

<b>Tab 16</b>	<b>SB 532</b> by <b>Lee (CO-INTRODUCERS) Hutson, Mayfield</b> ; (Compare to CS/H 00761) Public Records/Voters and Voter Registration					
<b>Tab 17</b>	<b>SB 810</b> by <b>Powell</b> ; (Similar to CS/H 00609) Vote-by-mail Ballots					
<b>Tab 18</b>	<b>SB 1262</b> by <b>Hutson</b> ; (Similar to H 07037) Election Dates for Municipal Office					
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Perry, Chair**  
**Senator Brandes, Vice Chair**

**MEETING DATE:** Tuesday, February 6, 2018**TIME:** 2:00—3:30 p.m.**PLACE:** Pat Thomas Committee Room, 412 Knott Building**MEMBERS:** Senator Perry, Chair; Senator Brandes, Vice Chair; Senators Braynon, Hutson, Lee, Passidomo, Rodriguez, and Torres

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
<b>Board of Accountancy</b>			
1	Keegan, Tracy L. (Naples)	10/31/2021	Recommend Confirm Yeas 6 Nays 0
<b>Jacksonville Aviation Authority</b>			
2	Kilbane, Patrick J. (Jacksonville)	09/30/2021	Recommend Confirm Yeas 6 Nays 0
<b>Florida Building Commission</b>			
3	Dean, Nanette (Ft. Myers)	04/05/2021	Recommend Confirm Yeas 6 Nays 0
<b>Florida Citrus Commission</b>			
4	Hancock, Jonathan Ned (Sebring)	05/31/2019	Recommend Confirm Yeas 6 Nays 0
<b>Hillsborough County Civil Service Board</b>			
5	Cichon, Andrea M. (Tampa)	07/02/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of Eastern Florida State College</b>			
6	Landman, Alan H. (Indialantic)	05/31/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of College of Central Florida</b>			
7	Brancato, Joyce (Inglis)	05/31/2018	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of Daytona State College</b>			
8	Dougherty, Sarah (Edgewater)	05/31/2021	Recommend Confirm Yeas 6 Nays 0
	Haas, Mary Ann (Flagler Beach)	05/31/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of Florida Keys Community College</b>			
9	Scuderi, Stephanie S. (Tavernier)	05/31/2021	Recommend Confirm Yeas 6 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Tuesday, February 6, 2018, 2:00—3:30 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Board of Trustees of Gulf Coast State College</b>			
10	Warriner, David P. (Port St. Joe)	05/31/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of Hillsborough Community College</b>			
11	Diehl, Arthur F. III (Tampa)	05/31/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Trustees of Valencia College</b>			
12	Johnson, Rosene (Orlando)	05/31/2019	Recommend Confirm Yeas 6 Nays 0
<b>Board of Dentistry</b>			
13	Cabanzon, Catherine (West Palm Beach)	10/31/2020	Recommend Confirm Yeas 6 Nays 0
<b>Education Practices Commission</b>			
14	Rowe, Kevin (Ocala)	11/27/2021	Recommend Confirm Yeas 6 Nays 0
<b>Board of Pharmacy</b>			
15	Wright, David (Ft. Pierce)	10/31/2019	Recommend Confirm Yeas 6 Nays 0
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	<b>SB 532</b> Lee (Compare CS/H 761)	Public Records/Voters and Voter Registration; Providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal; providing a statement of public necessity, etc.  EE     02/06/2018 Favorable GO RC	Favorable Yeas 7 Nays 0
17	<b>SB 810</b> Powell (Compare H 609)	Vote-by-mail Ballots; Authorizing an elector to vote by personally delivering his or her completed vote-by- mail ballot to an early voting site in the elector's county of residence during the site's hours of operation, etc.  EE     02/06/2018 Favorable RC	Favorable Yeas 7 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Tuesday, February 6, 2018, 2:00—3:30 p.m.

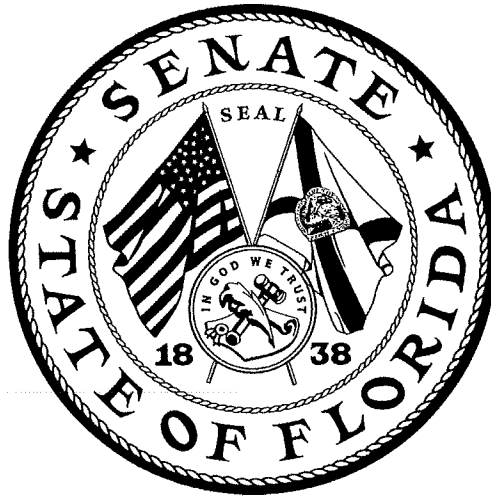
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
18	<b>SB 1262</b> Hutson (Similar H 7037)	Election Dates for Municipal Office; Requiring the governing body of a municipality to determine the dates on which initial and runoff elections for municipal office are held and providing options therefor; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions, etc.  EE      02/06/2018 Fav/CS CA RC	Fav/CS Yeas 4 Nays 3

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Other Related Meeting Documents

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Committee:

# **ETHICS AND ELECTIONS**

Senator Perry, Chair  
Senator Brandes, Vice Chair

**Meeting Packet**  
Tuesday, February 6, 2018  
2:00—3:30 p.m.  
Pat Thomas Committee Room, 412 Knott Building

The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Perry, Chair**  
**Senator Brandes, Vice Chair**

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

**TIME:** 2:00—3:30 p.m.

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

**MEMBERS:** Senator Perry, Chair; Senator Brandes, Vice Chair; Senators Braynon, Hutson, Lee, Passidomo, Rodriguez, and Torres

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
<b>Board of Accountancy</b>			
1	Keegan, Tracy L. (Naples)	10/31/2021	
<b>Jacksonville Aviation Authority</b>			
2	Kilbane, Patrick J. (Jacksonville)	09/30/2021	
<b>Florida Building Commission</b>			
3	Dean, Nanette (Ft. Myers)	04/05/2021	
<b>Florida Citrus Commission</b>			
4	Hancock, Jonathan Ned (Sebring)	05/31/2019	
<b>Hillsborough County Civil Service Board</b>			
5	Cichon, Andrea M. (Tampa)	07/02/2021	
<b>Board of Trustees of Eastern Florida State College</b>			
6	Landman, Alan H. (Indialantic)	05/31/2021	
<b>Board of Trustees of College of Central Florida</b>			
7	Brancato, Joyce (Inglis)	05/31/2018	
<b>Board of Trustees of Daytona State College</b>			
8	Dougherty, Sarah (Edgewater)	05/31/2021	
	Haas, Mary Ann (Flagler Beach)	05/31/2021	
<b>Board of Trustees of Florida Keys Community College</b>			
9	Scuderi, Stephanie S. (Tavernier)	05/31/2021	
<b>Board of Trustees of Gulf Coast State College</b>			
10	Warriner, David P. (Port St. Joe)	05/31/2021	
<b>Board of Trustees of Hillsborough Community College</b>			
11	Diehl, Arthur F. III (Tampa)	05/31/2021	
<b>Board of Trustees of Valencia College</b>			
12	Johnson, Rosene (Orlando)	05/31/2019	

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Tuesday, February 6, 2018, 2:00—3:30 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Board of Dentistry</b>			
13	Cabanzon, Catherine (West Palm Beach)	10/31/2020	
<b>Education Practices Commission</b>			
14	Rowe, Kevin (Ocala)	11/27/2021	
<b>Board of Pharmacy</b>			
15	Wright, David (Ft. Pierce)	10/31/2019	

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	<b>SB 532</b> Lee (Compare CS/H 761)	Public Records/Voters and Voter Registration; Providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal; providing a statement of public necessity, etc.  EE GO RC	
17	<b>SB 810</b> Powell (Compare H 609)	Vote-by-mail Ballots; Authorizing an elector to vote by personally delivering his or her completed vote-by- mail ballot to an early voting site in the elector's county of residence during the site's hours of operation, etc.  EE RC	
18	<b>SB 1262</b> Hutson (Similar H 7037)	Election Dates for Municipal Office; Requiring the governing body of a municipality to determine the dates on which initial and runoff elections for municipal office are held and providing options therefor; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions, etc.  EE CA RC	

Other Related Meeting Documents

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

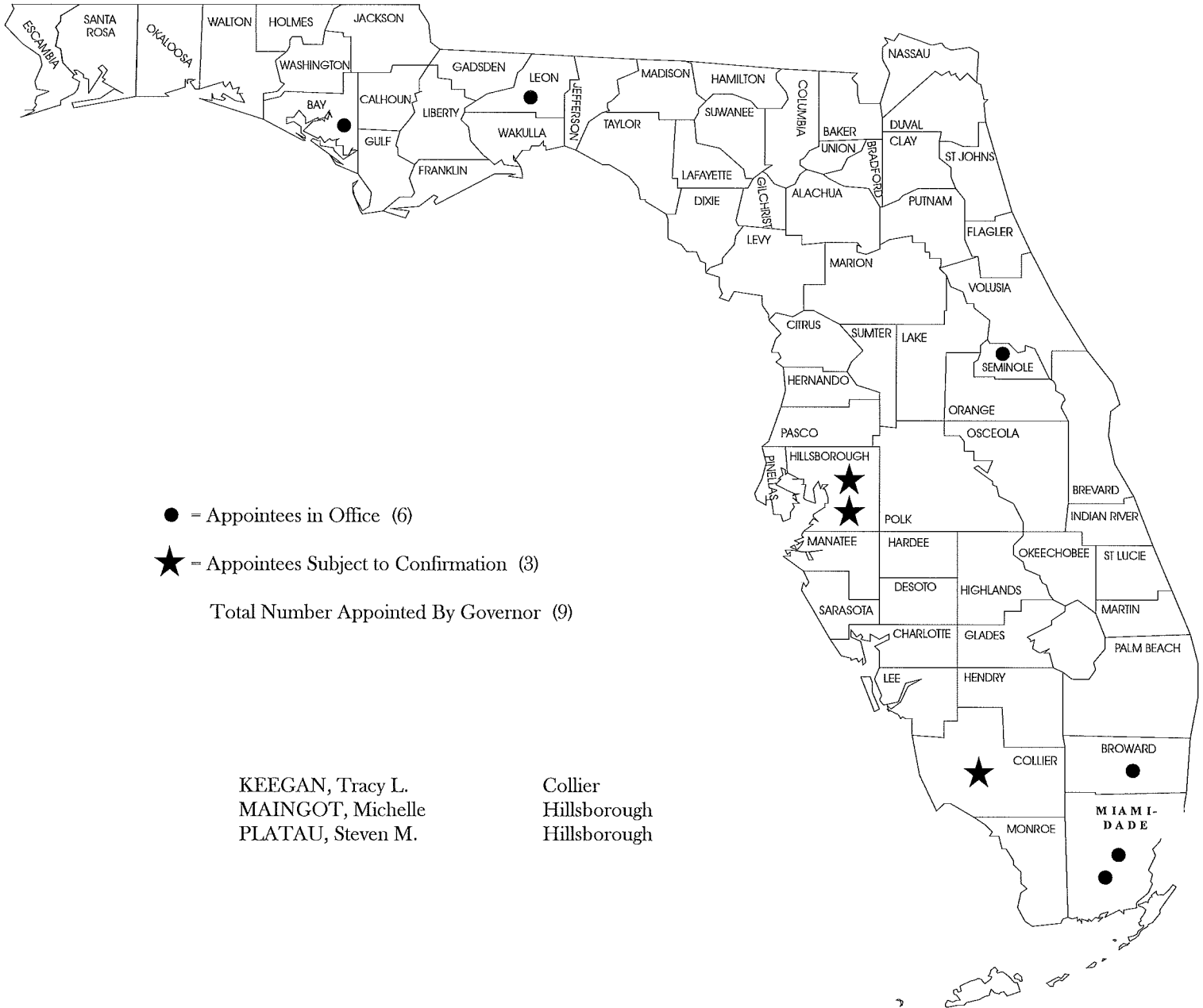
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Board of Accountancy



