere was a planner for the Collier County Board of County Commissioners from 1989-2001.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Walters, Sandra

Appointed: 11/19/2013

Term: 11/19/2013 – 10/01/2015

Prior Term: 03/29/2010 - 10/01/2012

City/County: Lower Sugarloaf Key/Monroe

Office: South Florida Regional Planning Council, Region 11, Member

Authority: 186.504, F.S.

Reference(s): Committee on Ethics and Elections

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

Occupation: Principal/Sandra Walters Consultants, Inc.

Attendance: Attended 43 of 44 meetings (98%) from March 29, 2010 through January 3, 2014.

Compensation: The Florida Statutes make no provision for compensation.

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

- Broward;
- Miami-Dade; and
- Monroe.

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

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

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

Additional Requirements: The Florida Statutes make no provision for terms.

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

Required to file Form 1 with SOE's office.

Notes: Number 8 - Monroe County Resident

Number 15 - Ms. Walters disclosed that her company provides contractual consulting services to the Department of Transportation and the City of Key West. Ms. Walters also disclosed that her company has also held Contracts with the Counties of Monroe and Broward, the Cities of Bonita Springs, Fort Myers, Medley and Naples, and the Monroe County Mosquito Control District.

Number 18 - Ms. Walters served on the Utility Board of Key West 1998 to 2004 and the Florida Acquisition and Restoration Council from 2000 to 2004. Ms. Walters has served on the South Florida Regional Planning Council, Region 11.

Number 19 - Ms. Walters worked for the South Florida Regional Planning Council, 1980 to 1984, and the Dade County School System from 1978 to 1980.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Education
MEETING DATE: Tuesday, January 14, 2014
TIME: 10:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Don Gaetz, President

FROM: Committee on Education

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

Office: Board of Trustees, Florida International University

Appointee: Arrizurieta, Jorge L.

Term: 3/28/2013-1/6/2018

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Arrizurieta, Jorge L.

Appointed: 03/28/2013

Term: 03/28/2013 – 01/06/2018

Prior Term: 01/07/2008 - 01/06/2013

City/County: Coral Gables/Miami-Dade

Office: Board of Trustees, Florida International University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Education-Recommend Confirm-01/14/2014
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/1/13
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Chairman/CEO of Arrizurieta & Associates LLC

Attendance: Attended 30 of 34 meetings (88%) from January 7, 2008 through October 14, 2013.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment

Number 10 - See Report 2013-116

Number 18 - Mr. Arrizurieta served on the Board of the Public Health Trust of Miami-Dade County 2006-2011. Mr. Arrizurieta is a former member of the Board of Governors of the State University System, 1/06-6/07 He served on the Post Secondary Education Planning Commission from 1999-2001.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Monday, March 10, 2014

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Education
MEETING DATE: Tuesday, January 14, 2014
TIME: 10:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Don Gaetz, President

FROM: Committee on Education

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

Office: Board of Trustees, University of South Florida

Appointee: Watkins, Nancy Hemmingway

Term: 3/28/2013-1/6/2016

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Watkins, Nancy Hemmingway

Appointed: 03/28/2013

Term: 03/28/2013 – 01/06/2016

Prior Term:

City/County: Tampa/Hillsborough

Office: Board of Trustees, University of South Florida, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Education-Recommend Confirm-01/14/2014

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/26/13
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 9/30/13
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Certified Public Accountant/Robert Watkins & Co., PA

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governor's Appointment

Number 18 - Ms. Watkins served on the Hillsborough Community College Board of Trustees from 1999 to 2013.

Education Verified

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: VanOpdorp, Heather L.
BOARD: Board of Athletic Training
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Bahadori, Hamid R.
BOARD: Florida Building Commission
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
TOTALS			FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
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 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Allende, Pedro M.
BOARD: Regulatory Council of Community Association Managers
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay

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 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Fincel, Ginny Adair
BOARD: Board of Cosmetology
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-		
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Ritenbaugh, Laurel K.
BOARD: Board of Cosmetology
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
			Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
Yea	Nay	TOTALS	FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

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COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Diaz, Marisol
BOARD: Education Practices Commission
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
Yea	Nay	TOTALS	FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Farmer, Diane A.
BOARD: Education Practices Commission
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
		TOTALS						
Yea	Nay		FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Bramlett, Robert M.
BOARD: Electrical Contractors' Licensing Board
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11 Yea	0 Nay	TOTALS	FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Brandenburg, Joseph A.
BOARD: Board of Funeral, Cemetery, and Consumer Services
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X			Benacquisto					
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0		FAV	-	FAV	-		
Yea	Nay	TOTALS	Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Davis, James E.
BOARD: Board of Funeral, Cemetery, and Consumer Services
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
Yea	Nay	TOTALS	FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Knopke, Keenan Lacy
BOARD: Board of Funeral, Cemetery, and Consumer Services
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X			Benacquisto					
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay

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 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Oliver, Vanessa Grant
BOARD: Board of Funeral, Cemetery, and Consumer Services
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay
X			Benacquisto					
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0		FAV	-	FAV	-		
Yea	Nay	TOTALS	Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Binney, Curtis A.
BOARD: Board of Trustees of South Lake County Hospital District
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
Yea	Nay	TOTALS	FAV Yea	- Nay	FAV Yea	- Nay	Yea	Nay

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Jones, JoAnn
BOARD: Board of Trustees of South Lake County Hospital District
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0							
Yea	Nay	TOTALS	FAV	-	FAV	-	Yea	Nay
			Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable
 UNF=Unfavorable
 -R=Reconsidered

TP=Temporarily Postponed
 VA=Vote After Roll Call
 VC=Vote Change After Roll Call

WD=Withdrawn
 OO=Out of Order
 AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Walker, Jonathan E.
BOARD: Board of Massage Therapy
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto		Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay		

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Trybulski, JoAnn
BOARD: Board of Nursing
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 ¹ Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 ² Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
			Yea	Nay	Yea	Nay	Yea	Nay
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0	TOTALS	FAV	-	FAV	-		
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

THE FLORIDA SENATE

APPEARANCE RECORD

Tab # 16 - Exec. Appts.

3-10-14

Meeting Date

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

Robert Mulhese
Southwest FL.

Topic Office Appointments

Bill Number Regional Planning Council (if applicable)

Name Amy Datz

Amendment Barcode _____ (if applicable)

Job Title Retired Environmental Scientist/Planner

Address 1130 Crestview Ave.

Phone 850 322-7599

Street

Tallahassee FL 32303

City

State

Zip

E-mail amali@datz@Mac.com

Speaking: For Against Information

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.

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Ethics and Elections
NAME: Watkins, Nancy Hemmingway
BOARD: Board of Trustees, University of South Florida
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, March 10, 2014
TIME: 4:00 —6:00 p.m.
PLACE: 412 Knott Building

FINAL VOTE		SENATORS	3/10/2014 1 Motion to Recommend Confirm Exec. Appts. (Tabs 1-19) Thrasher		3/10/2014 2 Motion to vote "YEA" after Roll Call Gardiner/Flores/Soto			
			Yea	Nay	Yea	Nay		
X		Benacquisto						
X		Braynon						
X		Clemens						
X		Diaz de la Portilla						
VA		Flores						
VA		Gardiner						
X		Joyner						
		Lee						
		Legg						
VA		Soto						
X		Thrasher						
X		Sobel, VICE CHAIR						
X		Latvala, CHAIR						
11	0		FAV	-	FAV	-		
Yea	Nay	TOTALS	Yea	Nay	Yea	Nay	Yea	Nay

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

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: SPB 7068

INTRODUCER: For consideration by the Ethics and Elections Committee

SUBJECT: Elections

DATE: March 11, 2014

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Fox	Roberts		Submitted as a Committee Bill

I. Summary:

SPB 7068 makes the following substantive election administration changes:

- Directs the Division of Elections to develop an operational voter registration system by July 1, 2015; requires new registrants to vote in person for the first time, except for senior citizens, disabled persons, active duty military personnel and their spouses/dependents, and overseas residents; with respect to such exempt persons, modifies the requirements for absentee ballot requests and creates special absentee ballot voting and canvassing procedures;
- Clarifies that absentee ballots may be dropped-off at an early voting site, in addition to supervisors of elections' offices and their U.S.P.S. post office boxes;
- Regarding the Florida Elections Commission ("FEC" or "the commission")—
 - Authorizes wage garnishment for unpaid fines, up to a maximum of \$2,000;
 - Streamlines initial service and ongoing delivery of documents to respondents;
 - Clarifies that the FEC may enforce violations for certain political activities by judicial candidates.
- Delays the (\$50/day to \$500/day) increase in automatic fines for late candidate and most committee campaign finance filings, from the 4th to 8th day after the report was due.
- Allows county supervisors to *either* publish sample ballots in newspapers or deliver them to registered electors, reversing a duplicative requirement passed last year requiring *both*; and,
- Authorizes canvassing boards and supervisors to begin canvassing absentee ballots in all-mail ballot, local referenda elections 15 days before the election, just like absentee ballots in general or primary elections.

SPB 7068 also makes some purely technical changes to clarify two provisions of the 2013 election reform and campaign finance acts.

The bill takes effect upon becoming a law.

II. Present Situation:

1) Online Voter Registration

As of August 2013, the National Conference on State Legislatures (“NCSL”) found that:

- 13 states offered online voter registration;
- 6 states had passed legislation to create online registration systems, but had not yet implemented them; and,
- 5 states offered some form of limited online voter registration.¹

Florida was not included among these states, despite the fact that its’ electronic system for submitting voter registration applications from Department of Highway Safety & Motor Vehicles (“DHSMV”) offices² is similar to the system utilized in Delaware — a state that NCSL identified as offering “limited online voter registration.” Floridians not registering electronically at a DHSMV office must fill out a paper voter registration application and return it to their local county supervisor of elections, or to any of the following entities: any supervisor of elections’ office in the state, a voter registration agency including an armed forces recruitment office, a public library, or the Division of Elections.³ The division’s website, and most if not all supervisor’s websites, contain an electronic version of the official Florida Voter Registration Application which can be printed out, sworn and affirmed by the applicant’s signature, and mailed.⁴

2) Absentee Ballot Drop-Offs

Florida law neither specifically provides for, nor expressly prohibits, dropping-off absentee ballots at early voting sites or other drop-off sites set-up by a supervisor of elections.

On November 25, 2013, the Secretary of State issued a binding directive advising county supervisors of elections NOT to “solicit return of absentee ballots at any place other than a supervisor's office, except for the purpose of having the absentee ballots cancelled if the voter

¹ National Conference of State Legislatures website, <http://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx> (last accessed 2.7.2014).

² DHSMV’s staff analysis on SB 784 (2014) provides:

Currently, driver license examiners ask driver license or identification card applicants if the applicant would like to apply to register to vote or update his or her current voter registration information during the credential process. If so, an electronic voter registration application is completed, with a digital signature, and the voter oath is administered. The voter registration application includes data specific to the voter registration process, such as whether the person is a convicted felon, party affiliation, military status, whether the person needs voting assistance and previous voter registration data. The voter application also requires the examiner to re-key the customer’s address in order to verify it against a Department of State database, as required by law. The customer receives a printed application for his or her review. At the close of business, the day’s voter registration applications, changes, and declinations are submitted electronically to the Department of State.

DHSMV’s 2014 Agency Legislative Bill Analysis, *SB 784*, at p.1 (January 31, 2014) (Section 2.1., Present Situation), available at, <http://abar.laspbs.state.fl.us/ABAR/Document.aspx?id=2773&yr=2014> (last visited 2.18.2014).

³ Florida Department of State website, <http://election.dos.state.fl.us/voter-registration/voter-reg.shtml> (last accessed 2.7.2014).

⁴ Florida Voter Registration Application Form, available at the Division of Elections website, <http://election.dos.state.fl.us/pdf/webappform.pdf> (last visited 2.21.2014).

wants to vote in person.”⁵ The directive cited several provisions of the election code which, read together, were deemed to support the legal conclusion that absentee ballots may only be returned to a supervisor’s office, or to the voter’s precinct or an early voting site to be cancelled. The directive also cited practical security concerns for collecting ballots anywhere other than a supervisor’s office.

Some supervisors were already in compliance with the Secretary’s directive;⁶ others raised serious objections and concerns.⁷ One supervisor, who had an upcoming congressional special primary election in January 2014, notified the Secretary on December 2, 2013, that she believed that her drop-box sites that had been in use since 2008 — staffed by sworn deputy supervisors of elections — fully complied with Florida law.⁸ The letter to the Secretary went on to explicitly detail the security procedures undertaken at the drop-off locations, and concluded by stating that the supervisor planned to “continue using them, including in the impending primary election.”⁹ The next day, the Secretary spoke with the supervisor in question and subsequently issued a letter stating if the county’s voting security procedures were promptly updated to include the additional security measures, legal action would not be necessary — effectively authorizing the drop-off locations for the special primary election and ending the impasse.¹⁰

The “consensus” that has emerged from the Florida State Association of Supervisors of Elections (“FSASE”) since December is that “with appropriate security measures in place, electors should have the opportunity and convenience to return their ballots to the supervisor at office locations, early voting locations, and other locations designated by the supervisor which are specified in the supervisors’ security procedures.”¹¹

3) Florida Elections Commission

a. Wage Garnishment

The Florida Elections Commission (or, in cases referred to the Division of Administrative Hearings, the hearing officer) may generally assess an administrative fine of up to \$1000 per count for violations of Chapter 104 or the campaign finance laws.¹² According to commission staff, the average fine over the past 5 years is about \$1,900. Fines collected are deposited in the General Revenue Fund of the State.

⁵ Secretary of State, Binding Directive 2013-01 (Nov. 25, 2013).

⁶ CBS/Miami, *Florida’s New Absentee Ballot Directive Gets Pushback* (December 3, 2013), available at, <http://miami.cbslocal.com/2013/12/03/floridas-new-absentee-ballot-directive-gets-pushback/> (last visited 2.18.2014)

⁷ Brandon Larrabee and Dara Kam, Palm Beach Post, *Pinellas Supervisor Bucks Secretary of State Detzner’s Directive on Absentee Ballots*, (December 2, 2013), available at, <http://www.palmbeachpost.com/news/news/state-regional-govt-politics/pinellas-supervisor-bucks-secretary-of-state-detzner/nb9Gj/> (last visited 2.17.2014).

⁸ Letter from the Honorable Deb Clark, Pinellas Co. Supervisor of Elections, to the Honorable Ken Detzner, Secretary of State (December 2, 2013). These sites that were intended to be used for the special primary included two libraries and three tax collector branch offices, in addition to the supervisor’s three offices. Richard Danielson, Tampa Bay Times, *Governor Rick Scott’s Administration Eases Showdown over Pinellas Election* (December 3, 2013), available at, <http://www.tampabay.com/news/politics/elections/bill-nelson-attacks-absentee-ballot-drop-off-edict-as-voter-suppression/2155369> (last visited 2.18.2014).

⁹ Letter from the Honorable Deb Clark to the Honorable Ken Detzner (December 2, 2013).

¹⁰ Letter from the Honorable Ken Detzner to the Honorable Deb Clark (December 3, 2013).

¹¹ Letter from Ron Labasky, General Counsel for the FSASE to the Honorable Ken Detzner (February 5, 2014).

¹² Section 106.265(1), F.S.