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Keegan, Tracy L.

Appointed: 12/21/2017

Term: 12/21/2017 – 10/31/2021

Prior Term: 07/14/2014 - 10/31/2017

City/County: Naples/Collier

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)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/26/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/18
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:** EVP/CFO & Corp. Secretary, Atlantic Coast Bank

**Attendance:** Attended 25 of 27 meetings (93%) from July 14, 2014 through January 9, 2018.

**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 8 - Lay Person

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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



## Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kilbane, Patrick J.

Appointed: 11/21/2017

Term: 11/21/2017 – 09/30/2021

Prior Term: 03/28/2014 - 09/30/2017

City/County: Jacksonville/Duval

Office: Jacksonville Aviation Authority, Member

Authority: 05-328 & 04-464, 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 6/2/17
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/18
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** General Counsel and Wealth Advisor at Ullmann Brown Wealth Advisors (financial services)

**Attendance:** Attended 38 of 38 meetings (100%) from March 28, 2014 through January 26, 2018.

**Compensation:** Members are entitled to payment of reasonable expenses as provided by the council of the City of Jacksonville.

**Requirements:** The authority shall consist of seven members:

- Four appointed by the Governor and confirmed by the Senate
- Three appointed by the Mayor of the City of Jacksonville and confirmed by the Jacksonville City Council

**Additional Requirements:** Members shall serve four year terms. Members shall initially serve staggered terms with two gubernatorial appointments and two mayoral appointments being for initial two year terms, which shall count as a full term for the purpose of term limits herein. Terms commence on October 1 of the year of the appointment or for the unexpired portion of a term deemed to commence on October 1. Members shall not be eligible for more than two consecutive full terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 17 - Mr. Kilbane is serving on the Judicial Nominating Commission 4th Judicial Circuit, since 2015.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

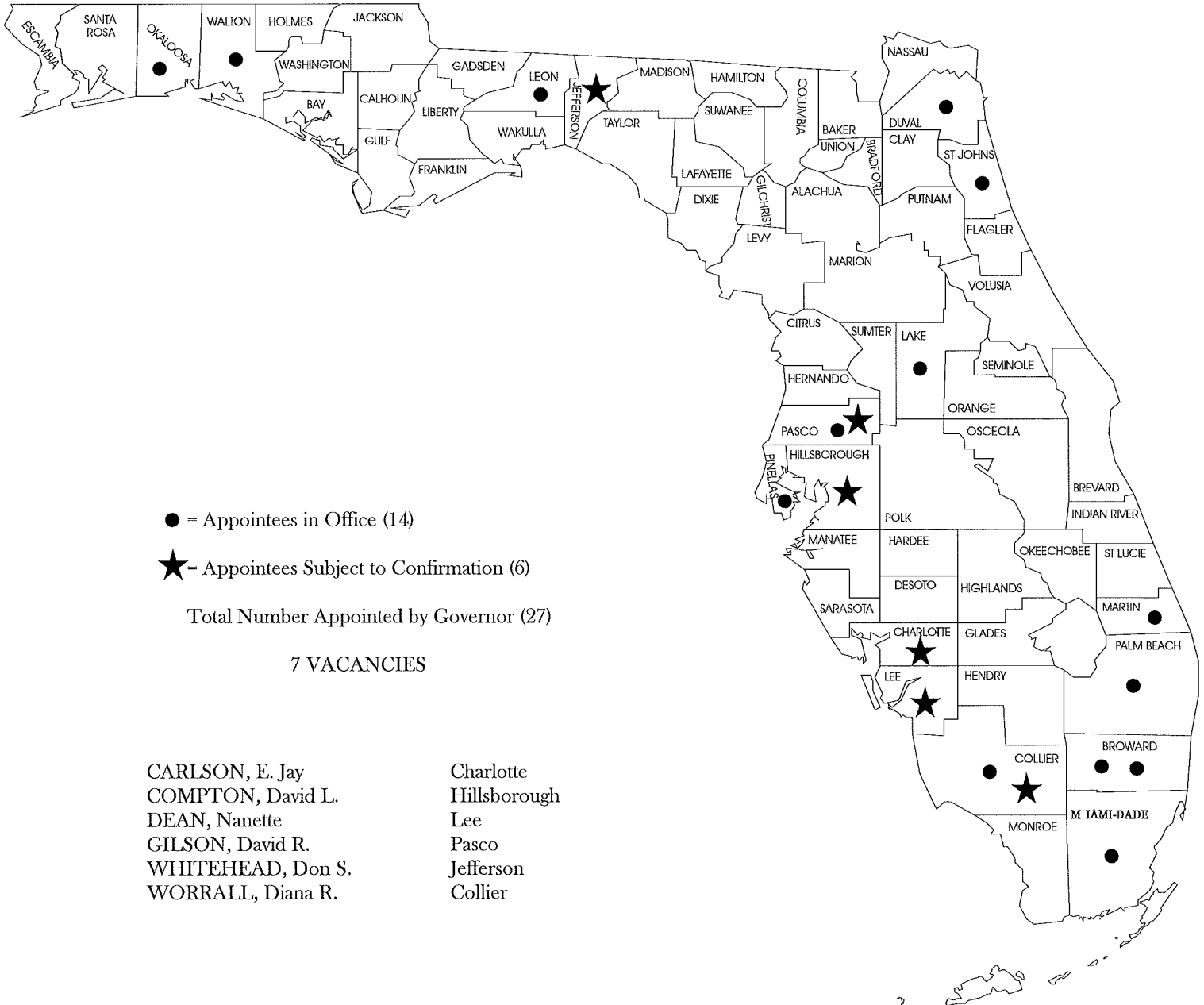
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Florida Building Commission



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Dean, Nanette

Term: 08/18/2017 – 04/05/2021

City/County: Ft. Myers/Lee

Office: Florida Building Commission, Member

Authority: 553.74, F.S.

Reference(s): Committee on Ethics and Elections

Appointed: 08/29/2017

Prior Term: 04/06/2013 - 04/05/2017

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

**Occupation:** President of Dean Steel Buildings, Inc.

**Attendance:** Attended 43 of 46 meetings (93%) from April 6, 2013 through January 17, 2018.

**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 27 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, a professional who is accredited under the International Green Construction Code, or a LEED-accredited professional;
- One member who is a representative of the natural gas distribution system and who is actively engaged in the distribution of natural gas in this state;
- One member who is a representative of the Department of Agriculture and Consumer Services' Office of Energy.
- 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 - A representative of the manufactured buildings industry  
Number 15 - Miss Dean's company sells metal building systems, by contract, to state and local government agencies.  
Number 18 - Miss Dean served on the Florida Building Commission from 2007 to 2009.

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

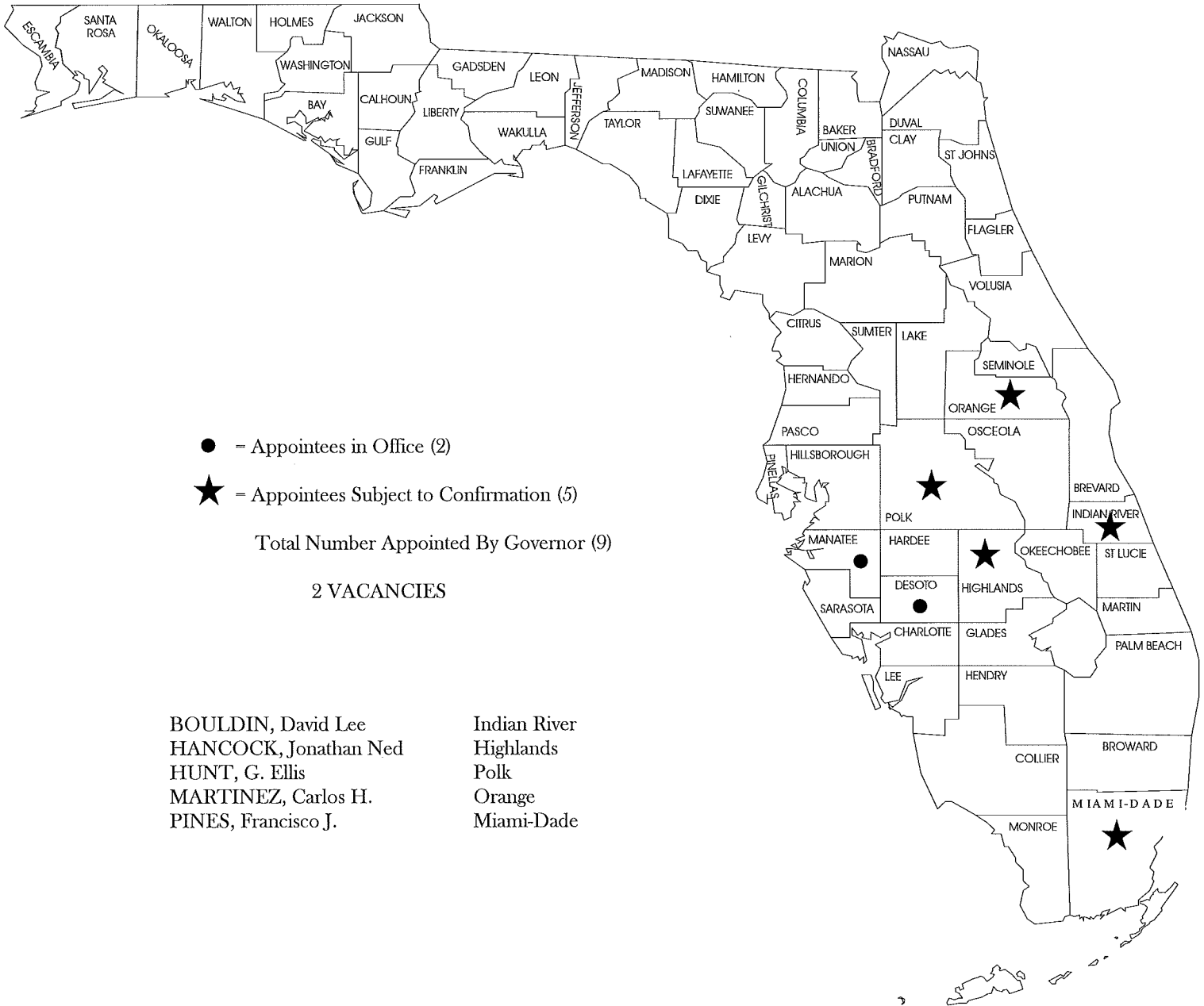
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Florida Citrus Commission





# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hancock, Jonathan Ned  
Term: 08/09/2017 – 05/31/2019

Appointed: 08/09/2017  
Prior Term: 03/21/2014 - 06/30/2016

City/County: Sebring/Highlands

Office: Florida Citrus Commission, Member

Authority: 601.04, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/23/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/22/18
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Owner/President of Hancock Citrus, Inc.

**Attendance:** Attended 41 of 41 meetings (100%) from March 21, 2014 through January 17, 2018.

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

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

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

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

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

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

The state is divided into three Citrus districts composed of:

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

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

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

**Additional  
Requirements:**

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

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

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

Subsequent appointments shall be made in accordance with this section.

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

Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 8 - Grower/District 2  
Number 18 - Mr. Hancock served on the Highlands County School Board from 1996 to 2012.

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cichon, Andrea M.

Appointed: 12/13/2017

Term: 12/13/2017 – 07/02/2021

Prior Term:

City/County: Tampa/Hillsborough

Office: Hillsborough County Civil Service Board, Member

Authority: 00-445, s. 7(1), 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	Not Required
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/16/18
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:** Manager of Human Resources at Tampa General Hospital

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

**Requirements:** The seven-member board consists of qualified electors of Hillsborough County. All said appointments shall be made by the Governor, subject to confirmation by the Senate. No member may be appointed who is either an elected official or an employee of any appointing authority.

**Additional Requirements:** Terms shall be for four years. The absence of a member of more than 50% of scheduled meetings during any calendar year shall constitute his resignation. Not required to file financial disclosure form.

**COMMITTEE MEETING PACKET TAB**

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A275L

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Landman, Alan H.

Appointed: 07/17/2017

Term: 07/17/2017 – 05/31/2021

Prior Term: 08/12/2013 - 05/31/2017

City/County: Indialantic/Brevard

Office: Board of Trustees of Eastern Florida State College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 1/4/18
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 1/18/18
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:** Owner/Attorney, Alan H. Landman, P.A.

**Attendance:** Attended 26 of 27 meetings (96%) from August 12, 2013 through January 12, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 8 - Brevard County Resident  
Number 10 - Report 2017-143  
Number 17 - Mr. Landman serves on the 18th Circuit Judicial Nominating Commission. Mr. Landman serves on the Brevard County Sheriff's Civil Service Board, 1/2014-Present.  
Number 18 - Mr. Landman has served on the Board of Trustees of Eastern Florida State College since 6/2009.  
Number 19 - Mr. Landman was a conflict attorney for the Brevard County Board of County Commissioners from 1992-1993.



**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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7

A285B

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Brancato, Joyce

Appointed: 05/12/2017

Term: 05/12/2017 – 05/31/2018

Prior Term: 04/17/2012 - 05/31/2014

City/County: Inglis/Levy

Office: Board of Trustees of College of Central Florida, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/2/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 1/18/18
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:** Assistant Adjunct Professor, University of Maryland University College

**Attendance:** Attended 54 of 56 meetings (96%) from April 17, 2012 through January 12, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 8 - Levy County Resident  
Number 10 - Report 2017-176  
Number 18 - Mrs. Brancato served on the Citrus County Stakeholders Advisory Group, 2009-2011.  
Mrs. Brancato has served on the Board of Trustees of College of Central Florida since 6/2011.

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Dougherty, Sarah

Appointed: 11/02/2017

Term: 11/02/2017 – 05/31/2021

Prior Term:

City/County: Edgewater/Volusia

Office: Board of Trustees of Daytona State College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/18/17
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 1/22/18
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:**

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Haas, Mary Ann

Appointed: 10/11/2017

Term: 10/11/2017 – 05/31/2021

Prior Term: 07/29/2013 - 05/31/2017

City/County: Flagler Beach/Flagler

Office: Board of Trustees of Daytona State College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

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

**Occupation:** Retired

**Attendance:** Attended 39 of 46 meetings (85%) from July 29, 2013 through January 9, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 8 - Flagler County Resident  
Number 10 - Report 2017-116  
Number 18 - Mrs. Haas has served on the Board of Trustees of Daytona State College since 7/2009.  
Number 19 - Mrs. Haas was an educator with the Flagler County Public Schools from 1998-2007. In addition, Mrs. Haas was a coordinator with the University of Central Florida from 2009-2010,



**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Scuderi, Stephanie S.

Appointed: 11/21/2017

Term: 11/21/2017 – 05/31/2021

Prior Term: 02/26/2015 - 05/31/2017

City/County: Tavernier/Monroe

Office: Board of Trustees of Florida Keys Community College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

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

**Occupation:** Senior Vice President/Market President, Centennial Bank

**Attendance:** Attended 23 of 27 meetings (85%) from February 26, 2015 through January 9, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 8 - Monroe County Resident  
Number 10 - Report 2017-184  
Number 17 - Ms. Scuderi serves on the Monroe County Tourist Development Council, District 3, 2011-Present.  
Number 18 - Ms. Scuderi served on the Monroe County Affordable & Workforce Housing Committee, 2014- 2017.

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Warriner, David P.

Appointed: 12/15/2017

Term: 12/03/2017 – 05/31/2021

Prior Term: 02/07/2014 - 05/31/2017

City/County: Port St. Joe/Gulf

Office: Board of Trustees of Gulf Coast State College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

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

**Occupation:** Owner of Warriner-Tapper & Company (investment)

**Attendance:** Attended 35 of 41 meetings (85%) from February 7, 2014 through January 29, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 8 - Gulf County Resident  
Number 10 - Report 2017-109  
Number 18 - Mr. Warriner served on the Gulf County Tourist Development Council, 2012-2016  
Number 19 - Mr. Warriner worked as a legislative assistant in the Florida Senate and in the Florida House of Representatives from 1989 to 1994.

**COMMITTEE MEETING PACKET TAB**

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A320D

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## Ethics and Elections

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Diehl, Arthur F., III

Appointed: 10/10/2017

Term: 10/10/2017 – 05/31/2021

Prior Term: 12/05/2013 - 05/31/2017

City/County: Tampa/Hillsborough

Office: Board of Trustees of Hillsborough Community College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

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



**Occupation:** Managing Director, Diehl and Associates

**Attendance:** Attended 34 of 41 meetings (83%) from December 5, 2013 through January 9, 2018.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

**Notes:** Number 6 - Brigadier General Diehl served in the U.S.A.F. from 1975 to 2005.  
Number 8 - Hillsborough County Resident  
Number 10 - Report 2017-137  
Number 17 - Brigadier General Diehl currently serves on the Hillsborough County Aviation Authority 2/2016-Present.  
Number 18 - Brigadier General Diehl previously served on the Florida Defense Support Task Force (formerly known as the Florida Council on Military Bases).

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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A410J

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

**TIME:** 2:00—3:30 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Johnson, Rosene

Appointed: 10/17/2017

Term: 10/17/2017 – 05/31/2019

Prior Term:

City/County: Orlando/Orange

Office: Board of Trustees of Valencia College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 11/30/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/18/18
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:** Director for PACE Center for Girls

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

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

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

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

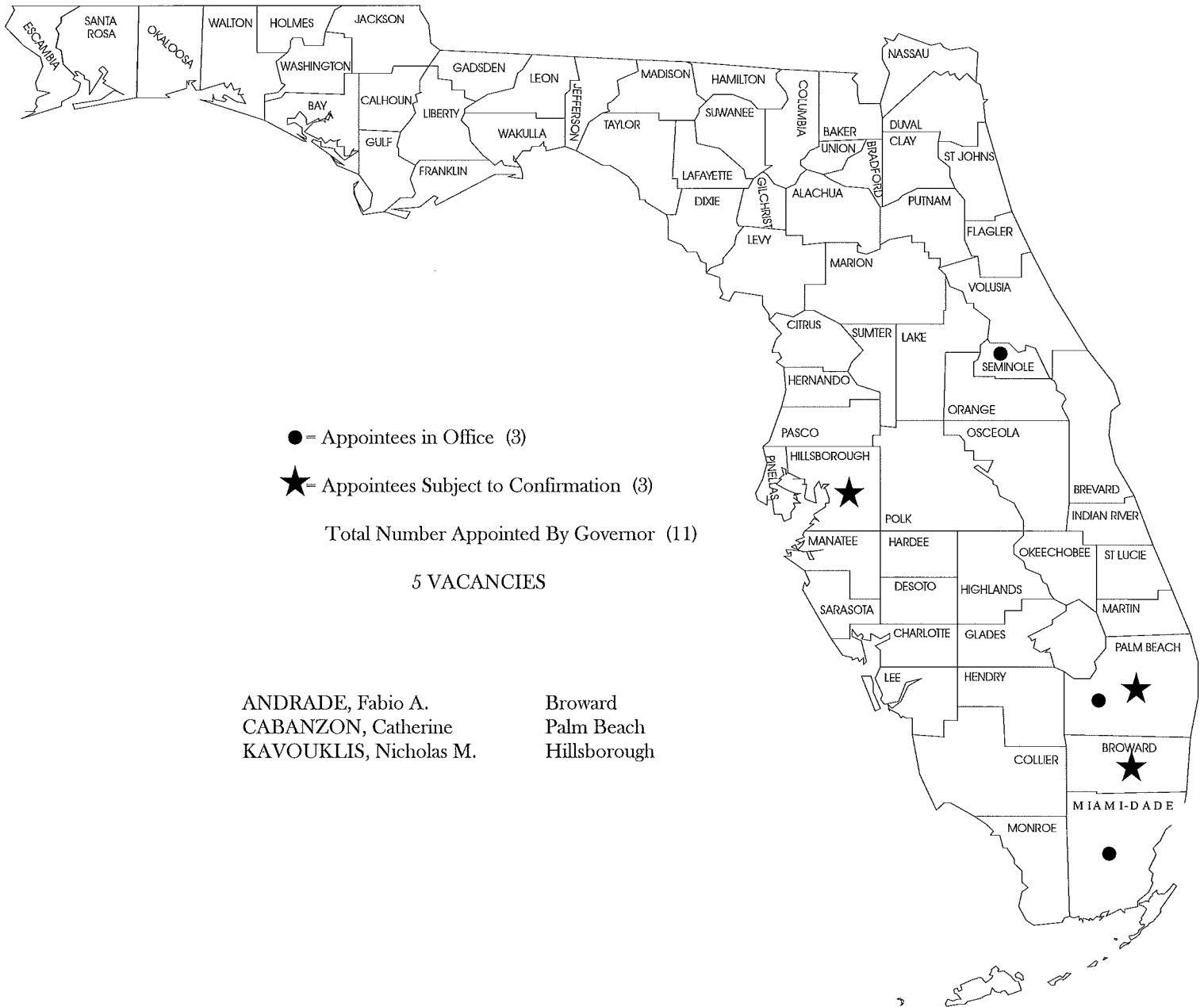
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Board of Dentistry



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cabanzon, Catherine

Appointed: 11/06/2017

Term: 10/20/2017 – 10/31/2020

Prior Term: 03/06/2013 - 10/31/2016

City/County: West Palm Beach/Palm Beach

Office: Board of Dentistry, Member

Authority: 466.004(1), F.S. & 20.43(3)(g)11, 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 5/25/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/16/18
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:** Dental Hygienist, Advanced Dentistry South Florida; Adjunct Professor, Palm Beach State College

**Attendance:** Attended 17 of 19 meetings (89%) from March 6, 2013 through December 14, 2017.

**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, appointed by the Governor, consists of:

- Seven members who are licensed dentists actively engaged in the clinical practice of dentistry in this state and has practiced dentistry primarily as a clinical practitioner for at least 5 years immediately preceding the date of appointment. The member must remain primarily in clinical practice during all subsequent periods of appointment.
- Two members who are licensed dental hygienists actively engaged in the practice of dental hygiene in this state, who have been so engaged for at least five years preceding their appointment;
- Two members who are lay persons who are not, and have never been, dentists, dental hygienists, or members of any closely related profession or occupation; and

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

Each member of the board who is connected in any way with any dental college or community college must be in compliance with s. 456.007.

**Additional Requirements:** Members shall be appointed for 4-year terms, but may serve no more than a total of 10 years. Terms expire on October 31.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Dental Hygienist  
Number 19 - Mrs. Cabanzon is an Adjunct Clinical Instructor at the Palm Beach State College, 2005-Present.



**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

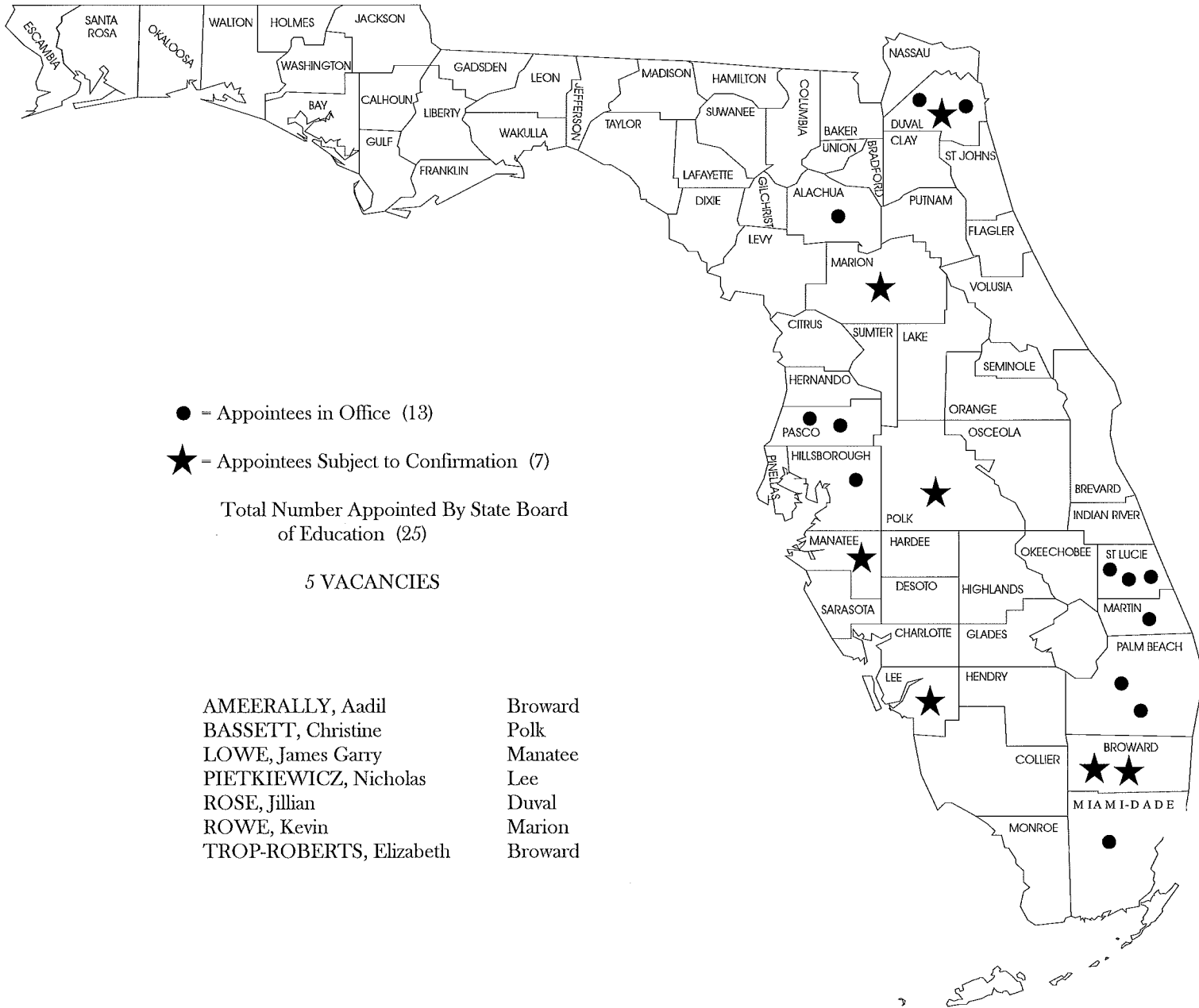
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Education Practices Commission



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Rowe, Kevin

Appointed: 12/15/2017

Term: 11/28/2017 – 11/27/2021

Prior Term:

City/County: Ocala/Marion

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 1/18/18
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/18/18
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:** Officer, Marion County Sheriff's Office

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

**Requirements:** The commission is composed 25 members 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:

- Ten teacher members who are certified to teach, and who have practiced the profession for at least five years immediately preceding their appointment;
- Five administrators members, with at least one of whom shall represents a private or virtual 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;
- Four lay citizens who are parents of public school students and who are unrelated to public school employees;
- Two former charter school governing board or district school board members or former superintendents, assistant superintendents, or deputy superintendents
- Four 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 must 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.  
The State Board of Education may remove any member from the commission for misconduct or malfeasance in office, incapacity, or neglect of duty.

**Notes:** Number 8 - Law Enforcement Official  
Number 19 - Mr. Rowe is currently a Captain with the Marion County Sheriff's Office, and has been on the staff since 1988.