The FEC is authorized to collect unpaid fines by instituting a civil enforcement action. Collection efforts are often unsuccessful, and can be expensive and time-consuming, —so much so that sometimes it is not practical to pursue collecting smaller fines. There are no statutory provisions authorizing garnishment of wages.

b. Service/Delivery of Documents

The FEC uses a number of delivery methods to meet its legal obligation to deliver documents to respondents, including regular U.S. mail, certified mail, certified mail/return receipt requested, or, with certain documents if all else fails, personal service through a process server. Delivery is expensive.¹³ Further, cases are often delayed because a respondent has moved and fails to update an address with his or her filing officer (for purposes of initial service) and/or the commission (for purposes of ongoing service).

i. Initial Service

Within 5 days of receipt, the commission must “transmit” a copy of a complaint to an alleged violator.¹⁴ The alleged violator has 14 days from receipt of the complaint to file an initial response,¹⁵ during which time the executive director cannot make any finding regarding the legal sufficiency of the complaint.¹⁶ Because of this 14-day statutory deadline, the commission has interpreted “transmission” to require service *via certified mail/with delivery confirmation or, if delivery is not confirmed, by process server*. If the executive director finds that the complaint is legally sufficient, a letter is served on the respondent *via certified mail/return receipt requested or, if the commission does not receive a return receipt, by process server*.

ii. Ongoing Service

After the finding of legal sufficiency and as a case progresses, the commission provides statutorily-required documents to the respondent as follows:

- Report of Investigation: Regular mail.
- Staff recommendation: Regular mail.
- Notices of Hearing: Regular mail.
- Notice of Probable Cause Finding: Certified mail/return receipt requested.
- Final Order Imposing a Fine: Certified mail/return receipt requested or process server.

c. Judicial Candidates

Section 105.071, F.S., prescribes limitations on political activities of judicial candidates. That section also charges the FEC with enforcement. However, the FEC’s general jurisdiction statute in s. 106.25, F.S., only deals with procedures and proceedings to enforce *Chapter 104*

¹³ Certified mail without a return receipt currently costs \$3.10 in addition to postage; certified mail with a return receipt costs \$5.65 plus postage. A process server to physically deliver documents can cost many times that amount, depending on the circumstances.

¹⁴ Section 106.25(2), F.S.

¹⁵ The commission estimates that only about 20% of alleged violators bother to file an initial response within the 14-day window.

¹⁶ Section 106.25(2), F.S.

(election violations) and Chapter 106 (campaign finance) violations; it is silent on this Chapter 105 provision, including failing to extend temporary public records and meetings exemptions.¹⁷ Because of this statutory ambiguity, the FEC recently chose to dismiss a case involving a judicial candidate who was alleged to have improperly represented himself as a member of a political party.¹⁸

4) Campaign Finance; Automatic Fines for Late Reporting

The 2013 Campaign Finance Reform Act¹⁹ significantly increased both the *frequency*²⁰ and *total number* of campaign finance reports that candidates and many committees must file — *doubling*, and, in some cases, *more than tripling* the number of required reports.²¹ For legislative and local candidates, the overall number of reports due in an election year increased from 10 to 20, with election-year reports due from political committees (“PCs”) seeing a more than threefold jump up to 33.

Despite these increases, the 2013 Act did not change the penalties for late-filed reports. Candidates, PCs, and Electioneering Communications Organizations are still subject to a **\$50/day** penalty for the **first three days** late for most reports, increasing to **\$500/day thereafter** (up to a maximum of 25% of the total receipts or expenditures for the reporting period, whichever is greater).²² Fines collected are deposited to either the State’s General Revenue Fund (state, legislative, and multicounty candidates/committees) or the general revenue fund of the political subdivision the candidate or committee registers with (local candidates/committees).²³

5) Sample Ballot Newspaper Publication

Prior to the passage of the 2013 Paper Reduction Act,²⁴ county supervisors of elections had the option to either publish a sample ballot in a newspaper of general circulation in the county or snail mailing it to registered voters. The Act authorized sending sample ballots by e-mail, but also set-up the *double requirement* of publishing and sending a sample ballot.

¹⁷ A companion public records bill has been filed to address this shortcoming.

¹⁸ *Gottlieb v. FEC*, FEC No. 10-044 (November 18, 2010)(Final Order dismissing case where lack of jurisdictional issue was raised by the Commission's chair *sua sponte*); *see also*, E-mail from Amy Toman, FEC Executive Director to Jonathan Fox, Chief Attorney for the Senate Ethics and Elections Committee (2.18.2014)(describing facts underlying the FEC’s Final Order).

¹⁹ 2013-37, LAWS OF FLA.

²⁰ Quarterly reporting outside the election cycle (from qualifying to through the general election) was changed to monthly reporting, and the frequency of many reports due during the election cycle went from bi-weekly to weekly and, in some cases, even daily reporting.

²¹ Florida Division of Elections, Report, *Statutorily Required Campaign Finance Reports Filed with the Division of Elections From 1 January through End of Calendar Year* (submitted to Senate Ethics and Elections Committee at 01.13.2014 meeting)

²² Sections 106.07(8)(b), 106.0703(7)(b), F.S. The late-filing penalty for the last report due *immediately* before an election is a flat \$500/day (up to a maximum of 25% of the total receipts or expenditures for the reporting period, whichever is greater). *Id.*

²³ Sections 106.07(8)(a), 106.0703(7)(a), F.S.

²⁴ 2013-192, LAWS OF FLA.

6) Mail Ballot Election Act; Start of Canvassing Period

Local referenda elections may be conducted entirely by absentee ballots.²⁵ Florida law has a “Mail Ballot Election Act” that contains procedures specifically governing some aspects of these special type of all-absentee-ballot issue elections, including a provision allowing supervisors of elections to *begin* canvassing the absentee ballots and running them through the optical scan tabulators on the 6th day before election day.²⁶

Back in 2011, the Legislature extended the time frame to start canvassing *general* absentee ballots from **6 days to 15 days before the election**,²⁷ to give supervisors and canvassing boards more time to deal with growing mountains of paper as more and more voters choose to vote absentee; a corresponding change, however, was never made to the mail ballot election provisions. This was an oversight that likely arose because local referendum elections are typically fairly limited in terms of the overall number of voters — notwithstanding that counties can opt for an all-mail-ballot election. Orange County will be conducting such a county-wide mail ballot referendum election this coming May that will likely involve hundreds of thousands of absentee ballots.

III. Effect of Proposed Changes:

SPB 7068 makes a number of substantive changes to Florida election law.

1) Online Voter Registration

Beginning July 1, 2015, the bill creates an online voter registration system for registering first-time voters and updating existing voter registrations. The Division of Elections is tasked with establishing the secure Internet website and developing security measures to prevent unauthorized tampering with a voter’s registration information, including the use of a unique identifier for each applicant. The system must also comply with certain federal laws to ensure equal access to voters with disabilities, with accessibility experts included in the development phase; further, the system’s accessibility must be verified by an “independent body with expertise on the matter.”

Upon submission of a completed online voter registration application, the website must generate an electronic confirmation that the supervisor has received it and will provide instruction with respect to checking the status of the application. Before a first-time registration application will be accepted for submission, however, the applicant must acknowledge that he or she has read a required notice with respect to first-time voting requirements (see *infra* this section).

Specifically, the new online voting system will:

- Compare an applicant’s driver’s license number or Florida ID number with DHSMV records, to confirm the name and birth date of the applicant.

²⁵ Section 101.6102, F.S.

²⁶ Section 101.6103(6), F.S., it is a felony for anyone to release the results before 7 p.m. on Election Day. *Id.*

²⁷ Ch. 2011-40, s. 40, LAWS OF FLA. (codified at s. 101.68(2)(a), F.S.)

- *If the applicant's name and birth date are consistent*, electronically transmit the application to the appropriate supervisor of elections along with the applicant's digital signature (if he or she has on file with DHSMV), in which case the application process can proceed electronically; however, if there is no digital signature on file with DHSMV, the supervisor must notify the applicant that a signature is needed to complete the application and provide a form and postage pre-paid return postcard to the applicant to provide the signature.
- *If an otherwise eligible applicant's name and birth cannot be verified, or if the applicant has no driver's license or Florida ID card*, issue a unique identifier number and electronically submit the application to the appropriate supervisor of follow-up.

An applicant who is not updating an existing registration must vote in-person at the first election after registering, except the applicant may vote absentee if he or she:

- Is 65 years of age or older;
- Has a temporary or permanent physical disability;
- Is a member of the uniformed services on active duty who, by reason of such active duty, will be absent from the county on election day;
- Is a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day;
- Is the spouse or dependent of a member of the uniformed services or Merchant Marine who, by reason of the active duty or service of the member, will be absent from the county on election day; or
- Is currently residing outside of the United States and is eligible to vote in Florida.

An absentee ballot request from a new elector who registered online is not valid unless it includes the elector's assertion that he or she meets one or more of these exemptions — unless the voter registration records indicate that the elector is at least 65 years of age or the ballot is to be sent to an overseas address (in which case the supervisor will mail an absentee ballot notwithstanding this omission). Upon receipt of a valid request, the supervisor must mail an absentee ballot to the elector along with a revised set of specific absentee ballot instructions that:

- Details the legal prohibition against voting an absentee ballot unless one of the aforementioned exemptions apply;
- Notifies the voter of the felony criminal penalty associated with voting the ballot illegally; and,
- Directs the voter to indicate (check box format) which exemption(s) applies on a newly-minted Voter's Certificate located on the outside of the return envelope.

If the elector mails back the ballot but fails to designate which exemption applies on the Voter's Certificate, the supervisor must check the voter registration records to see if the absentee ballot request was in writing or if the elector previously notified the supervisor in writing that he or she was exempt. If not, the ballot will not be opened to be canvassed and will be treated as a provisional ballot until 7 p.m. on election day, and the ballot will not be canvassed unless the supervisor has received a written indication of the exemption by that time. This is similar to the canvassing procedure for absentee ballots received from first-time voters who register by mail.

2) Absentee Ballot Drop-Offs

The bill clarifies that absentee ballots may be dropped-off at the main or branch office of a supervisor of elections, their post office box (if located in a U.S. Postal Service facility), or in the polling room at an early voting site; there is currently a public discussion between the Secretary of State and some supervisors of elections as to whether early voting site drop-offs are permissible.

3) Florida Elections Commission

a. Wage Garnishment

The bill authorizes the FEC to collect unpaid fines through wage garnishment, along the same lines as what the Legislature authorized last year to allow the Florida Ethics Commission to collect unpaid, automatic-financial-disclosure-filing fines (maximum fine of \$1,500).²⁸ While there are some minor differences in procedure, the main distinction from the Ethics Commission's authority is that this bill authorizes the FEC to garnish wages for *any* violation of Chapter 104, s. 105.071, or Chapter 106 — not just late filing fines. This broader grant of authority to the FEC is restrained, however, by a \$2,000 cap on the total amount that may be garnished, thereby putting it on somewhat equal footing with the Ethics Commission's \$1,500 fine limit.²⁹

b. Service/Delivery of Documents

i. Initial Service

The bill modifies the timing and type of service that must initially be provided to a respondent when a complaint is filed, effectively requiring formal "service" of the complaint (and finding of legal sufficiency) on the respondent only *after* the FEC's executive director determines that the complaint is legally sufficient to move forward. Otherwise, the FEC need only provide a copy of the complaint and a finding of legal *ins*ufficiency by mail at the last address on file with the respondent's officer (or such other mailing address known to the Commission).

This new procedure should allow the FEC to process and dismiss legally insufficient complaints even when the respondent has relocated since the end of a campaign and the FEC is unsure of his or her whereabouts. In some cases, however, this will necessarily mean that the executive director may make an *initial* finding of legal sufficiency *before* receiving a response to the allegations in the complaint, although the director *must* reconsider its finding if the respondent submits a timely response (within 14 days of service).

ii. Ongoing Service

Upon commencement of investigation, the bill requires respondents to provide the FEC with their current mailing address and, if available, a valid e-mail address (respondents

²⁸ CS/SB 2 (2013) (Ch. 2013-36, LAWS OF FLA.)

²⁹ Since each FEC violation carries a maximum fine of \$1,000 and the average fine over the past 5 years is about \$1,900, \$2,000 seemed more appropriate than the Ethics Commission's \$1,500 cap.

may consent to electronic delivery of docs). Failure to maintain a current address or e-mail address (for those receiving electronic docs) is a violation, and complaints may be amended to incorporate this violation. Service of documents throughout the pendency of a case is generally deemed complete upon delivery of electronic documents, or upon mailing or receiving proof of delivery at the mailing address on file with the FEC (instead of by certified mail).

4) Campaign Finance; Automatic Fines for Late Reporting

The bill increases automatic fines from \$50/day to \$500/day for candidates, PCs, and ECOs that file **late** campaign finance reports, *starting on the 8th day after the report was due*; current law increases the \$50/day fine to \$500/day starting on **4th** day after the report was due. (This change does not affect the *final report* due immediately preceding the primary and general elections, for which penalties are a fixed \$500/day for each day late).

5) Sample Ballot Newspaper Publication

The bill allows supervisors to **either** publish a sample ballot in a local newspaper or send registered voters a sample ballot by e-mail/snail mail; prior to 2013, supervisors had the option to *either* publish or snail mail a sample ballot.

6) Mail Ballot Election Act; Start of Canvassing Period

Extends the beginning of the canvassing period for absentee ballots in ***all-mail-ballot, local referendum elections*** from 6 days to **15 days before the election** — to correspond to the change the Legislature made to the start of the *general* absentee ballot canvassing period in 2011.

7) Other Technical Drafting Changes

The bill also makes the following three ***technical changes*** to the Florida Election Code, the first two which specifically arose from passage of the 2013 election administration³⁰ and campaign finance laws:³¹

- **Unsigned Absentee Ballot “Cure”** — Modifies the voter instructions accompanying absentee ballot signature cure affidavits to include the correct submission deadline (5 p.m. on MON before an election), correcting a drafting glitch that resulted in an erroneous instruction deadline of 5 p.m. on SUN before an election.
- **Campaign Finance Reporting Dates** — Details the specific campaign finance reporting dates for certain candidates and committees from the time of qualifying through the primary and general elections (60th, 46th, 32nd, 25th, 18th, 11th, and 4th days before the elections), redressing a potential drafting ambiguity in the more descriptive language adopted last year (“on the 60th day preceding the [primary and general] elections, and bi-weekly on each Friday thereafter...”).

³⁰ Ch. 2013.57, LAWS OF FLA.

³¹ Ch. 2013-37, LAWS OF FLA.

- **Judicial Candidates** — Clarifies the FEC’s general jurisdiction statute (s. 106.25, F.S.) to ensure that it may enforce against judicial candidates that engage in certain political activities in violation of s. 105.071, F.S.³²

8) Effective Date

The bill takes effect on upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

4) Campaign Finance; Automatic Fines for Late Reporting

Expenditures; recurring

Candidates, PCs, and ECOs that file late campaign finance reports will realize a savings of \$450/day for the 4th, 5th, 6th, and 7th days after the report was originally due — a total savings of up to \$1,800 per candidate, PC, or ECO as compared to current law.

³² A companion public records bill will keep such FEC records and meetings private *until the FEC makes a probable cause determination*, as is the case with investigations and proceedings currently involving Chapter 104 or 106 violations.

5) **Sample Ballot Newspaper Publication**

Revenue; recurring

Local newspapers may well lose revenue in the form of publication fees for sample ballots, as supervisors of elections are increasingly opting to mail (or e-mail, as of this election cycle) sample ballots to voters' residences. The overall amount of revenue lost will depend on the how many supervisors choose to snail mail/e-mail sample ballots *in lieu of* publication.

7) **Other Technical Drafting Changes/judicial candidates and the FEC**

Clarifying that the FEC may, under certain circumstances, pursue violations involving prohibited political activities by judicial candidates (s. 105.071, F.S.), may result in a **small number of additional enforcement cases. Any penalties in those cases, however,** will subject violators to a penalty of up to \$1,000/violation, and may result in substantial fines. The extent of such fines is unknown and will depend on the facts of individual cases.

C. Government Sector Impact:

1) **Online Voter Registration**

Expenditures; nonrecurring

The Department of Highway Safety and Motor Vehicles estimates that it will take about 270 nonrecurring programming hours at a cost of \$20,400 to provide verification for the name, date of birth, Fla. Driver's license number, or Florida identification card number after voter registration applications are submitted online.

The Florida Division of Elections, however, has yet to complete an agency bill analysis or provide a fiscal estimate on SB 784, which constitutes the core of the online voter registration recommendations contained in the bill. As such, the nonrecurring costs to develop the system and the recurring costs to maintain and operate it are indeterminate at this time.

2) **Absentee Ballot Drop-Offs**

None.

3) **Florida Elections Commission/service and delivery of documents**

Expenditures; recurring

The commission will save money by disposing of legally-insufficient complaints without having to resort to certified mail or a process server, in addition to the savings in time and resources involved with not having to track down the whereabouts of initial respondents. Further, the ongoing delivery of documents during the pendency of a case predominantly by regular mail or e-mail, in lieu of more expensive options, will result in additional

savings. The amount of savings is indeterminate at this time, as it will depend on the number of cases which varies.