**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

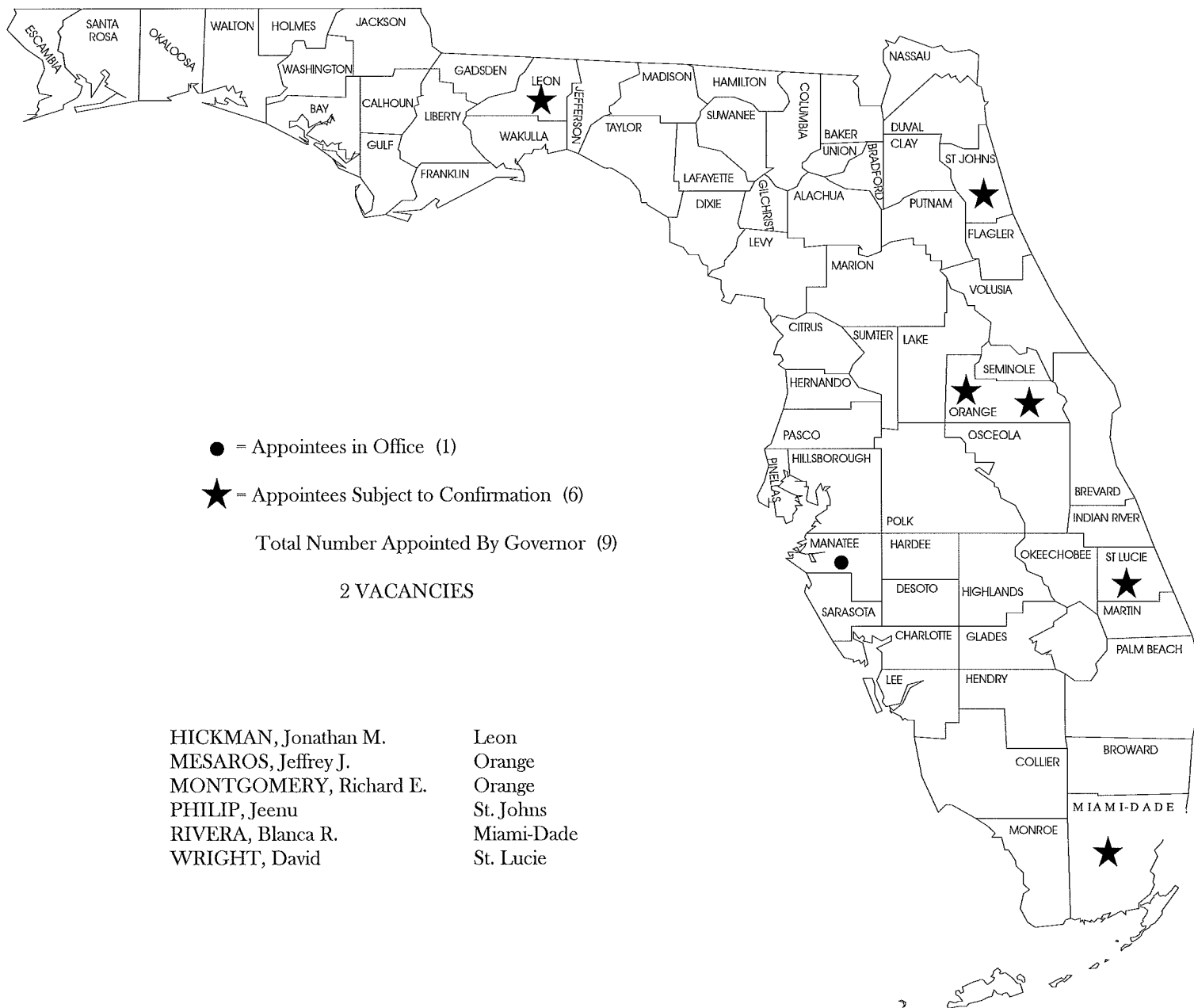
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**MEETING DATE:** Tuesday, February 6, 2018

**TIME:** 2:00—3:30 p.m.

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

# Board of Pharmacy



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Wright, David  
 Term: 11/09/2017 – 10/31/2019  
 City/County: Ft. Pierce/St. Lucie  
 Office: Board of Pharmacy, Member  
 Authority: 465.004(1), F.S. & 20.43(3)(g)10, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 11/09/2017  
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/8/17
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 1/16/18
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:** Pharmacy Manager at Butterfield Management Company; Pharmacist at Value Health Consultants

**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 is composed as follows:
- Seven members must be licensed pharmacists who are residents of this state, who have been engaged in practice of the profession of pharmacy in this state for at least four years and to the extent practicable, represent the various pharmacy practice settings;
    - Two pharmacist members must be currently engaged in the practice of pharmacy in a community pharmacy;
    - Two pharmacist members must be currently engaged in the practice of pharmacy in a Class II institutional pharmacy or a Modified Class II institutional pharmacy;
    - Three pharmacist members must be pharmacists licensed in the state, irrespective of practice settings.
  - Two members must be residents of this state who have never been licensed as pharmacists and who are in no way connected with the profession of pharmacy. No lay member may be connected in any way with a drug manufacturer or wholesaler; and
  - At least one member must be 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 - Pharmacist/practicing in community  
Number 15 - Mr. Wright disclosed that his employers, Value Health Consultants and Butterfield Pharmacy and Medical Supplies, are state contract providers of medications and medical supplies.



## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Keegan, Tracy L.  
**BOARD:** Board of Accountancy  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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:** Kilbane, Patrick J.  
**BOARD:** Jacksonville Aviation Authority  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Dean, Nanette  
**BOARD:** Florida Building Commission  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Hancock, Jonathan Ned  
**BOARD:** Florida Citrus Commission  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Cichon, Andrea M.  
**BOARD:** Hillsborough County Civil Service Board  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Landman, Alan H.  
**BOARD:** Board of Trustees of Eastern Florida State College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Brancato, Joyce  
**BOARD:** Board of Trustees of College of Central Florida  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Dougherty, Sarah  
**BOARD:** Board of Trustees of Daytona State College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Haas, Mary Ann  
**BOARD:** Board of Trustees of Daytona State College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Scuderi, Stephanie S.  
**BOARD:** Board of Trustees of Florida Keys Community College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Warriner, David P.  
**BOARD:** Board of Trustees of Gulf Coast State College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Diehl, Arthur F. III  
**BOARD:** Board of Trustees of Hillsborough Community College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

FINAL VOTE			2/06/2018 Motion to Recommend Confirm Tabs 1-15  Braynon	1	2/06/2018 Motion to vote "YEA" after Roll Call  Rodriguez	2		
Yea	Nay	SENATORS	Yea	Nay	Yea	Nay	Yea	Nay
X		Braynon						
X		Hutson						
		Lee						
X		Passidomo						
VA		Rodriguez						
X		Torres						
		Brandes, VICE CHAIR						
X		Perry, CHAIR						
6	0		FAV	-	FAV	-		
Yea	Nay	TOTALS	Yea	Nay	Yea	Nay	Yea	Nay

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Johnson, Rosene  
**BOARD:** Board of Trustees of Valencia College  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Cabanzone, Catherine  
**BOARD:** Board of Dentistry  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

FINAL VOTE			2/06/2018 Motion to Recommend Confirm Tabs 1-15	1	2/06/2018 Motion to vote "YEA" after Roll Call	2		
			Braynon	Rodriguez				
Yea	Nay	SENATORS	Yea	Nay	Yea	Nay	Yea	Nay
X		Braynon						
X		Hutson						
		Lee						
X		Passidomo						
VA		Rodriguez						
X		Torres						
		Brandes, VICE CHAIR						
X		Perry, CHAIR						
6	0		FAV	-	FAV	-		
Yea	Nay	TOTALS	Yea	Nay	Yea	Nay	Yea	Nay

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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Rowe, Kevin  
**BOARD:** Education Practices Commission  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
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## COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

**COMMITTEE:** Ethics and Elections  
**NAME:** Wright, David  
**BOARD:** Board of Pharmacy  
**FINAL ACTION:** Recommend Confirm  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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BILL: SB 532

INTRODUCER: Senators Lee and Hutson

SUBJECT: Public Records/Voters and Voter Registration

DATE: February 6, 2018

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carlton	Ulrich	EE	<b>Favorable</b>
2.			GO	
3.			RC	

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## **I. Summary:**

SB 532 makes confidential and exempt from public inspection and copying requirements all information concerning 16 and 17-year-olds who preregister to vote while they are minors; once they reach the age of 18, their information will become available like any other voter registrant or voter.

The bill provides for repeal of the exemption on October 2, 2023, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the State Constitution.

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

This bill will take effect July 1, 2018, but applies retroactively to all currently pre-registered 16 and 17-year-olds.

## **II. Present Situation:**

### **Public Records Law**

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> This applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

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<sup>1</sup> FLA. CONST., Art. I, s. 24(a).

<sup>2</sup> *Id.*

In addition to the Florida Constitution, the Florida Statutes provide that the public may access legislative and executive branch records.<sup>3</sup> Chapter 119, F.S., constitutes the main body of public records laws, and is known as the Public Records Act.<sup>4</sup> The Public Records Act states that it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person and that providing access to public records is a duty of each agency.<sup>5</sup>

According to the Public Records Act, a public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.<sup>6</sup> The Florida Supreme Court has interpreted public records as being “any material prepared in connection with official agency business which is intended to perpetuate, communicate or formalize knowledge of some type.”<sup>7</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>8</sup>

The Legislature may create an exemption to public records requirements.<sup>9</sup> An exemption must pass by a two-thirds vote of the House and the Senate.<sup>10</sup> In addition, an exemption must explicitly lay out the public necessity justifying the exemption, and the exemption must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>11</sup> A statutory exemption which does not meet these criteria may be unconstitutional and may not be judicially saved.<sup>12</sup>

When creating a public records exemption, the Legislature may provide that a record is ‘confidential and exempt’ or ‘exempt.’<sup>13</sup> Records designated as ‘confidential and exempt’ may

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<sup>3</sup> The Public Records Act does not apply to legislative or judicial records. *Locke v. Hawkes*, 595 So. 2d 32 (Fla. 1992). Also see *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995). The Legislature’s records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislatures are primarily located in s. 11.0431(2)-(3), F.S.

<sup>4</sup> Public records laws are found throughout the Florida Statutes.

<sup>5</sup> Section 119.01(1), F.S.

<sup>6</sup> Section 119.011(12), F.S., defines “public record” as “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” 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.”

<sup>7</sup> *Shevin v. Byron, Harless, Schaffer, Reid and Assoc. Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

<sup>8</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>9</sup> FLA. CONST., Art. I, s. 24(c).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Halifax Hosp. Medical Center v. New-Journal Corp.*, 724 So.2d 567 (Fla. 1999). In *Halifax Hospital*, the Florida Supreme Court found that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption. *Id.* at 570. The Florida Supreme Court also declined to narrow the exemption in order to save it. *Id.* In *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004), the court found that the intent of a statute was to create a public records exemption. The *Baker County Press* court found that since the law did not contain a public necessity statement, it was unconstitutional. *Id.* at 196.

<sup>13</sup> If the Legislature designates a record as confidential, such record may not be released to anyone other than the persons or entities specifically designated in the statutory exemption. *WFTV, Inc. v. The School Board of Seminole*, 874 So.2d 48 (Fla. 5th DCA 2004).

be released by the records custodian only under the circumstances defined by the Legislature. Records designated as ‘exempt’ may be released at the discretion of the records custodian.<sup>14</sup>

### **Open Government Sunset Review Act**

In addition to the constitutional requirements relating to the enactment of a public records exemption, the Legislature may subject the new or broadened exemption to the Open Government Sunset Review Act (OGSR).

The OGSR prescribes a legislative review process for newly created or substantially amended public records.<sup>15</sup> The OGSR provides that an exemption automatically repeals on October 2nd of the fifth year after creation or substantial amendment. In order to save an exemption from repeal, the Legislature must reenact the exemption.<sup>16</sup> In practice, many exemptions are continued by repealing the sunset date rather than reenacting the exemption.