4) Campaign Finance; Automatic Fines for Late Reporting

Revenue; recurring

General revenue funds of both the State and local political subdivisions are likely to see a *de minimus* reduction resulting from the 4-day delay in raising late-filing fines from \$50/day to \$500/day.

5) Sample Ballot Newspaper Publication

Expenditures; recurring

Supervisors of elections will save an indeterminate amount of money each election cycle, by either foregoing newspaper publication or the mailing/e-mailing of sample ballots to voters. The amount is expected to be minimal.

6) Mail Ballot Election Act; Start of Canvassing Period

None.

7) Other Technical Drafting Changes/judicial candidates and the FEC

Granting the FEC express authority in its general jurisdiction statute to enforce violations of s. 105.071, F.S., involving prohibited political activities by judicial candidates, may result in a very small number of additional cases that could either result in recurring expenditures (if minimal or no net fines assessed) or additional revenue to the State or local subdivisions (if more significant net fines are assessed). Any such amounts are indeterminate and will vary depending on the number of cases and the facts involved, but are nonetheless expected to be fairly minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 101.20, 101.62, 101.6103, 101.68, 101.69, 105.071, 160.07, 106.0703, 106.25, and 106.265.

This bill creates the following sections of the Florida Statutes: 97.0525, 101.6931, 101.6932, and 101.6933.

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.

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



590812

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2014	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Between lines 272 and 273

insert:

Section 5. Paragraph (a) of subsection (1) of section 101.657, Florida Statutes, is amended to read:

101.657 Early voting.—

(1) (a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark,



590812

11 code, indicate on, or otherwise track the voter's precinct for
12 each early voted ballot. In order for a branch office to be used
13 for early voting, it shall be a permanent facility of the
14 supervisor and shall have been designated and used as such for
15 at least 1 year prior to the election. The supervisor may also
16 designate any city hall, permanent public library facility,
17 fairground, civic center, courthouse, county commission
18 building, stadium, convention center, government-owned senior
19 center, ~~or~~ government-owned community center, Florida College
20 System institution facility, or state university facility, or
21 college facility as early voting sites; however, if so
22 designated, the sites must be geographically located so as to
23 provide all voters in the county an equal opportunity to cast a
24 ballot, insofar as is practicable. In addition, a supervisor may
25 designate one early voting site per election in an area of the
26 county that does not have any of the eligible early voting
27 locations. Such additional early voting site must be
28 geographically located so as to provide all voters in that area
29 with an equal opportunity to cast a ballot, insofar as is
30 practicable. Each county shall, at a minimum, operate the same
31 total number of early voting sites for a general election which
32 the county operated for the 2012 general election. The results
33 or tabulation of votes cast during early voting may not be made
34 before the close of the polls on election day. Results shall be
35 reported by precinct.

36
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete line 21



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40 and insert:
41 met; amending s. 101.657, F.S.; revising the list of
42 permissible sites available for early voting; amending
43 s. 101.68, F.S.; revising instructions



304616

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2014	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Between lines 272 and 273

insert:

Section 5. Paragraph (e) of subsection (1) of section 101.657, Florida Statutes, is amended to read:

101.657 Early voting.—

(1)

(e) Notwithstanding the requirements of s. 100.3605, municipalities may provide early voting in municipal elections



304616

11 that are not held in conjunction with county or state elections.
12 If a municipality provides early voting, it ~~may designate as~~
13 ~~many sites as necessary and~~ shall conduct its activities in
14 accordance with the provisions of paragraphs (a)-(c) and may
15 designate additional early voting sites other than those sites
16 specified in paragraph (a) without restriction as to location.
17 The supervisor is not required to conduct early voting if it is
18 provided pursuant to this subsection.

19
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 Delete line 21

23 and insert:

24 met; amending s. 101.657, F.S.; authorizing a
25 municipality to provide additional early voting sites
26 in certain municipal elections; amending s. 101.68,
27 F.S.; revising instructions



147396

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2014	.	
	.	
	.	
	.	

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

Senate Amendment (with title amendment)

Between lines 272 and 273

insert:

Section 5. Subsection (1) of section 101.64, Florida Statutes, is amended to read:

101.64 Delivery of absentee ballots; envelopes; form.—

(1) The supervisor shall enclose with each absentee ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope,



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11 into which the absent elector shall then place the secrecy
12 envelope, which shall be addressed to the supervisor with no
13 return postage required and also bear on the back side a
14 certificate in substantially the following form:

15

16 Note: Please Read Instructions Carefully Before
17 Marking Ballot and Completing Voter's Certificate.

18

19 VOTER'S CERTIFICATE

20 I,, do solemnly swear or affirm that I am a qualified
21 and registered voter of County, Florida, and that I have
22 not and will not vote more than one ballot in this election. I
23 understand that if I commit or attempt to commit any fraud in
24 connection with voting, vote a fraudulent ballot, or vote more
25 than once in an election, I can be convicted of a felony of the
26 third degree and fined up to \$5,000 and/or imprisoned for up to
27 5 years. I also understand that failure to sign this certificate
28 will invalidate my ballot.

29

30 ...(Date)... (Voter's Signature)...

31

32 Section 6. Subsection (2) of section 101.6921, Florida
33 Statutes, is amended to read:

34 101.6921 Delivery of special absentee ballot to certain
35 first-time voters.-

36 (2) The supervisor shall enclose with each absentee ballot
37 three envelopes: a secrecy envelope, into which the absent
38 elector will enclose his or her marked ballot; an envelope
39 containing the Voter's Certificate, into which the absent



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40 elector shall place the secrecy envelope; and a mailing
41 envelope, which shall be addressed to the supervisor with no
42 return postage required and into which the absent elector will
43 place the envelope containing the Voter's Certificate and a copy
44 of the required identification.

45 Section 7. Section 101.65, Florida Statutes, is amended to
46 read:

47 101.65 Instructions to absent electors.—The supervisor
48 shall enclose with each absentee ballot separate printed
49 instructions in substantially the following form:

50

51 READ THESE INSTRUCTIONS CAREFULLY
52 BEFORE MARKING BALLOT.

53 1. VERY IMPORTANT. In order to ensure that your absentee
54 ballot will be counted, it should be completed and returned as
55 soon as possible so that it can reach the supervisor of
56 elections of the county in which your precinct is located no
57 later than 7 p.m. on the day of the election. However, if you
58 are an overseas voter casting a ballot in a presidential
59 preference primary or general election, your absentee ballot
60 must be postmarked or dated no later than the date of the
61 election and received by the supervisor of elections of the
62 county in which you are registered to vote no later than 10 days
63 after the date of the election.

64 2. Mark your ballot in secret as instructed on the ballot.
65 You must mark your own ballot unless you are unable to do so
66 because of blindness, disability, or inability to read or write.

67 3. Mark only the number of candidates or issue choices for
68 a race as indicated on the ballot. If you are allowed to "Vote



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69 for One" candidate and you vote for more than one candidate,
70 your vote in that race will not be counted.

71 4. Place your marked ballot in the enclosed secrecy
72 envelope.

73 5. Insert the secrecy envelope into the enclosed mailing
74 envelope which is addressed to the supervisor.

75 6. Seal the mailing envelope and completely fill out the
76 Voter's Certificate on the back of the mailing envelope.

77 7. VERY IMPORTANT. In order for your absentee ballot to be
78 counted, you must sign your name on the line above (Voter's
79 Signature). An absentee ballot will be considered illegal and
80 not be counted if the signature on the voter's certificate does
81 not match the signature on record. The signature on file at the
82 start of the canvass of the absentee ballots is the signature
83 that will be used to verify your signature on the voter's
84 certificate. If you need to update your signature for this
85 election, send your signature update on a voter registration
86 application to your supervisor of elections so that it is
87 received no later than the start of the canvassing of absentee
88 ballots, which occurs no earlier than the 15th day before
89 election day.

90 8. VERY IMPORTANT. If you are an overseas voter, you must
91 include the date you signed the Voter's Certificate on the line
92 above (Date) or your ballot may not be counted.

93 9. Mail, deliver, or have delivered the completed mailing
94 envelope. ~~Be sure there is sufficient postage if mailed.~~

95 10. FELONY NOTICE. It is a felony under Florida law to
96 accept any gift, payment, or gratuity in exchange for your vote
97 for a candidate. It is also a felony under Florida law to vote



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98 in an election using a false identity or false address, or under
99 any other circumstances making your ballot false or fraudulent.

100 Section 8. Subsection (2) of section 101.6923, Florida
101 Statutes, is amended to read:

102 101.6923 Special absentee ballot instructions for certain
103 first-time voters.—

104 (2) A voter covered by this section shall be provided with
105 printed instructions with his or her absentee ballot in
106 substantially the following form:

107

108 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
109 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
110 YOUR BALLOT NOT TO COUNT.

111

112 1. In order to ensure that your absentee ballot will be
113 counted, it should be completed and returned as soon as possible
114 so that it can reach the supervisor of elections of the county
115 in which your precinct is located no later than 7 p.m. on the
116 date of the election. However, if you are an overseas voter
117 casting a ballot in a presidential preference primary or general
118 election, your absentee ballot must be postmarked or dated no
119 later than the date of the election and received by the
120 supervisor of elections of the county in which you are
121 registered to vote no later than 10 days after the date of the
122 election.

123 2. Mark your ballot in secret as instructed on the ballot.
124 You must mark your own ballot unless you are unable to do so
125 because of blindness, disability, or inability to read or write.

126 3. Mark only the number of candidates or issue choices for



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127 a race as indicated on the ballot. If you are allowed to "Vote
128 for One" candidate and you vote for more than one, your vote in
129 that race will not be counted.

130 4. Place your marked ballot in the enclosed secrecy
131 envelope and seal the envelope.

132 5. Insert the secrecy envelope into the enclosed envelope
133 bearing the Voter's Certificate. Seal the envelope and
134 completely fill out the Voter's Certificate on the back of the
135 envelope.

136 a. You must sign your name on the line above (Voter's
137 Signature).

138 b. If you are an overseas voter, you must include the date
139 you signed the Voter's Certificate on the line above (Date) or
140 your ballot may not be counted.

141 c. An absentee ballot will be considered illegal and will
142 not be counted if the signature on the Voter's Certificate does
143 not match the signature on record. The signature on file at the
144 start of the canvass of the absentee ballots is the signature
145 that will be used to verify your signature on the Voter's
146 Certificate. If you need to update your signature for this
147 election, send your signature update on a voter registration
148 application to your supervisor of elections so that it is
149 received no later than the start of canvassing of absentee
150 ballots, which occurs no earlier than the 15th day before
151 election day.

152 6. Unless you meet one of the exemptions in Item 7., you
153 must make a copy of one of the following forms of
154 identification:

155 a. Identification which must include your name and



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156 photograph: United States passport; debit or credit card;
157 military identification; student identification; retirement
158 center identification; neighborhood association identification;
159 or public assistance identification; or

160 b. Identification which shows your name and current
161 residence address: current utility bill, bank statement,
162 government check, paycheck, or government document (excluding
163 voter identification card).

164 7. The identification requirements of Item 6. do not apply
165 if you meet one of the following requirements:

166 a. You are 65 years of age or older.

167 b. You have a temporary or permanent physical disability.

168 c. You are a member of a uniformed service on active duty
169 who, by reason of such active duty, will be absent from the
170 county on election day.

171 d. You are a member of the Merchant Marine who, by reason
172 of service in the Merchant Marine, will be absent from the
173 county on election day.

174 e. You are the spouse or dependent of a member referred to
175 in paragraph c. or paragraph d. who, by reason of the active
176 duty or service of the member, will be absent from the county on
177 election day.

178 f. You are currently residing outside the United States.

179 8. Place the envelope bearing the Voter's Certificate into
180 the mailing envelope addressed to the supervisor. Insert a copy
181 of your identification in the mailing envelope. DO NOT PUT YOUR
182 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
183 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
184 BALLOT WILL NOT COUNT.



147396

185 9. Mail, deliver, or have delivered the completed mailing
186 envelope. ~~Be sure there is sufficient postage if mailed.~~

187 10. FELONY NOTICE. It is a felony under Florida law to
188 accept any gift, payment, or gratuity in exchange for your vote
189 for a candidate. It is also a felony under Florida law to vote
190 in an election using a false identity or false address, or under
191 any other circumstances making your ballot false or fraudulent.

192
193 ===== T I T L E A M E N D M E N T =====

194 And the title is amended as follows:

195 Delete line 21

196 and insert:

197 met; amending ss. 101.64 and 101.6921; providing that
198 postage is not required on the mailing envelope for
199 certain absentee ballots; amending ss. 101.65 and
200 101.6923, F.S.; conforming provisions to changes made
201 by the act; amending s. 101.68, F.S.; revising
202 instructions



753292

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2014	.	
	.	
	.	
	.	

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

Senate Amendment

Delete line 369
and insert:
envelope, which shall be addressed to the supervisor with no
return postage required and also

Delete line 494
and insert:
envelope.

FOR CONSIDERATION By the Committee on Ethics and Elections

582-00939C-14

20147068__

1 A bill to be entitled
 2 An act relating to elections; creating s. 97.0525,
 3 F.S.; requiring the Department of State to develop an
 4 online voter registration system; specifying
 5 application requirements for the system; requiring the
 6 Department of Highway Safety and Motor Vehicles to
 7 verify information submitted online; requiring the
 8 supervisor of elections to notify applicants under
 9 certain circumstances; requiring system compliance
 10 with federal accessibility provisions; prohibiting
 11 online registrants from initially voting by absentee
 12 ballot; providing exceptions; amending s. 101.20,
 13 F.S.; authorizing the supervisor of elections to
 14 choose the method of providing sample ballots to
 15 electors; amending s. 101.6103, F.S.; extending the
 16 time for canvassing and processing absentee ballots
 17 for a mail ballot election to 15 days before the
 18 election; amending s. 101.62, F.S.; providing that an
 19 absentee ballot request from a first-time online
 20 registrant is not valid unless certain conditions are
 21 met; amending s. 101.68, F.S.; revising instructions
 22 on the absentee ballot affidavit relating to the
 23 submission deadline for affidavits; amending s.
 24 101.69, F.S.; designating locations where the
 25 supervisor may accept or receive an elector's voted
 26 absentee ballot; creating s. 101.6931, F.S.;
 27 establishing requirements for the absentee ballot
 28 provided to certain first-time online registrant
 29 voters; specifying content of the voter's certificate

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

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30 for an absentee ballot provided to first-time online
 31 registrant voters; creating s. 101.6932, F.S.;
 32 specifying instructions required to be included with
 33 an absentee ballot sent to first-time online
 34 registrant absent electors; creating s. 101.6933,
 35 F.S.; establishing procedures for the canvassing of
 36 absentee ballots received from first-time online
 37 registrant voters; amending s. 105.071, F.S.; revising
 38 penalties relating to limitations on political
 39 activity by a candidate for judicial office; amending
 40 s. 106.07, F.S.; clarifying the reporting schedules of
 41 campaign finance reports filed by certain candidates
 42 and political committees; revising the schedule for
 43 assessment of fines for late-filed reports; amending
 44 s. 106.0703, F.S.; clarifying the reporting schedules
 45 of reports filed by certain electioneering
 46 communications organizations; revising the schedule
 47 for assessment of fines for late-filed reports;
 48 amending s. 106.25, F.S.; revising provisions relating
 49 to service of process of a respondent by the Florida
 50 Elections Commission; providing that a respondent may
 51 consent to receive documents from the commission
 52 electronically; clarifying and revising provisions
 53 relating to the commission's authority over certain
 54 violations by candidates for judicial office; amending
 55 s. 106.265, F.S.; specifying that an unpaid fine
 56 becomes a judgment 60 days after such fine is imposed;
 57 requiring the commission to attempt to determine
 58 whether an individual owing fines is a current public

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59 officer or public employee; authorizing the commission
 60 to notify the Chief Financial Officer or the governing
 61 body of a county, municipality, or special district of
 62 the total amount of any fine owed to the commission by
 63 such individuals; requiring that the Chief Financial
 64 Officer or the governing body begin withholding
 65 portions of any salary-related payment that would
 66 otherwise be paid to the current public officer or
 67 public employee; requiring that the withheld payments
 68 be remitted to the commission until the fine is
 69 satisfied or a specified amount is reached;
 70 authorizing the Chief Financial Officer or the
 71 governing body to retain a portion of payment for
 72 administrative costs; authorizing garnishment and
 73 collection methods for individuals who are no longer
 74 public officers or public employees; authorizing the
 75 commission to collect an unpaid fine within a
 76 specified period after issuance of the final order;
 77 clarifying and revising provisions relating to the
 78 commission's authority over certain violations by
 79 candidates for judicial office; providing an effective
 80 date.

81
 82 Be It Enacted by the Legislature of the State of Florida:

83
 84 Section 1. Section 97.0525, Florida Statutes, is created to
 85 read:

86 97.0525 Online voter registration.-

87 (1) Beginning July 1, 2015, an applicant may submit an

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

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88 online voter registration application using the procedures set
 89 forth in this section.

90 (2) (a) The division shall establish a secure Internet
 91 website to permit an applicant to:

92 1. Submit a voter registration application, including
 93 first-time voter registration applications and updates to
 94 existing voter registration records.

95 2. Submit information necessary to establish an applicant's
 96 eligibility to vote, pursuant to s. 97.041, which must include
 97 the information required for the uniform statewide voter
 98 registration application pursuant to s. 97.052(2).

99 3. Swear to the oath required pursuant to s. 97.051.

100 (b) The website must conspicuously provide notice of the
 101 in-person voting requirements and absentee ballot exemptions in
 102 subsection (8). Each applicant who is not currently registered
 103 to vote must affirmatively acknowledge, by checkbox or
 104 otherwise, that he or she has read and understands this
 105 information before or contemporaneous with submitting the voter
 106 registration application.

107 (3) The division shall establish appropriate technological
 108 security measures, including use of a unique identifier for each
 109 applicant, to prevent unauthorized persons from altering a
 110 voter's registration information.

111 (4) (a) The online voter registration system shall compare
 112 the Florida driver license number or Florida identification
 113 number submitted pursuant to s. 97.052(2) (n), unless the
 114 applicant indicates pursuant to s. 97.052(2) (o) that he or she
 115 has not been issued a Florida driver license or Florida
 116 identification card, with information maintained by the

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

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117 Department of Highway Safety and Motor Vehicles, to confirm that
 118 the name and date of birth on the application are consistent
 119 with the records of the Department of Highway Safety and Motor
 120 Vehicles.

121 (b) If the applicant's name and date of birth are
 122 consistent with the records of the Department of Highway Safety
 123 and Motor Vehicles, the online voter registration system shall
 124 transmit, using the statewide voter registration system
 125 maintained pursuant to s. 98.035, the applicant's submission,
 126 along with the digital signature of the applicant on file with
 127 the Department of Highway Safety and Motor Vehicles, to the
 128 supervisor of elections of the county in which the applicant
 129 resides. The applicant's digital signature shall satisfy the
 130 signature requirement of s. 97.052(2)(g).

131 (c) If the applicant's name and date of birth cannot be
 132 verified by the records of the Department of Highway Safety and
 133 Motor Vehicles, or the applicant indicated that he or she has
 134 not been issued a Florida driver license or Florida
 135 identification card, but the applicant is otherwise eligible to
 136 vote, the online voter registration system shall issue a unique
 137 identification number and submit the application to the
 138 supervisor of elections for the county in which the voter
 139 resides, for disposition pursuant to s. 97.073.

140 (d) If the applicant does not have a digital signature on
 141 file with the Department of Highway Safety and Motor Vehicles,
 142 the online voter registration system shall transmit the
 143 application as provided in paragraph (b), and the appropriate
 144 supervisor of elections shall send the applicant a notice
 145 pursuant to s. 97.073, informing the applicant that a signature

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146 is needed to complete the application. A notice provided under
 147 this paragraph shall consist of a form adopted by the division,
 148 delivered by postcard with postage prepaid. The form shall
 149 provide a space for the applicant to provide a signature and
 150 shall provide clear instructions to the applicant to return the
 151 card promptly to the supervisor of elections. The form shall
 152 contain a clear statement that, in order to complete the
 153 application, the signature must be supplied to the supervisor of
 154 elections by the registration deadline, and the deadline shall
 155 be included.

156 (5) Upon submission of a completed online voter
 157 registration application, the website shall generate an
 158 immediate electronic confirmation that the supervisor has
 159 received the application and shall provide instructions
 160 regarding the ability of a registrant to check the status of the
 161 application thereafter.

162 (6) Except as otherwise provided in this section, the
 163 supervisor of elections shall process the application pursuant
 164 to s. 97.053.

165 (7) The website shall comply with requirements of s. 508 of
 166 the Rehabilitation Act of 1973 and Title II of the Americans
 167 with Disabilities Act to ensure equal access to voters with
 168 disabilities. The division shall include accessibility experts
 169 in the development of the online voter registration system and
 170 website, and the system's accessibility shall be verified by an
 171 independent body with expertise on the matter.

172 (8) An elector who is not currently registered to vote and
 173 who registers pursuant to this section must cast his or her
 174 initial ballot immediately following registration at either an

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175 early voting site pursuant to s. 101.657, at a polling place on
 176 election day, or in connection with supervised voting pursuant
 177 to s. 101.655; however, the elector may vote by absentee ballot
 178 if the elector meets one of the following exemptions:

179 (a) Is 65 years of age or older;
 180 (b) Has a temporary or permanent physical disability;
 181 (c) Is a member of the uniformed services on active duty
 182 who, by reason of such active duty, will be absent from the
 183 county on election day;

184 (d) Is a member of the Merchant Marine who, by reason of
 185 service in the Merchant Marine, will be absent from the county
 186 on election day;

187 (e) Is the spouse or dependent of a member referred to in
 188 paragraph (c) or paragraph (d) who, by reason of the active duty
 189 or service of the member, will be absent from the county on
 190 election day; or

191 (f) Is currently residing outside of the United States and
 192 is eligible to vote in Florida.

193 Section 2. Subsection (2) of section 101.20, Florida
 194 Statutes, is amended to read:

195 101.20 Publication of ballot form; sample ballots.—

196 (2) (a) Upon completion of the list of qualified candidates,
 197 a sample ballot shall be published by the supervisor of
 198 elections in a newspaper of general circulation in the county,
 199 before the day of election.

200 (b) In lieu of publication, a supervisor may send a sample
 201 ballot to each registered elector by e-mail at least 7 days
 202 before an election if an e-mail address has been provided and
 203 the elector has opted to receive a sample ballot by electronic

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204 delivery. If an e-mail address has not been provided, or if the
 205 elector has not opted for electronic delivery, a sample ballot
 206 must ~~may~~ be mailed to each registered elector or to each
 207 household in which there is a registered elector at least 7 days
 208 before an election.

209 Section 3. Subsection (6) of section 101.6103, Florida
 210 Statutes, is amended to read:

211 101.6103 Mail ballot election procedure.—

212 (6) The canvassing board may begin the canvassing of mail
 213 ballots at 7 a.m. on the 15th ~~sixth~~ day before the election,
 214 including processing the ballots through the tabulating
 215 equipment. However, results may not be released until after 7
 216 p.m. on election day. Any canvassing board member or election
 217 employee who releases any result before 7 p.m. on election day
 218 commits a felony of the third degree, punishable as provided in
 219 s. 775.082, s. 775.083, or s. 775.084.

220 Section 4. Subsection (1) of section 101.62, Florida
 221 Statutes, is amended to read:

222 101.62 Request for absentee ballots.—

223 (1) (a) The supervisor shall accept a request for an
 224 absentee ballot from an elector in person or in writing. One
 225 request shall be deemed sufficient to receive an absentee ballot
 226 for all elections through the end of the calendar year of the
 227 second ensuing regularly scheduled general election, unless the
 228 elector or the elector's designee indicates at the time the
 229 request is made the elections for which the elector desires to
 230 receive an absentee ballot. Such request may be considered
 231 canceled when any first-class mail sent by the supervisor to the
 232 elector is returned as undeliverable.

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233 (b)1. The supervisor may accept a written or telephonic
 234 request for an absentee ballot to be mailed to an elector's
 235 address on file in the Florida Voter Registration System from
 236 the elector, or, if directly instructed by the elector, a member
 237 of the elector's immediate family, or the elector's legal
 238 guardian; if the ballot is requested to be mailed to an address
 239 other than the elector's address on file in the Florida Voter
 240 Registration System, the request must be made in writing and
 241 signed by the elector. However, an absent uniformed service
 242 voter or an overseas voter seeking an absentee ballot is not
 243 required to submit a signed, written request for an absentee
 244 ballot that is being mailed to an address other than the
 245 elector's address on file in the Florida Voter Registration
 246 System. For purposes of this section, the term "immediate
 247 family" has the same meaning as specified in paragraph (4)(c).
 248 The person making the request must disclose:

249 a.1- The name of the elector for whom the ballot is
 250 requested.

251 b.2- The elector's address.

252 c.3- The elector's date of birth.

253 d.4- The requester's name.

254 e.5- The requester's address.

255 f.6- The requester's driver's license number, if available.

256 g.7- The requester's relationship to the elector.

257 h.8- The requester's signature (written requests only).

258 2. If the elector was not registered to vote at the time of
 259 submitting a voter registration application online pursuant to
 260 s. 97.0525 and has not voted since registering, the absentee
 261 ballot request is not valid unless it includes an assertion by

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262 the elector that he or she meets one or more of the exemptions
 263 for casting an absentee ballot pursuant to s. 97.0525(8);
 264 notwithstanding, the supervisor must mail the elector an
 265 absentee ballot if the ballot is to be sent to an overseas
 266 address or the voter registration records indicate that the
 267 elector making such request is 65 years of age or older.

268 (c) Upon receiving a request for an absentee ballot from an
 269 absent voter, the supervisor of elections shall notify the voter
 270 of the free access system that has been designated by the
 271 department for determining the status of his or her absentee
 272 ballot.

273 Section 5. Paragraph (d) of subsection (4) of section
 274 101.68, Florida Statutes, is amended to read:

275 101.68 Canvassing of absentee ballot.—

276 (4)

277 (d) Instructions must accompany the absentee ballot
 278 affidavit in substantially the following form:

279

280 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 281 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 282 BALLOT NOT TO COUNT.

283

284 1. In order to ensure that your absentee ballot will be
 285 counted, your affidavit should be completed and returned as soon
 286 as possible so that it can reach the supervisor of elections of
 287 the county in which your precinct is located no later than 5
 288 p.m. on the ~~2nd~~ day before the election.

289 2. You must sign your name on the line above (Voter's
 290 Signature).

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291 3. You must make a copy of one of the following forms of
292 identification:

293 a. Identification that includes your name and photograph:
294 United States passport; debit or credit card; military
295 identification; student identification; retirement center
296 identification; neighborhood association identification; or
297 public assistance identification; or

298 b. Identification that shows your name and current
299 residence address: current utility bill, bank statement,
300 government check, paycheck, or government document (excluding
301 voter identification card).

302 4. Place the envelope bearing the affidavit into a mailing
303 envelope addressed to the supervisor. Insert a copy of your
304 identification in the mailing envelope. Mail, deliver, or have
305 delivered the completed affidavit along with the copy of your
306 identification to your county supervisor of elections. Be sure
307 there is sufficient postage if mailed and that the supervisor's
308 address is correct.

309 5. Alternatively, you may fax or e-mail your completed
310 affidavit and a copy of your identification to the supervisor of
311 elections. If e-mailing, please provide these documents as
312 attachments.

313 Section 6. Section 101.69, Florida Statutes, is amended to
314 read:

315 101.69 Locations for receipt of absentee ballot; voting in
316 person after requesting an, ~~return of~~ absentee ballot.-

317 (1) (a) Except as provided in subsection (2), the supervisor
318 of elections shall only accept or receive an elector's voted
319 absentee ballot that is returned to any of the following

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320 locations:

321 1. In the main or branch office of the supervisor;

322 2. In a polling room at an early voting site; or

323 3. To the supervisor's post office box within a United
324 States Postal Service facility.

325 (b) For purposes of this section, the branch office must be
326 a permanent facility of the supervisor and staffed by one or
327 more permanent, full-time employees of the supervisor.

328 (2) The provisions of this code shall not be construed to
329 prohibit any elector from voting in person at the elector's
330 precinct on the day of an election or at an early voting site,
331 notwithstanding that the elector has requested an absentee
332 ballot for that election. An elector who has returned a voted
333 absentee ballot to the supervisor, however, is deemed to have
334 cast his or her ballot and is not entitled to vote another
335 ballot or to have a provisional ballot counted by the county
336 canvassing board. An elector who has received an absentee ballot
337 and has not returned the voted ballot to the supervisor, but
338 desires to vote in person, shall return the ballot, whether
339 voted or not, to the election board in the elector's precinct or
340 to an early voting site. The returned ballot shall be marked
341 "canceled" by the board and placed with other canceled ballots.
342 However, if the elector does not return the ballot and the
343 election official:

344 (a) ~~(1)~~ Confirms that the supervisor has received the
345 elector's absentee ballot, the elector shall not be allowed to
346 vote in person. If the elector maintains that he or she has not
347 returned the absentee ballot or remains eligible to vote, the
348 elector shall be provided a provisional ballot as provided in s.

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349 101.048.

350 ~~(b)(2)~~ Confirms that the supervisor has not received the
 351 elector's absentee ballot, the elector shall be allowed to vote
 352 in person as provided in this code. The elector's absentee
 353 ballot, if subsequently received, shall not be counted and shall
 354 remain in the mailing envelope, and the envelope shall be marked
 355 "Rejected as Illegal."

356 ~~(c)(3)~~ Cannot determine whether the supervisor has received
 357 the elector's absentee ballot, the elector may vote a
 358 provisional ballot as provided in s. 101.048.

359 Section 7. Section 101.6931, Florida Statutes, is created
 360 to read:

361 101.6931 Delivery of special absentee ballot to certain
 362 first-time online registrant voters.-

363 (1) This section applies to voters who are subject to s.
 364 97.0525(8).

365 (2) The supervisor shall enclose with each absentee ballot
 366 two envelopes: a secrecy envelope, into which the absent elector
 367 shall enclose his or her marked ballot; and a mailing envelope,
 368 into which the absent elector shall then place the secrecy
 369 envelope, which shall be addressed to the supervisor and also
 370 bear on the back side a certificate in substantially the
 371 following form:

373 Note: Please Read Instructions Carefully Before Marking Ballot
 374 and Completing Voter's Certificate.

375
 376 VOTER'S CERTIFICATE
 377

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378 I, ..., do solemnly swear or affirm that I am a qualified
 379 and registered voter of ... County, Florida, and that I have
 380 not and will not vote more than one ballot in this election. I
 381 understand that if I commit or attempt to commit any fraud in
 382 connection with voting, vote a fraudulent ballot, or vote more
 383 than once in an election, I can be convicted of a felony of the
 384 third degree and fined up to \$5,000 and/or imprisoned for up to
 385 5 years. I also understand that failure to sign this certificate
 386 will invalidate my ballot.

387 I further certify that I am exempt from the prohibition
 388 against voting by absentee ballot in my first election after
 389 registering to vote online because of one or more of the
 390 following (check all that apply):

391 I am 65 years of age or older.

392 I have a permanent or temporary physical disability.

393 I am a member of a uniformed service on active duty who,
 394 by reason of such active duty, will be absent from the county on
 395 election day.

396 I am a member of the Merchant Marine who, by reason of
 397 service in the Merchant Marine, will be absent from the county
 398 on election day.

399 I am the spouse or dependent of a member of the uniformed
 400 service or Merchant Marine who, by reason of the active duty or
 401 service of the member, will be absent from the county on
 402 election day.

403 I am currently residing outside the United States.

404

405 ...(Date)...405 ...Voter's Signature...

406

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407 (3) The certificate shall be arranged on the back of the
 408 mailing envelope so that the line for the signature of the
 409 absent elector is across the seal of the envelope; however, no
 410 statement may appear on the envelope which indicates that a
 411 signature of the voter must cross the seal of the envelope. The
 412 absent elector shall execute the certificate on the envelope.

413 (4) The supervisor shall mark, code, indicate on, or
 414 otherwise track the precinct of the absent elector for each
 415 absentee ballot.

416 Section 8. Section 101.6932, Florida Statutes, is created
 417 to read:

418 101.6932 Instructions to certain first-time online
 419 registrant absent electors.-

420 (1) This section applies to voters who are subject to s.
 421 97.0525(8).