If the Legislature expands an exemption, then a public necessity statement and a two-thirds vote for passage are required.<sup>17</sup> If the exemption is reenacted without substantive changes or if the exemption is narrowed, then a public necessity statement and a two-thirds vote for passage are not required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless otherwise provided for by law.<sup>18</sup>

### **Public Record Exemption for Voter Registration Information**

Current law provides a public record exemption for certain information held by an agency<sup>19</sup> for purposes of voter registration.<sup>20</sup> Specifically, the following information is confidential and exempt from public record requirements:

- All declinations to register to vote made pursuant to ss. 97.057 and 97.058, F.S.
- Information relating to the place where a person registered to vote or where a person updated a voter registration.
- The social security number, driver’s license number, and Florida identification number of a voter registration applicant or voter.

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<sup>14</sup> A record classified as exempt from public disclosure may be disclosed under certain circumstances. *Williams v. City of Minneola*, 575 So.2d 683 (Fla. 5th DCA 1991).

<sup>15</sup> Section 119.15, F.S. According to s. 119.15(4)(b), F.S., a substantially amended exemption is one that is expanded to include more information or to include meetings. The OGSR does not apply to an exemption that is required by federal law or that applies solely to the Legislature or the State Court System pursuant to s. 119.15(2), F.S. The OGSR process is currently being followed, however, the Legislature is not required to continue to do so. The Florida Supreme Court has found that one legislature cannot bind a future legislature. *Scott v. Williams*, 107 So. 3d 379 (Fla. 2013).

<sup>16</sup> Section 119.15(3), F.S.

<sup>17</sup> FLA. CONST., Art. I, s. 24(c).

<sup>18</sup> Section 119.15(7), F.S.

<sup>19</sup> Section 119.011(2), F.S., defines “agency” to mean “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.”

<sup>20</sup> Section 97.0585, F.S.

In addition, the signature of a voter registration applicant or a voter is exempt from copying requirements.<sup>21</sup>

### **Voter Pre-Registration for Minors**

An individual may register to vote in accordance with Florida law if he or she is at least 18 years old, a United States citizen, a legal resident of Florida, and a legal resident of the county in which he or she seeks to register.<sup>22</sup> However, individuals who are otherwise qualified to register to vote but are not yet 18 may pre-register to vote on or after the individual's 16<sup>th</sup> birthday.<sup>23</sup>

### **Publication of Voter Information**

Since 1998 when the State first began compiling all 67 counties' "official" voter registration lists into a unified statewide voter registration database,<sup>24</sup> anyone has been able to request an electronic copy of every Florida voters' non-exempt information.<sup>25</sup> The rise of the Internet has enabled publication of this information for literally the entire world to see at little to no cost, thereby giving rise to serious personal privacy issues.

At least one web site<sup>26</sup> that contains commercial or sponsored links, provides extensive details about every registered and pre-registered voter in the State — including the voter's name, date of birth, residence address, mailing address, voter ID number, when the person registered to vote, what political party the person is affiliated with, the voter's telephone number, e-mail address, race, precinct number, as well as other information about district races in which the person is eligible to vote. This information can be accessed by voter's name, birth date, or address.

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

SB 532 makes confidential and exempt from public inspection and copying requirements all information concerning 16 and 17-year-olds who preregister to vote while they are minors; once they become adults, their non-exempt information will become available to the same degree as any other adult voter registrant or voter.

The bill provides for repeal of the exemption on October 2, 2023, unless reviewed and saved from repeal by the Legislature. It also provides a statement of public necessity as required by the State Constitution.

---

<sup>21</sup> Section 97.0585(2), F.S.

<sup>22</sup> Section 97.041(a)(a), F.S.

<sup>23</sup> Section 97.041(1)(b), F.S.

<sup>24</sup> Ch. 97-13, ss. 39, 56, LAWS OF FLA. (effective January 1, 1998).

<sup>25</sup> In 2001, the Legislature sought to adopt a much more restrictive public records scheme similar to the one proposed in the original bill, in connection with a then-newly-authorized statewide voter registration database. Ch. 2001-40, s. 70-72, LAWS OF FLA. (codified at s. 98.0979, F.S. (2002)). Three years later, a Leon County circuit court judge struck the statute down void ab initio on procedural grounds, finding that it was adopted in a general elections bill without the requisite statement of public necessity in violation of Art. I, s. 24 of the Florida Constitution — the effect being that the statute never existed or was never on the books. See *Cable News Network, et al. v. Florida Dep't of State*, Case No. 2004 CA 001259 (2nd Jud. Cir., July 1, 2004) (Final Declaratory Summary Judgment). The Legislature repealed the statute the following year. See, Ch. 2005-278, s. 55, LAWS OF FLA.; Ch. 2005-277, s. 77, LAWS OF FLA.

<sup>26</sup> See <http://flvoters.com/> (last visited on February 2, 2018).

This bill will take effect July 1, 2018, but applies retroactively to all currently pre-registered 16 and 17-year-olds.

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

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

None.

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

###### **Vote Requirement**

Section 24(c) of Article I of the Florida Constitution requires a two-thirds vote of the members present and voting for passage of a newly created or expanded public-records or public-meetings exemption. Therefore, this bill requires a two-thirds vote for passage.

###### **Public Necessity Statement**

Section 24(c) of Article I of the Florida Constitution requires a public necessity statement for a newly created or expanded public records or public meetings exemption. The Florida Constitution provides that an exemption must state with specificity the public necessity of the exemption.

This public necessity statement provides that disclosure of information concerning preregistered voter registration applicants who are 16 or 17 years of age which is held by an agency could be misused to solicit, harass, stalk, or intimidate such individuals, and without such protection, a minor may be less likely to take advantage of preregistering to vote.

###### **Breadth of Exemption**

Section 24(c) of Article I of the Florida Constitution requires a public record or public meeting exemption to be no broader than necessary to accomplish the stated purpose of the law.

SB 532 expands the public record exemption to include all information concerning preregistered voter registration applicants who are 16 or 17 years of age which is held by an agency.

Generally, the exemption does not appear to be in conflict with the constitutional requirement that the exemption be no broader than necessary to accomplish its purpose.

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

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill may adversely impact commercial web sites and businesses that profit from sharing Florida voter registration data. However, since the bill only protects the information of minors before they become age-eligible to vote, the fiscal impact, if any, is unclear.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 97.0585 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.

By Senator Lee

20-00764-18

2018532\_\_

1 A bill to be entitled  
 2 An act relating to public records; amending s.  
 3 97.0585, F.S., and reenacting subsection (3), relating  
 4 to a public records exemption for information  
 5 regarding voters and voter registration; providing an  
 6 exemption from public records requirements for  
 7 information concerning preregistered voter  
 8 registration applicants who are minors; providing for  
 9 future legislative review and repeal; providing for  
 10 retroactive application; providing a statement of  
 11 public necessity; providing an effective date.  
 12  
 13 Be It Enacted by the Legislature of the State of Florida:  
 14  
 15 Section 1. Subsection (1) of section 97.0585, Florida  
 16 Statutes, is amended, and subsection (3) of that section is  
 17 reenacted, to read:  
 18 97.0585 Public records exemption; information regarding  
 19 voters and voter registration; confidentiality.—  
 20 (1) The following information held by an agency, as defined  
 21 in s. 119.011, and obtained for the purpose of voter  
 22 registration is confidential and exempt from s. 119.07(1) and s.  
 23 24(a), Art. I of the State Constitution and may be used only for  
 24 purposes of voter registration:  
 25 (a) All declinations to register to vote made pursuant to  
 26 ss. 97.057 and 97.058.  
 27 (b) Information relating to the place where a person  
 28 registered to vote or where a person updated a voter  
 29 registration.

Page 1 of 2

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

20-00764-18

2018532\_\_

30 (c) The social security number, driver license number, and  
 31 Florida identification number of a voter registration applicant  
 32 or voter.  
 33 (d) All information concerning preregistered voter  
 34 registration applicants who are 16 or 17 years of age. This  
 35 paragraph is subject to the Open Government Sunset Review Act in  
 36 accordance with s. 119.15 and shall stand repealed on October 2,  
 37 2023, unless reviewed and saved from repeal through reenactment  
 38 by the Legislature.  
 39 (3) This section applies to information held by an agency  
 40 before, on, or after the effective date of this exemption.  
 41 Section 2. The Legislature finds that it is a public  
 42 necessity that all information concerning preregistered voter  
 43 registration applicants who are 16 or 17 years of age which is  
 44 held by an agency, and obtained for the purpose of voter  
 45 registration, be confidential and exempt from public records  
 46 requirements and be used only for purposes of voter  
 47 registration. Information concerning preregistered 16-year-old  
 48 and 17-year-old voter registration applicants could be misused  
 49 if released. Minors are more vulnerable members of society, and  
 50 the widespread release of information acquired through  
 51 preregistration activities may be used to solicit, harass,  
 52 stalk, or intimidate such individuals. Without such protection,  
 53 a minor may be less likely to take advantage of preregistering  
 54 to vote, thus hindering the effective and efficient  
 55 administration of a program that otherwise encourages greater  
 56 participation in the democratic process.  
 57 Section 3. This act shall take effect July 1, 2018.

Page 2 of 2

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



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Senate Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** October 26<sup>th</sup>, 2017

---

I respectfully request that **Senate Bill #532**, relating to **Public Records/Voters and Voter Registration**, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink that reads "Tom Lee".

---

Senator Tom Lee  
Florida Senate, District 20



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

Tab #16

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

2/6/2018

Meeting Date

532

Bill Number (if applicable)

Topic Public Records

Amendment Barcode (if applicable)

Name David Rambla

Job Title Attorney

Address 120 S. Monroe St.  
Street

Phone 850-727-7087

Tallahassee FL 32301  
City State Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing FLORIDA STATE SUPERVISORS OF ELECTIONS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

Tab # 16

2/6/2018

Meeting Date

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

SB532

Bill Number (if applicable)

Topic Public Records / Voters & Voter Registration

Amendment Barcode (if applicable)

Name MARILYNN WILLS

Job Title Member LWVF

Address 2326 KILKENNY DRIVE WEST Phone 850 893-4104  
Street

TALLAHASSEE FLORIDA 32309 Email marilynnwills@msn.com  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing League of Women Voters of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

**COMMITTEE:** Ethics and Elections  
**ITEM:** SB 532  
**FINAL ACTION:** Favorable  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

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

WD=Withdrawn  
OO=Out of Order  
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: SB 810

INTRODUCER: Senator Powell

SUBJECT: Vote-by-mail Ballots

DATE: February 1, 2018

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Ulrich	EE	<b>Favorable</b>
2.			RC	

---

## I. Summary:

SB 810 is a single-subject, election administration bill that specifically authorizes electors to drop-off vote-by-mail ballots at early voting sites in their counties of residence during the sites' hours of operation. Arguably, the law does not currently allow for this return method; instead, a vote-by-mail elector may only return a ballot to his or her county Supervisor of Election's office(s), unless the voter chooses to wait in line at an early voting site or Election Day polling place and vote in person.