422 (2) The supervisor shall enclose with each absentee ballot
 423 separate printed instructions in substantially the following
 424 form:

425 READ THESE INSTRUCTIONS CAREFULLY

426 BEFORE MARKING BALLOT.

427 1. PROHIBITION FOR CERTAIN FIRST-TIME VOTERS WHO REGISTERED
 428 ONLINE. If you registered to vote online and if this is the
 429 first ballot you will be voting since registering, it is a
 430 felony to sign the Voter's Certificate and return this absentee
 431 ballot to the supervisor of elections, unless one or more of the
 432 following exemptions apply:

433 (a) You are 65 years of age or older;

434 (b) You have a temporary or permanent physical disability;
 435

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436 (c) You are a member of the uniformed services on active
 437 duty who, by reason of such active duty, will be absent from the
 438 county on election day;

439 (d) You are a member of the Merchant Marine who, by reason
 440 of service in the Merchant Marine, will be absent from the
 441 county on election day;

442 (e) You are the spouse or dependent of a member of the
 443 uniformed service or Merchant Marine who, by reason of the
 444 active duty or service of the member, will be absent from the
 445 county on election day; or

446 (f) You are currently residing outside the United States
 447 and are eligible to vote in Florida.

448
 449 If you qualify for one of these exemptions, you MAY CAST this
 450 absentee ballot, but you MUST indicate on the Voter's
 451 Certificate which exemption applies. Otherwise, your ballot may
 452 not count.

453 2. VERY IMPORTANT. In order to ensure that your absentee
 454 ballot will be counted, it should be completed and returned as
 455 soon as possible so that it can reach the supervisor of
 456 elections of the county in which your precinct is located no
 457 later than 7 p.m. on the day of the election. However, if you
 458 are an overseas voter casting a ballot in a presidential
 459 preference primary or general election, your absentee ballot
 460 must be postmarked or dated no later than the date of the
 461 election and received by the supervisor of elections of the
 462 county in which you are registered to vote no later than 10 days
 463 after the date of the election.

464 3. Mark your ballot in secret as instructed on the ballot.

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465 You must mark your own ballot unless you are unable to do so
 466 because of blindness, disability, or inability to read or write.
 467 4. Mark only the number of candidate or issue choices for a
 468 race as indicated on the ballot. If you are allowed to "Vote for
 469 One" candidate and you vote for more than one candidate, your
 470 vote in that race will not be counted.
 471 5. Place your marked ballot in the enclosed secrecy
 472 envelope.
 473 6. Insert the secrecy envelope into the enclosed mailing
 474 envelope which is addressed to the supervisor.
 475 7. Seal the mailing envelope and completely fill out the
 476 voter's certificate on the back of the mailing envelope.
 477 8. VERY IMPORTANT. In order for your absentee ballot to be
 478 counted, you must sign your name on the line above (Voter's
 479 Signature). An absentee ballot will be considered illegal and
 480 not be counted if the signature on the voter's certificate does
 481 not match the signature on record. The signature on file at the
 482 start of the canvass of the absentee ballots is the signature
 483 that will be used to verify your signature on the voter's
 484 certificate. If you need to update your signature for this
 485 election, send your signature update on a voter registration
 486 application to your supervisor of elections so that it is
 487 received no later than the start of the canvassing of absentee
 488 ballots, which occurs no earlier than the 15th day before
 489 election day.
 490 9. VERY IMPORTANT. If you are an overseas voter, you must
 491 include the date you signed the Voter's Certificate on the line
 492 above (Date) or your ballot may not be counted.
 493 10. Mail, deliver, or have delivered the completed mailing

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494 envelope. Be sure there is sufficient postage if mailed.
 495 11. FELONY NOTICE. It is a felony under Florida law to
 496 accept any gift, payment, or gratuity in exchange for your vote
 497 for a candidate. It is also a felony under Florida law to vote
 498 in an election using a false identity or false address, or under
 499 any other circumstances making your ballot false or fraudulent.
 500 Section 9. Section 101.6933, Florida Statutes, is created
 501 to read:
 502 101.6933 Canvassing first-time online registrant absentee
 503 ballots.—
 504 (1) The supervisor of the county where the absent elector
 505 resides shall receive the voted absentee ballot. The mailing
 506 envelope shall be examined to determine if the voter has
 507 indicated on the Voter's Certificate that he or she is exempt
 508 from the prohibition of first-time online registrants voting an
 509 absentee ballot under s. 97.0525(8).
 510 (2) If the voter has indicated on the Voter's Certificate
 511 that he or she is exempt from the prohibition in s. 97.0525(8),
 512 the supervisor shall make the note on the registration records
 513 of the voter and the canvassing board shall proceed to canvass
 514 the absentee ballot as provided in s. 101.68.
 515 (3) If the voter has not indicated on the Voter's
 516 Certificate that he or she is exempt, the supervisor shall check
 517 the voter registration records to determine if the absentee
 518 ballot request received was in writing or if the voter had
 519 previously notified the supervisor in writing that he or she is
 520 exempt. The envelope may not be opened unless the voter has
 521 previously indicated to the supervisor in writing that he or she
 522 is exempt. The ballot shall be treated as a provisional ballot

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523 until 7 p.m. on election day and may not be canvassed unless the
 524 supervisor has received a written indication of the exemption by
 525 7 p.m. on election day.

526 Section 10. Section 105.071, Florida Statutes, is amended
 527 to read:

528 105.071 Candidates for judicial office; limitations on
 529 political activity.—A candidate for judicial office may shall
 530 not:

531 (1) Participate in any partisan political party activities,
 532 except that such candidate may register to vote as a member of
 533 any political party and may vote in any party primary for
 534 candidates for nomination of the party in which she or he is
 535 registered to vote.

536 (2) Campaign as a member of any political party.

537 (3) Publicly represent or advertise herself or himself as a
 538 member of any political party.

539 (4) Endorse any candidate.

540 (5) Make political speeches other than in the candidate's
 541 own behalf.

542 (6) Make contributions to political party funds.

543 (7) Accept contributions from any political party.

544 (8) Solicit contributions for any political party.

545 (9) Accept or retain a place on any political party
 546 committee.

547 (10) Make any contribution to any person, group, or
 548 organization for its endorsement to judicial office.

549 (11) Agree to pay all or any part of any advertisement
 550 sponsored by any person, group, or organization wherein the
 551 candidate may be endorsed for judicial office by any such

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552 person, group, or organization.

553

554 A candidate for judicial office or retention therein who
 555 violates ~~the provisions of~~ this section is liable for a civil
 556 fine not to exceed of up to \$1,000 per count pursuant to s.
 557 106.265 to be determined by the Florida Elections Commission.

558 Section 11. Paragraph (b) of subsection (1) and paragraph
 559 (b) of subsection (8) of section 106.07, Florida Statutes, are
 560 amended to read:

561 106.07 Reports; certification and filing.—

562 (1) Each campaign treasurer designated by a candidate or
 563 political committee pursuant to s. 106.021 shall file regular
 564 reports of all contributions received, and all expenditures
 565 made, by or on behalf of such candidate or political committee.
 566 Except as provided in paragraphs (a) and (b), reports shall be
 567 filed on the 10th day following the end of each calendar month
 568 from the time the campaign treasurer is appointed, except that,
 569 if the 10th day following the end of a calendar month occurs on
 570 a Saturday, Sunday, or legal holiday, the report shall be filed
 571 on the next following day that is not a Saturday, Sunday, or
 572 legal holiday. Monthly reports shall include all contributions
 573 received and expenditures made during the calendar month which
 574 have not otherwise been reported pursuant to this section.

575 (b) Any other candidate, or a political committee required
 576 to file reports with a filing officer other than the division,
 577 must file reports on the 60th, 46th, 32nd, 25th, 18th, 11th, and
 578 4th days day immediately preceding both the primary election,
 579 ~~and biweekly on each Friday thereafter through and including the~~
 580 ~~4th day immediately preceding the general election, with~~

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581 ~~additional reports due on the 25th and 11th days before the~~
 582 ~~primary election and the general election.~~

583 (8)

584 (b) Upon determining that a report is late, the filing
 585 officer shall immediately notify the candidate or chair of the
 586 political committee as to the failure to file a report by the
 587 designated due date and that a fine is being assessed for each
 588 late day. The fine is \$50 per day for the first 7 ~~3~~ days late
 589 and, thereafter, \$500 per day for each late day, not to exceed
 590 25 percent of the total receipts or expenditures, whichever is
 591 greater, for the period covered by the late report. However, for
 592 the reports immediately preceding each special primary election,
 593 special election, primary election, and general election, the
 594 fine is \$500 per day for each late day, not to exceed 25 percent
 595 of the total receipts or expenditures, whichever is greater, for
 596 the period covered by the late report. For reports required
 597 under s. 106.141(8), the fine is \$50 per day for each late day,
 598 not to exceed 25 percent of the total receipts or expenditures,
 599 whichever is greater, for the period covered by the late report.
 600 Upon receipt of the report, the filing officer shall determine
 601 the amount of the fine which is due and shall notify the
 602 candidate or chair or registered agent of the political
 603 committee. The filing officer shall determine the amount of the
 604 fine due based upon the earliest of the following:

- 605 1. When the report is actually received by such officer.
- 606 2. When the report is postmarked.
- 607 3. When the certificate of mailing is dated.
- 608 4. When the receipt from an established courier company is
 609 dated.

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610 5. When the electronic receipt issued pursuant to s.
 611 106.0705 or other electronic filing system authorized in this
 612 section is dated.

613
 614 Such fine shall be paid to the filing officer within 20 days
 615 after receipt of the notice of payment due, unless appeal is
 616 made to the Florida Elections Commission pursuant to paragraph
 617 (c). Notice is deemed complete upon proof of delivery of written
 618 notice to the mailing or street address on record with the
 619 filing officer. In the case of a candidate, such fine is not an
 620 allowable campaign expenditure and shall be paid only from
 621 personal funds of the candidate. An officer or member of a
 622 political committee is not personally liable for such fine.

623 Section 12. Paragraph (c) of subsection (1) and paragraph
 624 (b) of subsection (7) of section 106.0703, Florida Statutes, are
 625 amended to read:

626 106.0703 Electioneering communications organizations;
 627 reporting requirements; certification and filing; penalties.—

628 (1)

629 (c) For an electioneering communications organization
 630 required to file reports with a filing officer other than the
 631 division, reports must be filed on the 60th, 46th, 32nd, 25th,
 632 18th, 11th, and 4th days ~~day~~ immediately preceding both the
 633 primary election, ~~and biweekly on each Friday thereafter through~~
 634 ~~and including the 4th day immediately preceding the general~~
 635 ~~election, with additional reports due on the 25th and 11th days~~
 636 ~~before the primary election and the general election.~~

637 (7)

638 (b) Upon determining that a report is late, the filing

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639 officer shall immediately notify the electioneering
 640 communications organization as to the failure to file a report
 641 by the designated due date and that a fine is being assessed for
 642 each late day. The fine shall be \$50 per day for the first 7 ~~3~~
 643 days late and, thereafter, \$500 per day for each late day, not
 644 to exceed 25 percent of the total receipts or expenditures,
 645 whichever is greater, for the period covered by the late report.
 646 However, for the reports immediately preceding each primary and
 647 general election, the fine shall be \$500 per day for each late
 648 day, not to exceed 25 percent of the total receipts or
 649 expenditures, whichever is greater, for the period covered by
 650 the late report. Upon receipt of the report, the filing officer
 651 shall determine the amount of the fine which is due and shall
 652 notify the electioneering communications organization. The
 653 filing officer shall determine the amount of the fine due based
 654 upon the earliest of the following:

- 655 1. When the report is actually received by such officer.
- 656 2. When the report is postmarked.
- 657 3. When the certificate of mailing is dated.
- 658 4. When the receipt from an established courier company is
 659 dated.
- 660 5. When the electronic receipt issued pursuant to s.
 661 106.0705 or other electronic filing system authorized in this
 662 section is dated.

663
 664 Such fine shall be paid to the filing officer within 20 days
 665 after receipt of the notice of payment due, unless appeal is
 666 made to the Florida Elections Commission pursuant to paragraph
 667 (c). Notice is deemed sufficient upon proof of delivery of

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668 written notice to the mailing or street address on record with
 669 the filing officer. An officer or member of an electioneering
 670 communications organization shall not be personally liable for
 671 such fine.

672 Section 13. Section 106.25, Florida Statutes, is amended to
 673 read:

674 106.25 Reports of alleged violations to Florida Elections
 675 Commission; disposition of findings.—

676 (1) Jurisdiction to investigate and determine violations of
 677 s. 105.071, this chapter, or ~~and~~ chapter 104 is vested in the
 678 Florida Elections Commission; however, nothing in this section
 679 limits the jurisdiction of any other officers or agencies of
 680 government empowered by law to investigate, act upon, or dispose
 681 of alleged violations of this code.

682 (2) The commission shall investigate all violations of s.
 683 105.071, this chapter, and chapter 104, but only after having
 684 received either a sworn complaint or information reported to it
 685 under this subsection by the Division of Elections. Such sworn
 686 complaint must be based upon personal information or information
 687 other than hearsay. Any person, other than the division, having
 688 information of any violation of s. 105.071, this chapter, or
 689 chapter 104 shall file a sworn complaint with the commission.
 690 The commission shall investigate only those alleged violations
 691 specifically contained within the sworn complaint. If a ~~any~~
 692 complainant fails to allege all violations that arise from the
 693 facts or allegations alleged in a complaint, the commission
 694 shall be barred from investigating a subsequent complaint from
 695 such complainant which ~~that~~ is based upon such facts or
 696 allegations that were raised or could have been raised in the

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697 first complaint. If the complaint includes allegations of
 698 violations relating to expense items reimbursed by a candidate,
 699 committee, or organization to the campaign account before a
 700 sworn complaint is filed, the commission shall be barred from
 701 investigating such allegations. Such sworn complaint ~~must shall~~
 702 state whether a complaint of the same violation has been made to
 703 any state attorney. Within 5 days after receipt of a sworn
 704 complaint, the commission ~~must mail shall transmit~~ a copy of the
 705 complaint to the alleged violator at the last address of record
 706 on file with his or her filing officer, or such other mailing
 707 address known to the commission. If the executive director finds
 708 that the complaint is legally insufficient, the commission must
 709 mail a letter containing the finding to the alleged violator at
 710 the last address of record on file with his or her filing
 711 officer, or such other mailing address known to the commission.
 712 ~~The respondent shall have 14 days after receipt of the complaint~~
 713 ~~to file an initial response, and the executive director may not~~
 714 ~~determine the legal sufficiency of the complaint during that~~
 715 ~~time period.~~ If the executive director finds that the complaint
 716 is legally sufficient, the respondent shall be notified of such
 717 finding by letter, which sets forth the statutory provisions
 718 alleged to have been violated and the alleged factual basis that
 719 supports the finding. The letter and a copy of the complaint
 720 shall be served on the respondent as provided by law, or by
 721 certified mail, return receipt signed by the respondent or by an
 722 individual authorized to receive mail at the residence or
 723 principal place of business of the respondent. The respondent
 724 may file an initial response within 14 days after service,
 725 during which time the commission may not commence an

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726 investigation. The executive director must reexamine the
 727 determination of legal sufficiency upon receipt of a timely-
 728 filed response, and may modify or reverse the original finding
 729 of legal sufficiency as warranted by the new information. If the
 730 executive director modifies or reverses the determination of
 731 legal sufficiency, the commission must serve the amended finding
 732 on the respondent in the same manner as the original letter of
 733 legal sufficiency. All sworn complaints alleging violations of
 734 the Florida Election Code over which the commission has
 735 jurisdiction shall be filed with the commission within 2 years
 736 after the alleged violations. The period of limitations is
 737 tolled on the day a sworn complaint is filed with the
 738 commission. The complainant may withdraw the sworn complaint at
 739 any time before ~~prior to~~ a probable cause hearing if good cause
 740 is shown. Withdrawal shall be requested in writing, signed by
 741 the complainant, and witnessed by a notary public, stating the
 742 facts and circumstances constituting good cause. The executive
 743 director shall prepare a written recommendation regarding
 744 disposition of the request, which shall be given to the
 745 commission together with the request. The term "good cause"
 746 shall be determined based upon the legal sufficiency or
 747 insufficiency of the complaint to allege a violation and the
 748 reasons given by the complainant for wishing to withdraw the
 749 complaint. If withdrawal is permitted, the commission must close
 750 the investigation and the case. No further action may be taken.
 751 The complaint becomes ~~will become~~ a public record at the time of
 752 withdrawal.

753 (3) For the purposes of commission jurisdiction, a
 754 violation means ~~shall mean~~ the willful performance of an act

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755 prohibited by s. 105.071, this chapter, or chapter 104 or the
 756 willful failure to perform an act required by this chapter or
 757 chapter 104. The commission may not by rule determine what
 758 constitutes willfulness or further define the term "willful" for
 759 purposes of s. 105.071, this chapter, or chapter 104.
 760 Willfulness is a determination of fact; however, at the request
 761 of the respondent at any time after probable cause is found,
 762 willfulness may be considered and determined in an informal
 763 hearing before the commission.

764 (4) The commission shall undertake a preliminary
 765 investigation to determine if the facts alleged in a sworn
 766 complaint or a matter initiated by the division constitute
 767 probable cause to believe that a violation has occurred. Upon
 768 commencement of an investigation, the respondent shall provide a
 769 current mailing address and, if available, a valid e-mail
 770 address. If the respondent provides an e-mail address, and
 771 consents in writing to receive documents electronically, any
 772 subsequent document sent or served by the commission pursuant to
 773 this chapter may be transmitted electronically rather than by
 774 regular or certified mail. Failure to notify the commission in
 775 writing within 10 days after a change of mailing address, or a
 776 change of e-mail address after consenting to receive documents
 777 electronically, during the pendency of a case, constitutes a
 778 violation of this chapter. Notwithstanding s. 106.25(2), a
 779 complaint may be amended by the commission at any time during
 780 the pendency of a case to include such violation.

781 (a) When the investigator's report is completed, the
 782 executive director shall notify the respondent that the report
 783 is completed and shall send to the respondent a copy of the

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784 investigator's report. Notice is deemed complete upon mailing of
 785 the report to the mailing address on record with the commission,
 786 or to the e-mail address if the respondent has consented to
 787 receive documents electronically. The investigatory file and
 788 main complaint file ~~must~~ shall be open for inspection by the
 789 respondent and the respondent's counsel at that time, and copies
 790 may be obtained at no more than cost.

791 (b) The respondent shall be given at least ~~not less than~~ 14
 792 days from the date of mailing of the investigator's report to
 793 file with the commission a written response to the
 794 investigator's report. This time period may be shortened with
 795 the consent of the respondent, or without the consent of the
 796 respondent when the passage of time could reasonably be expected
 797 to render moot the ultimate disposition of the matter by the
 798 commission so long as reasonable notice under the circumstances
 799 is given.

800 (c) Counsel for the commission shall review the
 801 investigator's report and shall make a written recommendation to
 802 the commission for the disposition of the complaint. If the
 803 counsel for the commission recommends that the commission find
 804 probable cause, the recommendation shall include a statement of
 805 what charges shall be at issue. A copy of the recommendation
 806 shall be furnished to the respondent. Notice is deemed complete
 807 upon mailing of the recommendation to the mailing address on
 808 record with the commission or to the e-mail address if the
 809 respondent has consented to receive documents electronically.
 810 The respondent shall be given at least ~~not less than~~ 14 days
 811 from the date of mailing of the recommendation of counsel for
 812 the commission to file with the commission a written response to

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813 the recommendation. This time period may be shortened with the
814 consent of the respondent, or without the consent of the
815 respondent when the passage of time could reasonably be expected
816 to render moot the ultimate disposition of the matter by the
817 commission, so long as the recommendation is furnished to the
818 respondent within a reasonable period of time under the
819 circumstances.

820 (d) The respondent and each complainant, their counsel, and
821 the counsel for the commission shall be permitted to attend the
822 hearing at which the probable cause determination is made.
823 Notice of the hearing shall be sent to the respondent, each
824 complainant, and counsel for the commission at least 14 days
825 before the hearing. This time period may be shortened with the
826 consent of the respondent, or without the consent of the
827 respondent when the passage of time could reasonably be expected
828 to render moot the ultimate disposition of the matter by the
829 commission, so long as the notice is furnished within a
830 reasonable period of time under the circumstances.

831 (e) The probable cause determination is the conclusion of
832 the preliminary investigation. The respondent and the counsel
833 for the commission shall be permitted to make brief oral
834 statements in the nature of oral argument to the commission,
835 based on the investigator's report, before the probable cause
836 determination. The commission's determination shall be based
837 upon the investigator's report, the recommendation of counsel
838 for the commission, the complaint, and staff recommendations, as
839 well as any written statements submitted by the respondent and
840 any oral statements made at the hearing. ~~No~~ Testimony or other
841 evidence may not ~~will~~ be accepted at the hearing.

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842 (f) At its meeting to determine probable cause, the
843 commission may continue its determination to allow further
844 investigation; may order the issuance of a public report of its
845 investigation if it finds no probable cause to believe that
846 there has been a violation of s. 105.071, this chapter, or
847 chapter 104, concluding the matter before it; may order a final,
848 public hearing of the complaint if it finds probable cause to
849 believe that there has been a violation of s. 105.071, this
850 chapter, or chapter 104; or may take such other action as it
851 deems necessary to resolve the complaint, consistent with due
852 process of law. In making its determination, the commission may
853 consider:

- 854 1. The sufficiency of the evidence against the respondent,
855 as contained in the investigator's report;
- 856 2. The admissions and other stipulations of the respondent,
857 if any;
- 858 3. The nature and circumstances of the respondent's
859 actions;
- 860 4. The expense of further proceedings; and
- 861 5. Such other factors as it deems material to its decision.

862 If the commission finds probable cause, the commission shall
863 determine what charges shall be at issue.

864 (g) If no probable cause is found, the commission shall
865 dismiss the case, and the case becomes ~~shall become~~ a matter of
866 public record, except as otherwise provided in this section,
867 together with a written statement of the findings of the
868 preliminary investigation and a summary of the facts which the
869 commission shall send to the complainant and the alleged
870

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871 violator. A finding of no probable cause by the commission is a
 872 full adjudication of all such matters. The commission may not
 873 charge a respondent in a subsequent complaint alleging
 874 violations based upon the same actions, nonactions, or
 875 circumstances in which ~~wherein~~ the commission found no probable
 876 cause.

877 (h) If probable cause is found, the commission shall so
 878 notify the complainant and the alleged violator in writing.
 879 Notice is deemed complete upon mailing of the order to the
 880 mailing address on record with the commission or to the e-mail
 881 address if the respondent has consented to receive documents
 882 electronically. All documents made or received in the
 883 disposition of the complaint ~~shall~~ become public records upon a
 884 finding by the commission.

885 (i)1. Upon a commission finding of probable cause, the
 886 counsel for the commission shall attempt to reach a consent
 887 agreement with the respondent. At any time, the commission may
 888 enter into a consent order with a respondent without requiring
 889 the respondent to admit to a violation of law within the
 890 jurisdiction of the commission.

891 2. A consent agreement is not binding upon either party
 892 unless and until it is signed by the respondent and by counsel
 893 for the commission upon approval by the commission.

894 3. Nothing herein shall be construed to prevent the
 895 commission from entering into a consent agreement with a
 896 respondent before ~~prior to~~ a commission finding of probable
 897 cause if a respondent indicates in writing a desire to enter
 898 into negotiations directed towards reaching such a consent
 899 agreement. Any consent agreement reached under this subparagraph

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900 is subject to the provisions of subparagraph 2. and shall have
 901 the same force and effect as a consent agreement reached after
 902 the commission finding of probable cause.

903 (j) If a consent agreement is reached between the
 904 commission and the respondent, counsel for the commission shall
 905 send a copy of the signed agreement to both complainant and
 906 respondent.

907
 908 In a case where probable cause is found, the commission shall
 909 make a preliminary determination to consider the matter or to
 910 refer the matter to the state attorney for the judicial circuit
 911 in which the alleged violation occurred. Notwithstanding any
 912 other provisions of this section, the commission may, at its
 913 discretion, dismiss any complaint at any stage of disposition if
 914 it determines that the public interest would not be served by
 915 proceeding further, in which case the commission shall issue a
 916 public report stating with particularity its reasons for the
 917 dismissal.

918 (5) A person alleged by the ~~Elections~~ commission to have
 919 committed a violation of s. 105.071, this chapter, or chapter
 920 104 may elect, as a matter of right, within 30 days after the
 921 date of the filing of the commission's allegations, to have a
 922 formal administrative hearing conducted by an administrative law
 923 judge in the Division of Administrative Hearings. The
 924 administrative law judge in such proceedings shall enter a final
 925 order, which may include the imposition of civil penalties,
 926 subject to appeal as provided in s. 120.68. If the person does
 927 not elect to have a hearing by an administrative law judge and
 928 does not elect to resolve the complaint by a consent order, the

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929 person is entitled to a formal or informal hearing conducted
930 before the commission.

931 (6) Upon determining whether the respondent committed a
932 violation of s. 105.071, this chapter, or chapter 104, the
933 commission shall notify the respondent of its decision. Notice
934 is deemed complete upon mailing of the order to the mailing
935 address on record with the commission or to the respondent's e-
936 mail address if the respondent has consented to receive
937 documents electronically.

938 ~~(7)(6) It is the duty of~~ A state attorney receiving a
939 complaint referred by the commission shall ~~to~~ investigate the
940 complaint promptly and thoroughly; to undertake such criminal or
941 civil actions as are justified by law; and to report to the
942 commission the results of such investigation, the action taken,
943 and the disposition thereof. The failure or refusal of a state
944 attorney to prosecute or to initiate action upon a complaint or
945 a referral by the commission may ~~shall~~ not bar further action by
946 the commission under this chapter.

947 ~~(8)(7)~~ Every sworn complaint filed pursuant to this chapter
948 with the commission, every investigation and investigative
949 report or other paper of the commission with respect to a
950 violation of this chapter or chapter 104, and every proceeding
951 of the commission with respect to a violation of this chapter or
952 chapter 104 is confidential, is exempt from the provisions of
953 ss. 119.07(1) and 286.011, and is exempt from publication in the
954 Florida Administrative Register of any notice or agenda with
955 respect to any proceeding relating to such violation, except
956 under the following circumstances:

957 (a) As provided in subsection ~~(7)(6)~~;

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958 (b) Upon a determination of probable cause or no probable
959 cause by the commission; or

960 (c) For proceedings conducted with respect to appeals of
961 fines levied by filing officers for the late filing of reports
962 required by this chapter.

963
964 However, a complainant is not bound by the confidentiality
965 provisions of this section. In addition, confidentiality may be
966 waived in writing by the person against whom the complaint has
967 been filed or the investigation has been initiated. If a finding
968 of probable cause in a case is entered within 30 days before
969 ~~prior to~~ the date of the election with respect to which the
970 alleged violation occurred, such finding and the proceedings and
971 records relating to such case may ~~shall~~ not become public until
972 noon of the day following such election. When two or more
973 persons are being investigated by the commission with respect to
974 an alleged violation of this chapter or chapter 104, the
975 commission may not publicly enter a finding of probable cause or
976 no probable cause in the case until a finding of probable cause
977 or no probable cause for the entire case has been determined.
978 However, once the confidentiality of any case has been breached,
979 the person or persons under investigation have the right to
980 waive the confidentiality of the case, thereby opening up the
981 proceedings and records to the public. Any person who discloses
982 any information or matter made confidential by the provisions of
983 this subsection commits a misdemeanor of the first degree,
984 punishable as provided in s. 775.082 or s. 775.083.

985 ~~(9)(8) A~~ Any person who files a complaint pursuant to this
986 section while knowing that the allegations contained in such

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987 complaint are false or without merit commits a misdemeanor of
 988 the first degree, punishable as provided in s. 775.082 or s.
 989 775.083.

990 ~~(10)(9)~~ The commission shall maintain a database of all
 991 final orders and agency actions. Such database shall be
 992 available to the public and shall be maintained in such a manner
 993 as to be searchable, at a minimum, by issue, statutes,
 994 individuals, or entities referenced.

995 Section 14. Section 106.265, Florida Statutes, is amended
 996 to read:

997 106.265 Civil penalties.—

998 (1) The commission or, in cases referred to the Division of
 999 Administrative Hearings pursuant to s. 106.25(5), the
 1000 administrative law judge is authorized upon the finding of a
 1001 violation of s. 105.071, this chapter, or chapter 104 to impose
 1002 civil penalties in the form of fines not to exceed \$1,000 per
 1003 count, or, if applicable, to impose a civil penalty as provided
 1004 in s. 104.271 or s. 106.19.

1005 (2) In determining the amount of such civil penalties, the
 1006 commission or administrative law judge shall consider, among
 1007 other mitigating and aggravating circumstances:

1008 (a) The gravity of the act or omission;

1009 (b) Any previous history of similar acts or omissions;

1010 (c) The appropriateness of such penalty to the financial
 1011 resources of the person, political committee, affiliated party
 1012 committee, electioneering communications organization, or
 1013 political party; and

1014 (d) Whether the person, political committee, affiliated
 1015 party committee, electioneering communications organization, or

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1016 political party has shown good faith in attempting to comply
 1017 with the provisions of s. 105.071, this chapter, or chapter 104.

1018 (3) If ~~a any~~ person, political committee, affiliated party
 1019 committee, electioneering communications organization, or
 1020 political party fails or refuses to pay to the commission any
 1021 civil penalties assessed pursuant to the provisions of this
 1022 section, the commission shall be responsible for collecting the
 1023 civil penalties resulting from such action. Notwithstanding any
 1024 provision of chapter 120, any fine imposed under this section
 1025 which remains unpaid more than 60 days after the order imposing
 1026 the fine has been mailed to the respondent shall be deemed a
 1027 judgment for purposes of this section.

1028 (4) Once an order imposing a fine has been deemed a
 1029 judgment pursuant to subsection (3), the commission shall
 1030 attempt to determine whether the individual owing such a fine is
 1031 a current public officer or current public employee. If so, the
 1032 commission may notify the Chief Financial Officer or the
 1033 governing body of the appropriate county, municipality, or
 1034 special district of the total amount of any fine owed to the
 1035 commission by such individual.

1036 (a) After receipt and verification of the notice from the
 1037 commission, the Chief Financial Officer or the governing body of
 1038 the county, municipality, or special district shall begin
 1039 withholding the lesser of 10 percent or the maximum amount
 1040 allowed under federal law from any salary-related payment, up to
 1041 a maximum of \$2,000 in the aggregate. The withheld payments
 1042 shall be remitted to the commission until the fine is satisfied
 1043 or the maximum \$2,000 is remitted.

1044 (b) The Chief Financial Officer or the governing body of

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1045 the county, municipality, or special district may retain an
 1046 amount of each withheld payment, as provided in s. 77.0305, to
 1047 cover the administrative costs incurred under this subsection.

1048 (5) If the commission determines that the individual
 1049 against whom a judgment has been rendered is not a public
 1050 officer or public employee, or it is unable to determine whether
 1051 the individual is a current public officer or public employee,
 1052 the commission may seek garnishment of the individual's wages up
 1053 to a maximum of \$2,000 in the aggregate, pursuant to chapter 77.

1054 (6) If any fine imposed under subsection (3) is not fully
 1055 satisfied pursuant to subsection (4) or subsection (5), the
 1056 commission may seek enforcement of the order imposing the fine
 1057 or the remaining portion thereof in circuit court as provided in
 1058 s. 120.69 and may use any means authorized by law to enforce the
 1059 judgment. Within 120 days after recordation of the judgment in
 1060 circuit court, the commission shall report the unpaid fines, or
 1061 any portion thereof, as an accounts receivable to the
 1062 appropriate collection agency, as directed by the Chief
 1063 Financial Officer, to utilize any collection methods provided by
 1064 law.

1065 (7) Action may be taken to collect any unpaid fine imposed
 1066 by this section within 20 years after the date the final order
 1067 is rendered.

1068 (8)(4) Any civil penalty collected pursuant to the
 1069 provisions of this section shall be deposited into the General
 1070 Revenue Fund.

1071 (9)(5) Any fine assessed pursuant to this chapter shall be
 1072 deposited into the General Revenue Fund.