The bill takes effect on July 1, 2018.

## II. Present Situation:

An elector must return his or her vote-by-mail ballot to the supervisor's office.<sup>1</sup> An elector possessing a vote-by-mail ballot who seeks to vote at an early voting site or polling place must have an elections worker spoil the ballot and may cast a regular or provisional ballot.<sup>2</sup> Poll workers may utilize alternate procedures if the voter does not have the vote-by-mail ballot in his or her possession.<sup>3</sup> All of these procedures, however, require a voter to wait in line at the early voting site or polling place to cast a ballot.

---

<sup>1</sup> Secretary of State, *Directive 2013-01—Return of Absentee Ballots* (Nov. 25, 2013), available at [http://dos.myflorida.com/media/693333/sos\\_directive\\_2013-01.pdf](http://dos.myflorida.com/media/693333/sos_directive_2013-01.pdf) (last accessed Jan. 31, 2018). The Secretary of State's Directive was controversial; Deb Clark, Pinellas County Supervisor of Elections, openly defied the Directive by maintaining remote ballot drop-off sites throughout her county for an upcoming federal special election. Steve Bousquet, Tampa Bay Times, *Detzner's Directive on Absentee Ballots Sets-Off Spirited Debate*, reprinted at <http://miamiherald.typepad.com/nakedpolitics/2013/11/detzners-directive-on-absentees-sets-off-spirited-debate.html> (Miami Herald Nov. 2013 Naked Politics blog) (last accessed Jan. 31, 2018). It is unclear how many Supervisors of Elections are currently complying with the Secretary's mandate.

<sup>2</sup> *Id.*; ss. 101.68 and 101.69, F.S.

<sup>3</sup> Section 101.69, F.S.

**III. Effect of Proposed Changes:**

SB 810 provides that an elector may vote by personally delivering his or her completed vote-by-mail ballot to an early voting site in the elector's county of residence during the site's hours of operation. Further, it directs the Division of Elections to adopt uniform rules for the receipt of ballots.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

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

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

County Supervisors of Elections may need to purchase secure drop-boxes for polling sites. However, local government will fund these relatively minor costs; there is no expected impact on State revenues or expenditures.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 101.69 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.

---

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

---

By Senator Powell

30-00516-18

2018810\_\_

A bill to be entitled

An act relating to vote-by-mail ballots; amending s. 101.69, F.S.; authorizing an elector to vote by personally delivering his or her completed vote-by-mail ballot to an early voting site in the elector's county of residence during the site's hours of operation; requiring the Division of Elections to adopt rules; providing an effective date.

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

Section 1. Section 101.69, Florida Statutes, is amended to read:

101.69 Voting in person; return of vote-by-mail ballot.—

(1) The provisions of this code shall not be construed to prohibit any elector from voting in person at the elector's precinct on the day of an election or at an early voting site, notwithstanding that the elector has requested a vote-by-mail ballot for that election. An elector who has returned a voted vote-by-mail ballot to the supervisor, however, is deemed to have cast his or her ballot and is not entitled to vote another ballot or to have a provisional ballot counted by the county canvassing board. An elector who has received a vote-by-mail ballot and has not returned the voted ballot to the supervisor, but desires to vote in person, shall return the ballot, whether voted or not, to the election board in the elector's precinct or to an early voting site. The returned ballot shall be marked "canceled" by the board and placed with other canceled ballots. However, if the elector does not return the ballot and the

Page 1 of 2

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

30-00516-18

2018810\_\_

election official:

~~(a)(1)~~ Confirms that the supervisor has received the elector's vote-by-mail ballot, the elector shall not be allowed to vote in person. If the elector maintains that he or she has not returned the vote-by-mail ballot or remains eligible to vote, the elector shall be provided a provisional ballot as provided in s. 101.048.

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

~~(c)(3)~~ Cannot determine whether the supervisor has received the elector's vote-by-mail ballot, the elector may vote a provisional ballot as provided in s. 101.048.

(2) (a) If the elector chooses not to vote in person as provided in subsection (1), the elector may vote by personally delivering his or her completed vote-by-mail ballot to an early voting site in the elector's county of residence during the early voting site's hours of operation.

(b) The division shall adopt uniform rules for the receipt of the ballots.

Section 2. This act shall take effect July 1, 2018.

Page 2 of 2

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



The Florida Senate

## Committee Agenda Request

**To:** Cameron Ulrich, Staff Director  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** January 18, 2018

---

I respectfully request that **Senate Bill #810**, relating to Vote-By-Mail Ballots, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in dark ink, appearing to read "Bobby Powell", is written over a horizontal line.

Senator Bobby Powell  
Florida Senate, District 30



# APPEARANCE RECORD

Tab # 17

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

26-17

Meeting Date

810

Bill Number (if applicable)

Topic Vote By Mail Ballots

Amendment Barcode (if applicable)

Name ALBERT E. CARROLL

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

Address 4945 37 Ave W  
Street

Phone 727-742-1640

ST. PETERSBURG FL 33710  
City State Zip

Email ALMILLMAN3@AOL.COM

Speaking: ☐ For ☐ Against ☐ Information

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

Representing SELF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

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

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

2/6/2018

Meeting Date

SB 810

Bill Number (if applicable)

Topic Vote-by-mail Ballots

Amendment Barcode (if applicable)

Name MARILYNN WILLS

Job Title MEMBER LWVF

Address 2326 KILKENNY DRIVE WEST  
Street

Phone 858 893-4104

TALLAHASSEE FLORIDA 32309  
City State Zip

Email marilynn.wills@msn.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing League of Women Voters of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2-6-18

Meeting Date

810

Bill Number (if applicable)

Topic Bill on ballots vote by mail

Amendment Barcode (if applicable)

Name Adam Campbell

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

Address 3738 Kenyon Road

Phone \_\_\_\_\_

Street

Lake Worth FL 33461

City

State

Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

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

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

2/6/18

Meeting Date

810

Bill Number (if applicable)

Topic Vote by mail Ballots

Amendment Barcode (if applicable)

Name Kevin Byrne

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

Address 256 SE Todd Ave

Phone 772 999 5899

Street

Port St. Lucie FL

34983

City

State

Zip

Email kevinjbyrne54@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

# APPEARANCE RECORD

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

2/6/18

Meeting Date

810

Bill Number (if applicable)

Topic Vote by mail Ballots

Amendment Barcode (if applicable)

Name Joanne Cannon

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

Address 3410-50<sup>th</sup> St W

Phone 941-812-7113

Street

Bradenton

Email jann24@aol.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

**COMMITTEE:** Ethics and Elections  
**ITEM:** SB 810  
**FINAL ACTION:** Favorable  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

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

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

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

WD=Withdrawn  
OO=Out of Order  
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: CS/SB 1262

INTRODUCER: Ethics and Elections Committee and Senator Hutson

SUBJECT: Election Dates for Municipal Office

DATE: February 6, 2018

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carlton	Ulrich	EE	<b>Fav/CS</b>
2.			CA	
3.			RC	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1262 expressly preempts to the state the authority to establish the dates of elections of municipal officers and provides the exclusive method for establishing those dates. Any state law, municipal charter, or municipal ordinance that conflicts with the bill is superseded to the extent of the conflict. As a result, a municipality will no longer have authority to establish unilaterally the date of its municipal officer elections.

The bill requires the governing body of a municipality to choose from among the following dates to hold its elections: the general election, the first Tuesday after the first Monday in November in an odd-numbered year, or the third Tuesday in March. The bill specifies that a municipality may not conduct more than one municipal general election cycle in a calendar year. The bill sets a format for runoff elections and allows elected municipal officers to continue in office until the next municipal election held in accordance with the bill.

The provisions of the bill that establish the method of selecting municipal election dates do not affect the manner in which vacancies in municipal office are filled or the manner in which recall elections for municipal officers are conducted. However, the bill allows municipal recall elections to be held concurrently with municipal elections provided the municipal election occurs during a specific period.

In order to provide for an orderly transition of office, the bill provides that the terms of incumbent elected municipal officers affected by the change in election dates will be extended to the next municipal election.

Lastly, the bill repeals s. 101.75, F.S., which allows a municipality to change its election dates in order to hold its elections concurrently with a statewide or countywide election or, if the voting devices for a statewide or countywide election are not available, to hold its elections 30 days before or after the statewide or countywide election.

## **II. Present Situation:**

Article VI, s. 5(a) of the Florida Constitution requires a general election to be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective state and county officer whose term will expire before the next general election. Section 100.031, F.S., incorporates that constitutional provision into statute, but also requires a general election to be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective federal and district officer whose term will expire before the next general election.

Article VI, s. 6 of the Florida Constitution provides that registration and elections in municipalities must, and in other governmental entities created by statute may, be provided by general law. The Florida Election Code,<sup>1</sup> which is a collection of general laws, governs the conduct of municipal elections in the absence of an applicable special act, charter, or ordinance.<sup>2</sup> However, no act, charter, or ordinance may be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.<sup>3</sup>

Elections for municipal officers are conducted during the general election in November of even-numbered years unless the governing body of a municipality has adopted an ordinance to change the dates for qualifying and for the election of members of the governing body of the municipality.<sup>4</sup> The ordinance may also provide for the orderly transition of office resulting from the date changes.<sup>5</sup>

Section 101.75, F.S., allows the governing body of a municipality to move the date of any municipal election to a date concurrent with any statewide or countywide election provided the election date and dates for qualifying for the election are specifically provided for in the ordinance.<sup>6</sup> However, if the voting devices used in the county are not available to the municipality during the statewide or countywide election, the municipality may provide that its election will be held 30 days before or after the statewide or countywide election.<sup>7</sup>

---

<sup>1</sup> Chapters 97-106, F.S., are known as “The Florida Election Code.”

<sup>2</sup> Section 100.3605(1), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> Section 100.3605(2), F.S.; *see also* s. 166.021(4), F.S.