1073 (10)(6) In any case in which the commission determines that

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1074 a person has filed a complaint against another person with a
 1075 malicious intent to injure the reputation of the person
 1076 complained against by filing the complaint with knowledge that
 1077 the complaint contains one or more false allegations or with
 1078 reckless disregard for whether the complaint contains false
 1079 allegations of fact material to a violation of s. 105.071, this
 1080 chapter, or chapter 104, the complainant shall be liable for
 1081 costs and reasonable attorney ~~attorney's~~ fees incurred in the
 1082 defense of the person complained against, including the costs
 1083 and reasonable attorney ~~attorney's~~ fees incurred in proving
 1084 entitlement to and the amount of costs and fees. If the
 1085 complainant fails to pay such costs and fees voluntarily within
 1086 30 days following such finding by the commission, the commission
 1087 shall forward such information to the Department of Legal
 1088 Affairs, which shall bring a civil action ~~in a court of~~
 1089 ~~competent jurisdiction~~ to recover the amount of such costs and
 1090 fees awarded by the commission.

1091 Section 15. This act shall take effect upon becoming a law.




FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

FROM: Ken Detzner 
Florida Secretary of State

TO: Supervisors of Elections

DATE: November 25, 2013

SUBJECT: Directive 2013-01 – Return of Absentee Ballots

The Division of Elections has been asked for clarification regarding the law governing the return of absentee ballots. The Division of Elections' *Polling Place Procedures Manual* directs supervisors not to accept delivery of a voted absentee ballot at a polling place by a voter who does not want to vote in person, but instead to instruct the voter to "take the absentee ballot to the office of the supervisor of elections." Fla. Admin. Code R. 1S-2.034 (incorporating Form DS-DE11). A consistent understanding of the pertinent requirements of the Election Code is essential to ensure that the casting and counting of absentee ballots is conducted in a fair, secure, efficient, and impartial manner. For that reason, I have chosen to respond to this inquiry by directive to all supervisors of elections.

In my capacity as the chief election officer of the State of Florida, I hereby issue this directive for the purpose of maintaining uniformity in the interpretation and implementation of Florida election laws. Pursuant to my authority in section 97.012(16), Florida Statutes, I provide the following written direction to supervisors of elections on the performance of their official duties with respect to provisions of the Florida Election Code and rules governing the return of absentee ballots.

The Election Code provides voters who have requested absentee ballots with multiple options as to how they ultimately cast their votes. While a voter must return an absentee ballot to the supervisor in order for it to be counted, a voter may instead elect to vote in person by delivering the absentee ballot to the voter's precinct or an early voting cite to be cancelled. §§ 101.68, 101.69, Florida Statutes (2013).¹ In order to avoid confusion and ensure that every absentee voter has the opportunity to cast his or her ballot, supervisors must understand and adhere to the laws governing the proper location for receipt of absentee ballots under each circumstance.

¹ Voters residing at certain facilities may also cast their ballots through supervised voting pursuant to section 101.655, Florida Statutes (2013).



Supervisors should not solicit return of absentee ballots at any place other than a supervisor's office, except for the purpose of having the absentee ballots cancelled if the voter wants to vote in person. A supervisor of elections cannot accept delivery of a marked absentee ballot anywhere other than his or her office without violating the requirement that supervisors "shall safely keep *in his or her office* any envelopes received containing marked ballots of absent electors" § 101.67, Fla. Stat. (2013) (emphasis added); § 101.68 (providing that the supervisor "shall receive the voted ballot," at which time it is "deemed to have been cast," and that the supervisor shall "safely keep" it "in his or her office until the county canvassing board canvasses the vote").

Moreover, the Election Code directs voters who mail their absentee ballots to send those ballots to the supervisors' offices. *See* § 101.64, Fla. Stat. (requiring absentee ballot envelopes to be "addressed to the supervisor"); § 101.65, Fla. Stat. (requiring the absentee ballot to be placed in an envelope "which is addressed to the supervisor" and returned in a timely manner "so that it can reach the supervisor" no later than 7 p.m. on election day); § 101.68, Fla. Stat. (requiring the absentee ballot to be mailed or delivered "to your county supervisor of elections"). The only statute providing for the return of a ballot to a polling place or early voting site other than the supervisor's office is for the purpose of cancelling that ballot—not for the purpose of casting it. Section 101.69, Florida Statutes, provides that a voter who has not returned his or her voted ballot to the supervisor, but desires to vote in person, may return the ballot, "whether voted or not," to the voter's precinct or early voting site where the ballot "*shall* be marked 'canceled' . . . and placed with the other canceled ballots." § 101.69, Fla. Stat. (emphasis added); *see* DE 13-07 ("Florida law does not permit a voter to return the voted absentee ballot to the polling place rather than to the supervisor of elections unless the voter intends instead to return the absentee ballot to be cancelled and to cast a regular ballot at his or her assigned precinct.").

An absentee ballot is deemed to have been cast when it is received by the supervisor. § 101.68, Fla. Stat. After a voted absentee ballot is received, a supervisor is required to do two things: 1) keep the ballot safely in his or her office; and 2) determine whether the ballot was received by 7 p.m. on election day for it to be eligible to be counted. § 101.67, Fla. Stat. (requiring that ballots received after 7 p.m. be "marked with the time and date of receipt and filed in the supervisor's office," but not counted). Receipt of a voted absentee ballot by the supervisor somewhere other than the supervisor's office (e.g., an early voting site, polling place, or drop box not within the supervisor's office) renders the former task impossible and undermines the latter task of determining whether ballots were timely received.

For the foregoing reasons, supervisors should never solicit the delivery of absentee ballots to any location other than the supervisors' offices. Also, it is incumbent upon supervisors to educate voters regarding the proper method of casting absentee ballots to ensure timely receipt and safe keeping.

This directive remains in effect until such time as it is superseded or revoked by subsequent directive, law or final court order.



THE FLORIDA SENATE

APPEARANCE RECORD

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

03/10/14 Meeting Date

Topic Voting-Voting sites

Bill Number 7068 (if applicable)

Name Avery Smith

Amendment Barcode 590812 (if applicable)

Job Title Student

Address 23011702 Trustler Hall

Phone (850) 264-2346

Street

Gainesville

FL

32612

City

State

Zip

E-mail averyjs1216@ufl.edu

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

Representing ~~University of Florida~~ University of Florida Students

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.

S-001 (10/20/11)



THE FLORIDA SENATE
APPEARANCE RECORD

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

3/10/2014
Meeting Date

Topic Early Voting

Bill Number 7068

Name Frank Plageman IV

Amendment Barcode 590812
(if applicable)

Job Title Former Student Government Senator UF

Address 166 Hampton Circle
Street
Jupiter FL 33458
City State Zip

Phone (561)603-2536

E-mail _____

Speaking: For Against Information

Representing ~~_____~~ ~~_____~~ University of Florida Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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✓

THE FLORIDA SENATE
APPEARANCE RECORD

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

03/10/14

Meeting Date

Topic Voting

Bill Number SB 7068
(if applicable)

Name Matthew Hoeck

Amendment Barcode 590812
(if applicable)

Job Title Student

Address 120 Sea Lily Lane

Phone (904) 673-5264

Street

Route Vero Beach

FL

32082

City

State

Zip

E-mail Mhoeck@ufl.edu

Speaking: For Against Information

Representing ~~State~~ University 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.

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S-001 (10/20/11)



THE FLORIDA SENATE
APPEARANCE RECORD

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

03-10-2014
Meeting Date

Topic Voting - voting sites

Bill Number SB 7068
(if applicable)

Name José U. Miranda

Amendment Barcode 590 812
(if applicable)

Job Title student; President, Hispanic Student Association at UF

Address 2285 Fraternity Drive
Street

Phone (786) 326-0574

Gainesville FL 32611
City State Zip

E-mail rdhwm07@UF1.edu

Speaking: For Against Information

Representing ~~Senator~~ ~~Staff~~ UF Hispanic Student Association, University 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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

3/10/14

Meeting Date

Topic Early voting

Bill Number 7068
(if applicable)

Name Lauren Nickoloff

Amendment Barcode 590812
(if applicable)

Job Title President, UF College Democrats / Student

Address 202A NW 12th Terrace

Phone 813-716-0881

Street

Gainesville

FL

32601

E-mail lnickoloff@ufl.edu

City

State

Zip

Speaking: For Against Information

Representing ~~Senator Bob~~ UF College Democrats

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)



THE FLORIDA SENATE
APPEARANCE RECORD

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

03/10/14
Meeting Date

Topic _____

Bill Number 7068
(if applicable)

Name Brad Ashwell

Amendment Barcode _____
(if applicable)

Job Title Lobbyist

Address 1536 Chulivene
Street

Phone 850-294-1008

Tallahassee FL 32301
City State Zip

E-mail bradashwell@gmail.com

Speaking: For Against Information

Representing Common Cause

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)

3/10/2014
Meeting Date

Topic ELECTIONS

Bill Number SPB 7068
(if applicable)

Name DAVID STAFFORD

Amendment Barcode _____
(if applicable)

Job Title SUPERVISOR OF ELECTIONS

Address PO BOX 12601

Phone (850) 595 3900

Street

Pensacola FL 32591

City

State

Zip

E-mail dstafford@escambivotes.com

Speaking: For Against Information

Representing FSASU

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)



THE FLORIDA SENATE

APPEARANCE RECORD

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

3/10/14
Meeting Date

Topic _____

Bill Number S 7068
(if applicable)

Name Pamela Burch Fort

Amendment Barcode _____
(if applicable)

Job Title _____

Address 104 S. Monroe Street
Street
Tallahassee FL 32301
City State Zip

Phone 850/425-1344

E-mail TcgLobby@aol.com

Speaking: For Against Information

Representing ACLU of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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



THE FLORIDA SENATE
APPEARANCE RECORD

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

3/10/14
Meeting Date

Topic Electives

Bill Number SB 7068
(if applicable)

Name Dana Farmer

Amendment Barcode _____
(if applicable)

Job Title Director of legislative Affairs

Address 2728 Centerview Dr, Ste. 102
Street
Tallahassee FL 32301
City State Zip

Phone (850)264-9230
dana@
E-mail disabilityrightsflorida.org

Speaking: For Against Information

Representing DISABILITY RIGHTS 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.

Did not speak

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/10/14

Meeting Date

Topic Elections

Bill Number PSB 7068/7070
(if applicable)

Name Amy Toman

Amendment Barcode _____
(if applicable)

Job Title Executive Director

Address Collins Bldg.
Street

Phone 850.922.4539

City State Zip

E-mail _____

Speaking: For Against Information

Representing Florida Elections Commission

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

DID NOT SPEAK

THE FLORIDA SENATE APPEARANCE RECORD

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

3/10/14
Meeting Date

Topic ELECTIONS

Bill Number 7068/7070
(if applicable)

Name DAVID GROSSMAN

Amendment Barcode _____
(if applicable)

Job Title ASSISTANT GENERAL COUNSEL, FEL

Address COLLINS BUILDING
Street

Phone (450) 922-4539

City _____ State _____ Zip _____

E-mail _____

Speaking: For Against Information

Representing FLORIDA ELECTIONS COMMISSION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/20/11)



THE FLORIDA SENATE

APPEARANCE RECORD

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

3/10/14

Meeting Date

Topic Elections

Bill Number 7068 (if applicable)

Name Jessica Lowe-Miner

Amendment Barcode (if applicable)

Job Title Executive Director

Address 540 Beverly Ct.

Phone 850-224-2545

Street

Tallahassee

FL

32301

City

State

Zip

E-mail LWVF1@comcast.net

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

Representing League of Women Voters of Florida

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

Lobbyist registered with Legislature: [X] 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: SPB 7070

INTRODUCER: For consideration by the Ethics and Elections Committee

SUBJECT: Public Records and Meetings; Florida Elections Commission

DATE: March 5, 2014

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Fox	Roberts		Submitted as a Committee Bill

I. Summary:

SPB 7070 is a public records and meetings exemption bill linked to SPB 7068 — a bill clarifying that the Florida Elections Commission may enforce violations for certain political activities by judicial candidates. This bill creates a temporary public records and meetings exemption that parallels those currently in use with respect to other alleged election and campaign finance violations in Chapters 104 and 106.

This new exemption is scheduled to sunset and stands repealed pursuant to Open Government Sunset Review on October 2, 2019, unless reenacted by the Legislature.

Because this bill creates new public records and meetings exemptions, it requires a two-thirds vote of the members present and voting in each house for passage.

The bill takes effect on the same date as the linked SPB 7068 (upon becoming law), if it passes.

II. Present Situation:

Public Records and Meetings Requirements

The Florida Constitution specifies requirements for public access to government records and meetings. It provides every person the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or of persons acting on their behalf.¹ The records of the legislative, executive, and judicial branches are specifically included.² The Florida Constitution also requires all meetings of any collegial public body of the executive branch of state government or of any local government, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, to be open and noticed to the public.³

¹ FLA. CONST., Art. I, s. 24(a).

² *Id.*

³ FLA. CONST., Art. I, s. 24(b).

In addition to the Florida Constitution, the Florida Statutes specify conditions under which public access must be provided to government records and meetings. The Public Records Act⁴ guarantees every person's right to inspect and copy any state or local government public record⁵ at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁶ The Sunshine Law⁷ requires all meetings of any board or commission of any state or local agency or authority at which official acts are to be taken to be noticed and open to the public.⁸

Only the Legislature may create an exemption to public records or public meetings requirements.⁹ Such an exemption must be created by general law and must specifically state the public necessity justifying the exemption.¹⁰ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹¹ and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹²

Exemptions are subject to the Open Government Sunset Review Act,¹³ which prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions.¹⁴ It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹⁵

⁴ Chapter 119, F.S.

⁵ Section 119.011(12), F.S., defines "public records" to mean "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." Section 119.011(2), F.S., defines "agency" to mean as "any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency." The Public Records Act does not apply to legislative or judicial records (*see Locke v. Hawkes*, 595 So.2d 32 (Fla. 1992)).

⁶ Section 119.07(1)(a), F.S.

⁷ Section 286.011, F.S.

⁸ Section 286.011(1)-(2), F.S. The Sunshine Law does not apply to the Legislature; rather, open meetings requirements for the Legislature are set out in Art. III, s. 4(e) of the Florida Constitution. That section requires the rules of procedure of each house to provide that:

- All legislative committee and subcommittee meetings of each house and of joint conference committee meetings must be open and noticed to the public; and
- All prearranged gatherings, between more than two members of the Legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon or to take formal legislative action, must be reasonably open to the public.

⁹ FLA. CONST., Art. I, s. 24(c).

¹⁰ FLA. CONST., Art. I, s. 24(c).

¹¹ The bill may, however, contain multiple exemptions that relate to one subject.

¹² FLA. CONST., Art. I, s. 24(c).

¹³ Section 119.15, F.S.

¹⁴ Section 119.15, F.S. An exemption is substantially amended if the amendment expands the scope of the exemption to include more records or information or to include meetings as well as records (s. 119.15(4)(b), F.S.). The requirements of the Act do not apply to an exemption that is required by federal law or that applies solely to the Legislature or the State Court System (s. 119.15(2), F.S.).

¹⁵ Section 119.15(3), F.S.

Florida Elections Commission Proceedings

The Florida Elections Commission's ("the commission") *general jurisdiction statute*¹⁶ empowers the commission to investigate alleged violations of Chapter 104 (election violations, generally) and Chapter 106 (campaign finance), upon the filing of a sworn complaint or upon receipt of information reported to it by the Division of Elections. Current law provides that an elections complaint, investigation, and other documents, as well as related meetings involving Chapter 104 and 106 violations, are temporarily confidential and exempt from disclosure,¹⁷ typically until the commission makes a probable cause determination in the case.¹⁸

The linked bill SPB 7068 clarifies that the commission has jurisdiction over s. 105.071, F.S., governing the political activities of judicial candidates, by adding references to s. 105.071, F.S., throughout the commission's general jurisdiction statute. However, expanding the general jurisdiction statute's temporary public records and meetings exemptions that apply to Chapter 104 and Chapter 106 proceedings to include s. 105.071, F.S., requires a separate public records bill.

III. Effect of Proposed Changes:

SPB 7070 creates a new temporary public records and meetings exemption for commission records and meetings related to violations of s. 105.071, F.S., which deals with political activities by candidates. This new exemption essentially mirrors the current exemptions for Chapter 104 and 106 cases before the commission, although it's worded a bit differently for bill drafting purposes.¹⁹

Specifically, the bill makes a sworn complaint and an investigation and investigative report or other paper of the commission with respect to a violation of s. 105.071, F.S., temporarily confidential and exempt from s. 119.071(1), F.S., and s. 24(a), Art. I of the Florida Constitution. It also makes any portion of a commission proceeding in which a violation of s. 105.071, F.S., is discussed or acted upon temporarily exempt from s. 286.011, F.S.; s. 24(b), Art. I of the Florida Constitution; and s. 120.525, F.S.

These new exemptions cease to apply when the commission makes a probable cause determination in the case, when the complaint is referred to a state attorney, or for appellate proceedings conducted with respect to automatic fines levied by filing officers for late-filed campaign finance reports.

¹⁶ Section 106.25, F.S.

¹⁷ This pre-1993 exemption is grandfathered from the requirements of s. 24, Art. I of the State Constitution. Section 24(d), Art. I of the State Constitution provides for continued recognition of certain public records and meetings exemptions that were in existence when the amendment took effect in 1993.

¹⁸ Section 106.25(7), F.S.

¹⁹ The current public records exemptions for cases involving Chapter 104 and 106 violations pre-date 1993 and, as such, are grandfathered from the requirements of s. 24, Art. I of the State Constitution.. If the new exemption for s. 105.071, F.S., were simply incorporated into the existing statutory language, it would open those current Chapter 104 and 106 exemptions to the broader, more expansive post-1993 constitutional standards regarding public records and meetings and also subject them to sunset review in 5 years pursuant to the Open Government Sunset Review Act..

The new exemptions automatically sunset on October 2, 2019, unless the legislature reenacts them.

The bill provides the public necessity statement required by the Florida Constitution, and takes effect on the same date that SPB 7068 takes effect (upon becoming law), if enacted.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Section 24(c), Art. I of the Florida Constitution requires a two-thirds vote of the members present and voting in each house of the Legislature for passage of a newly created public records or public meetings exemption. Because this bill creates new public records and meetings exemptions, it requires a two-thirds vote for passage.

Public Necessity Statement

Section 24(c), Art. I of the Florida Constitution requires a public necessity statement for a newly created public records or public meetings exemption. Because this bill creates new public records and meetings exemptions, it includes a public necessity statement.

Single Subject

Section 24(c), Art. I of the Florida Constitution requires a bill creating or expanding a public records or open meetings exemption to contain only exemptions from constitutional public records and open meetings requirements and provisions governing the enforcement of the section. This bill creates new public records and open meetings exemptions.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

This bill is linked to SPB 7068, clarifying that the FEC's jurisdiction includes violations of section 105.071, F.S., involving political activities by judicial candidates.

VIII. Statutes Affected:

This bill substantially amends section 106.25, 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.

FOR CONSIDERATION By the Committee on Ethics and Elections

582-00978A-14

20147070__

1 A bill to be entitled
 2 An act relating to public records and meetings;
 3 amending s. 106.25, F.S.; creating an exemption from
 4 public records requirements for a sworn complaint and
 5 records relating to an investigation, investigative
 6 report, or other paper of the Florida Elections
 7 Commission with respect to violations of limitations
 8 on political activity by candidates for judicial
 9 office; creating an exemption from public meetings
 10 requirements for portions of proceedings of the
 11 Florida Elections Commission in which violations of
 12 limitations on political activity by candidates for
 13 judicial office are discussed or acted upon following
 14 a complaint or relating to an investigation; providing
 15 for future repeal and legislative review of the
 16 exemptions under the Open Government Sunset Review
 17 Act; providing statements of public necessity;
 18 providing a contingent effective date.

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

20 Section 1. Subsection (7) of section 106.25, Florida
 21 Statutes, is amended to read:

22 106.25 Reports of alleged violations to Florida Elections
 23 Commission; disposition of findings.—

24 (7) (a) Every sworn complaint filed pursuant to this chapter
 25 with the commission, every investigation and investigative
 26 report or other paper of the commission with respect to a
 27 violation of this chapter or chapter 104, and every proceeding
 28
 29

Page 1 of 5

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

582-00978A-14

20147070__

30 of the commission with respect to a violation of this chapter or
 31 chapter 104 is confidential, is exempt from the provisions of
 32 ss. 119.07(1) and 286.011, and is exempt from publication in the
 33 Florida Administrative Register of any notice or agenda with
 34 respect to any proceeding relating to such violation, ~~except~~
 35 ~~under the following circumstances:~~

36 (b) A sworn complaint filed with the commission and an
 37 investigation and investigative report or other paper of the
 38 commission with respect to a violation of s. 105.071 is
 39 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 40 of the State Constitution.

41 (c) Any portion of a proceeding of the commission in which
 42 a violation of s. 105.071 is discussed or acted upon pursuant to
 43 a complaint or investigation is exempt from s. 286.011, s.
 44 24(b), Art. I of the State Constitution, and s. 120.525.

45 (d) The exemptions in paragraphs (a)-(c) apply, except
 46 under the following circumstances:

47 1. ~~(a)~~ As provided in subsection (6);

48 2. ~~(b)~~ Upon a determination of probable cause or no probable
 49 cause by the commission; or

50 3. ~~(c)~~ For proceedings conducted with respect to appeals of
 51 finances levied by filing officers for the late filing of reports
 52 required by this chapter.

53 (e) Paragraphs (b) and (c) are subject to the Open
 54 Government Sunset Review Act in accordance with s. 119.15 and
 55 shall stand repealed on October 2, 2019, unless reviewed and
 56 saved from repeal through reenactment by the Legislature.

57
 58 However, a complainant is not bound by the confidentiality

Page 2 of 5

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20147070__

59 provisions of this section. In addition, confidentiality may be
 60 waived in writing by the person against whom the complaint has
 61 been filed or the investigation has been initiated. If a finding
 62 of probable cause in a case is entered within 30 days prior to
 63 the date of the election with respect to which the alleged
 64 violation occurred, such finding and the proceedings and records
 65 relating to such case ~~may shall~~ not become public until noon of
 66 the day following such election. When two or more persons are
 67 being investigated by the commission with respect to an alleged
 68 violation of s. 105.071, this chapter, or chapter 104, the
 69 commission may not publicly enter a finding of probable cause or
 70 no probable cause in the case until a finding of probable cause
 71 or no probable cause for the entire case has been determined.
 72 However, once the confidentiality of any case has been breached,
 73 the person or persons under investigation have the right to
 74 waive the confidentiality of the case, thereby opening up the
 75 proceedings and records to the public. Any person who discloses
 76 any information or matter made confidential by the provisions of
 77 this subsection commits a misdemeanor of the first degree,
 78 punishable as provided in s. 775.082 or s. 775.083.

79 Section 2. (1) The Legislature finds that it is a public
 80 necessity that a sworn complaint filed with the Florida
 81 Elections Commission, and records relating to an investigation,
 82 investigative report, or other paper of the commission, with
 83 respect to violations on limitations on political activity by
 84 candidates for judicial office be confidential and exempt from
 85 public records requirements. Sworn complaints, and records held
 86 by the commission relating to investigations, of a violation of
 87 chapter 104 or chapter 106, Florida Statutes, relating to

Page 3 of 5

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582-00978A-14

20147070__

88 certain violations and penalties of the Florida Election Code
 89 and campaign financing, respectively, have historically been
 90 exempt from public records requirements. This exemption affords
 91 the same confidentiality to such complaints and records relating
 92 to a violation of s. 105.071, Florida Statutes. This exemption
 93 is necessary because the release of such information could be
 94 defamatory to an individual under investigation, cause
 95 unwarranted damage to the reputation of such individual, or
 96 impair the integrity of the investigation. This exemption is
 97 narrowly drawn in that the confidentiality may be waived in
 98 writing by the person against whom the complaint has been filed,
 99 or the investigation has been initiated; or upon the
 100 determination of probable cause or no probable cause by the
 101 commission.

102 (2) The Legislature finds that it is a public necessity
 103 that any portion of a proceeding of the Florida Elections
 104 Commission in which a violation of s. 105.071, Florida Statutes,
 105 is discussed or acted upon following a complaint or relating to
 106 an investigation be exempt from public meetings requirements.
 107 Proceedings of the commission with respect to a violation of
 108 chapter 104 or chapter 106, Florida Statutes, relating to
 109 certain violations and penalties of the Florida Election Code
 110 and campaign financing, respectively, have historically been
 111 exempt from public meetings requirements. This exemption affords
 112 the same protection to discussions or actions pursuant to a
 113 complaint or investigation during any portion of a proceeding of
 114 the commission with respect to an alleged violation of s.
 115 105.071, Florida Statutes. This exemption is necessary because
 116 the release of such information could be defamatory to an

Page 4 of 5

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

582-00978A-14

20147070__

117 individual under investigation, cause unwarranted damage to the
118 reputation of such individual, or impair the integrity of the
119 investigation. This exemption is narrowly drawn in that it
120 applies only to portions of proceedings of the commission in
121 which such an alleged violation of s. 105.071, Florida Statutes
122 pursuant to a complaint or investigation is discussed or acted
123 upon.

124 Section 3. This act shall take effect on the same date that
125 SB ___ or similar legislation takes effect, if such legislation
126 is adopted in the same legislative session or an extension
127 thereof and becomes a law.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR JOHN LEGG
17th District

The Honorable Jack Latvala
408 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

March 10, 2014

Chair Latvala,

Please excuse my absence for the Ethics and Elections Committee scheduled for March 10, 2014. I am currently experiencing travel difficulties. If there is an issue where you need to speak with me directly, please contact me on my personal cell phone. Thank you for your kind consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Legg", with a long horizontal stroke extending to the right.

John Legg
State Senate, District 17

cc: Dawn Roberts
Staff Director

REPLY TO:

- 214 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5017
- 262 Crystal Grove Boulevard, Lutz, Florida 33548

Senate's Website: www.flisenate.gov

DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Judiciary, *Chair*
Appropriations Subcommittee on Health
and Human Services
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Ethics and Elections
Gaming
Rules
Transportation

SENATOR TOM LEE

Deputy Majority Leader
24th District

March 10, 2014

Chairman Garrett Richter
Senate Committee Ethics and Elections
404 Senate Office Building
404 South Monroe St.
Tallahassee, FL 32399

Dear Chairman Latvala,

I respectfully request to be excused from the Senate Committee on Ethics and Elections on March 10, 2014 due to a bill being heard in another committee.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Tom Lee".

Tom Lee
Senator, District 24

Cc: Dawn Roberts, Staff Director

REPLY TO:

- 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061
- 418 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5024

Senate's Website: www.flsenate.gov

DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore

CourtSmart Tag Report

Room: KN 412
Caption: Senate Ethics and Elections

Case:
Judge:

Type:

Started: 3/10/2014 4:04:40 PM

Ends: 3/10/2014 5:10:07 PM

Length: 01:05:28

4:04:42 PM Meeting Called to Order
4:04:46 PM Roll Call
4:05:06 PM Opening Comments by Chair Latvala
4:05:24 PM (Tabs 1-19) Executive Appointments
4:05:35 PM Chair Latvala asks for questions from the committee
4:05:56 PM Testimony by Amy Datz, Retired Environmental Scientist/Planner on behalf of Robert Mulhere (Tab 16)
4:07:48 PM Chair Latvala asks for questions
4:07:54 PM Sen. Braynon asks question about Tab #9
4:08:13 PM Staff responds
4:08:49 PM Sen. Joyner asks a question
4:08:58 PM Staff responds
4:09:19 PM Sen. Joyner asks follow-up question
4:09:28 PM Chair Latvala asks for motion to confirm Exec. Appts. Tabs 1-19
4:09:40 PM Motion by Sen. Thrasher, to recommend confirmation on Tabs 1-19
4:09:53 PM Roll Call
4:10:07 PM Motion Reported Favorably
4:10:16 PM Chair Latvala makes comments about other appointments
4:10:35 PM (Tab 20) SPB 7068
4:11:03 PM Chair Latvala explains the bill
4:15:33 PM Sen. Braynon explains AM 590812 for Sen. Soto
4:15:54 PM Sen. Thrasher asks a question
4:16:24 PM Chair Latvala responds
4:16:32 PM Sen. Thrasher asks question about SPB 7068
4:17:52 PM Chair Latvala responds
4:19:48 PM Jonathan Fox, EE Staff, makes comments directed to bill analysis
4:21:27 PM Sen. Thrasher makes comment and poses question
4:22:06 PM Chair Latvala responds with regard to location of ballot boxes
4:24:25 PM Sen. Sobel asks question
4:25:23 PM Chair Latvala responds with regard to voter fraud
4:26:21 PM Sen. Sobel asks follow-up question
4:26:35 PM Chair Latvala responds
4:26:38 PM Sen. Sobel makes follow-up comment
4:26:57 PM Chair Latvala responds
4:27:33 PM Sen. Sobel responds
4:27:49 PM Chair Latvala asks for other questions
4:28:05 PM Sen. Thrasher makes comment about bill
4:28:58 PM Chair Latvala responds
4:29:19 PM Sen. Braynon makes comment
4:29:49 PM Chair Latvala responds
4:32:49 PM Testimony by Avery Smith, Student at the University of Florida
4:34:43 PM Sen. Clemens asks question
4:35:19 PM Chair Latvala asks question
4:35:54 PM Mr. Smith responds
4:36:03 PM Sen. Thrasher asks question
4:36:08 PM Mr. Smith responds
4:36:47 PM Testimony by Frank Plageman IV, Student at University of Florida
4:38:37 PM Chair Latvala asks question
4:38:43 PM Mr. Plageman responds
4:38:52 PM Sen. Clemens asks question
4:39:03 PM Mr. Plageman responds
4:39:37 PM Testimony by Matthew Hoeck, University of Florida student
4:41:22 PM Chair Latvala asks question

4:41:35 PM Mr. Hoece responds
4:41:47 PM Chair Latvala makes comment
4:42:26 PM Testimony by Jose Miranda, University of Florida student
4:46:33 PM Testimony by Lauren Nickoloff, UF College Democrats
4:50:22 PM Testimony by Brad Ashwell, Lobbyist for Common Cause
4:51:48 PM Chair Latvala asks for other people who wish to speak
4:52:11 PM Testimony by David Stafford, Supervisor of Elections, Escambia County
4:55:14 PM Chair Latvala makes comment about online registration
4:55:23 PM Mr. Stafford responds
4:56:25 PM Chair Latvala asks question about voter registration
4:57:23 PM Mr. Stafford responds
4:57:27 PM Chair Latvala voices concerns
4:57:46 PM Mr. Stafford responds
4:57:53 PM Sen. Clemens asks question
4:58:18 PM Mr. Stafford responds
4:59:21 PM Sen. Clemens asks follow-up question
4:59:31 PM Mr. Stafford responds
5:00:22 PM Chair Latvala comments
5:02:27 PM Testimony by Pamela Burch Fort, ACLU of Florida
5:03:27 PM Testimony by Dana Farmer, Disability Rights Florida
5:04:21 PM Amy Toman, FL Elections Commission, waived testimony
5:04:30 PM David Grossman, FL Elections Commission, waived testimony
5:04:39 PM Testimony by Jessica Lowe-Minor, League of Women Voters of FL
5:05:53 PM Sen. Soto and Sen. Sobel withdraw their amendments
5:06:32 PM Chair Latvala thanks Sen. Clemens and makes comments
5:07:01 PM Sen. Clemens makes comment
5:07:41 PM Sen. Benacquisto moves to submit SPB7068 as a committee bill
5:08:04 PM Favorable Roll Call to submit SPB 7068 as a committee bill
5:08:21 PM (Tab 21) SPB 7070- Public Records and Meetings
5:08:52 PM Chair Latvala explains the bill and asks for questions
5:09:01 PM Sen. Gardiner moves to submit SPB 7070 as a committee bill
5:09:16 PM Roll Call
5:09:35 PM Favorable Roll Call to submit SPB 7070 as a committee bill
5:09:44 PM Favorable Motion to allow Senators Gardiner, Soto, & Flores to vote favorably on Tabs 1-19
5:09:59 PM Move to Rise