<sup>5</sup> Section 100.3605(2), F.S.

<sup>6</sup> Section 101.75(3), F.S.

<sup>7</sup> Section 101.75(1), F.S.



Any member of the governing body of a municipality may be removed from office by the electors of the municipality provided certain requirements are met.<sup>8</sup> If the requirements are met but the municipal officer does not resign his or her office, a municipal recall election is held for the removal of that officer.<sup>9</sup> A municipal recall election is held in conjunction with a general or special election if such an election is held during the defined timeframe for conducting a recall election.<sup>10</sup>

A municipality pays for the printing and delivery of ballots and instruction cards for a municipal election.<sup>11</sup>

### III. Effect of Proposed Changes:

The bill expressly preempts to the state the authority to establish the dates of elections of municipal officers. Any state law, municipal charter, or municipal ordinance that conflicts with the bill is superseded to the extent of the conflict. As a result, a municipality will no longer have the authority to establish unilaterally the date of its municipal officer elections.

The bill requires the governing body of a municipality to choose from among the following dates:

- The general election in November;
- The first Tuesday after the first Monday in November in an odd-numbered year; or
- The third Tuesday in March.

If a municipal charter or ordinance requires the municipality to conduct its election in a runoff format, the bill requires the municipality to choose from among the following options:

Initial Election	Runoff Election
Primary Election (Tuesday, 10 weeks prior to General Election)	General Election
Tuesday 10 weeks before the first Tuesday after the first Monday in November of an odd-numbered year	First Tuesday after the first Monday in November of an odd-numbered year
Tuesday 10 weeks before the third Tuesday in March	Third Tuesday in March

The bill does not require a municipality to alter or amend its charter. Any municipal charter provision that conflicts with the bill is automatically superseded without further action by the municipality. Likewise, any ordinance that conflicts with the bill is automatically superseded without any further action of the municipality.

<sup>8</sup> Section 100.361, F.S.

<sup>9</sup> Section 100.361(4), F.S.

<sup>10</sup> *Id.*

<sup>11</sup> Section 101.21, F.S.

The provisions of the bill that establish the method of selecting municipal officer election dates does not affect the manner in which vacancies in municipal office are filled or the manner in which recall elections for municipal officers are conducted. However, the bill allows municipal recall elections to be held concurrently with municipal elections provided the municipal election occurs during a specific time-period.

In order to provide for an orderly transition of office, the bill provides that the terms of incumbent elected municipal officers affected by the change in election dates will be extended to the next municipal election held in accordance with the provisions of the bill.

The bill also repeals s. 101.75, F.S., which allows a municipality to change municipal officer election dates in order to hold its elections concurrently with a statewide or countywide election or, if the voting devices for a statewide or countywide election are not available, to hold its elections 30 days before or after the statewide or countywide election.

The bill is effective July 1, 2020.

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

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

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

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

None.

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

None.

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

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

None.

##### **B. Private Sector Impact:**

None.

##### **C. Government Sector Impact:**

Indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 100.3605, 100.361, and 101.75.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

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

**CS by Ethics and Elections on February 6, 2018:**

The Committee Substitute differs from the original bill in that it:

- Clarifies that a municipality can choose to conduct its general election on a general election day, on the first Tuesday after the first Monday in an odd-numbered year, or on the third Tuesday in March; and
- Clarifies that a municipality may only conduct one municipal election per calendar year.

**B. Amendments:**

None.



267526

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/07/2018	.	
	.	
	.	
	.	

---

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

**Senate Amendment**

Delete lines 30 - 34  
and insert:

(2)(a) The governing body of a municipality shall determine if an election for municipal office is held on the same date as the general election, the first Tuesday after the first Monday in November, or the third Tuesday in March. However, a municipality may not conduct more than one municipal general election in the same calendar year.

By Senator Hutson

7-01204-18

20181262\_\_

A bill to be entitled

An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which initial and runoff elections for municipal office are held and providing options therefor; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date.

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

Section 1. Section 100.3605, Florida Statutes, is amended to read:

100.3605 Conduct of municipal elections.—

(1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

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

7-01204-18

20181262\_\_

(2) (a) The governing body of a municipality shall determine if an election for municipal office is held on the same date as the general election, the first Tuesday after the first Monday in November in an odd-numbered year, or the third Tuesday in March in an odd-numbered year or even-numbered year.

(b) If a municipal charter or ordinance requires a runoff election for municipal office, the governing body of a municipality shall conduct its elections in one of the following formats:

1. The initial election shall be held at the primary election on the Tuesday 10 weeks before the general election, and the runoff election shall be held on the same date as the general election.

2. The initial election shall be held at an election on the Tuesday 10 weeks before the election held on the first Tuesday after the first Monday in November in an odd-numbered year, and the runoff election shall be held at an election on the first Tuesday after the first Monday in November in an odd-numbered year.

3. The initial election shall be held at an election on the Tuesday 10 weeks before the third Tuesday in March, and the runoff election shall be held at an election on the third Tuesday in March.

(c) This subsection does not affect the manner in which vacancies in municipal offices are filled or the manner in which recall elections for municipal officers are conducted.

(d) Notwithstanding any general law, special law, local law, municipal charter, or municipal ordinance, this subsection provides the sole method for establishing the dates of elections

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

7-01204-18 20181262\_\_

59 for municipal office in this state. Any general law, special  
 60 law, local law, municipal charter, or municipal ordinance that  
 61 conflicts with this subsection is superseded to the extent of  
 62 the conflict.

63 (3) The governing body of a municipality may, by ordinance,  
 64 ~~change the dates for qualifying and for the election of members~~  
 65 ~~of the governing body of the municipality and~~ provide for the  
 66 orderly transition of office resulting from election ~~such~~ date  
 67 changes.

68 Section 2. Subsection (4) of section 100.361, Florida  
 69 Statutes, is amended to read:

70 100.361 Municipal recall.—

71 (4) RECALL ELECTION.—If the person designated in the  
 72 petition files with the clerk, within 5 days after the last-  
 73 mentioned notice, his or her written resignation, the clerk  
 74 shall at once notify the governing body of that fact, and the  
 75 resignation shall be irrevocable. The governing body shall then  
 76 proceed to fill the vacancy according to the provisions of the  
 77 appropriate law. In the absence of a resignation, the chief  
 78 judge of the judicial circuit in which the municipality is  
 79 located shall fix a day for holding a recall election for the  
 80 removal of those not resigning. Any such election shall be held  
 81 not less than 30 days or more than 60 days after the expiration  
 82 of the 5-day period last-mentioned and at the same time as any  
 83 other general, municipal, or special election held within the  
 84 period; but if no such election is to be held within that  
 85 period, the judge shall call a special recall election to be  
 86 held within the period aforesaid.

87 Section 3. Section 101.75, Florida Statutes, is repealed.

Page 3 of 4

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

7-01204-18 20181262\_\_

88 Section 4. To provide for an orderly transition of office,  
 89 the term of each incumbent elected municipal officer is extended  
 90 until the next municipal election held in accordance with this  
 91 act.

92 Section 5. This act shall take effect July 1, 2020.

Page 4 of 4

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



*The Florida Senate*

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** February 1, 2018

---

I respectfully request that **Senate Bill #1262**, relating to Election Dates for Municipal Office, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, reading "Travis J. Hutson".

---

Senator Travis Hutson  
Florida Senate, District 7

THE FLORIDA SENATE  
**APPEARANCE RECORD**

Tab #18

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

2/6/2018

Meeting Date

SB 1262

Bill Number (if applicable)

Topic Election Dates for Municipal Office

Amendment Barcode (if applicable)

Name MARILYNN WILLS

Job Title Member LWVF

Address 2326 KILKENNY DRIVE WEST  
Street

Phone 858 893-4104

TALLAHASSEE FLORIDA 32309  
City State Zip

Email marilynawills@msn.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing League of Women Voters of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)



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

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

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

Bill Number (if applicable) 1262

Topic 1262

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

Name Leslie Steele

Job Title City Manager Midway

Address 2650 MLK

Phone 850.574.2355

Street Midway State FL Zip 32343

Email lsteel

Speaking: ☐ For ☒ Against ☐ Information

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

Representing City of Midway

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

**COMMITTEE:** Ethics and Elections  
**ITEM:** SB 1262  
**FINAL ACTION:** Favorable with Committee Substitute  
**MEETING DATE:** Tuesday, February 6, 2018  
**TIME:** 2:00—3:30 p.m.  
**PLACE:** 412 Knott Building

[illegible]

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

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

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

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

# CourtSmart Tag Report

**Room:** KN 412

**Case No.:**

**Caption:** Senate Ethics and Elections Committee

**Type:**

**Judge:**

**Started:** 2/6/2018 2:03:05 PM

**Ends:** 2/6/2018 2:24:42 PM **Length:** 00:21:38

2:03:07 PM Call to order  
2:03:10 PM Roll Call  
2:03:23 PM Quorum present  
2:04:00 PM Tabs 1-15 Appointee Motion by Sen. Braynon to Recommend Confirmation  
2:04:04 PM Roll Call  
2:04:28 PM Tabs 1-15 Confirmation Recommended Favorably  
2:04:34 PM Tab 17 SB 810 by Sen Powell  
2:04:36 PM Sen Powell  
2:06:05 PM Sen Passidomo Question  
2:06:11 PM Sen Powell  
2:06:39 PM Albert Carroll, Self, Waives in Support  
2:06:51 PM Joanne Cannon, Self, Waives in Support  
2:06:59 PM Kevin Byrne, Representing Himself, Waives in Support  
2:07:06 PM Adam Campbell, Representing Himself, Waives in Support  
2:07:12 PM Marilyn Wills, League of Women Voters of FL, Waives in Support  
2:07:32 PM Sen Powell waives close  
2:07:38 PM Roll Call  
2:08:00 PM SB 810 Recorded Favorably  
2:08:07 PM Tab 18 SB 1262 by Sen Hutson  
2:08:11 PM Sen Hutson  
2:08:46 PM AM 267526  
2:08:48 PM Sen Hutson  
2:09:06 PM Sen Brandes  
2:09:31 PM Sen Braynon  
2:09:41 PM Sen Hutson  
2:10:17 PM Sen Hutson waives close  
2:10:23 PM AM 267526 Adopted  
2:10:33 PM Sen Braynon  
2:10:47 PM Sen Hutson  
2:11:35 PM Sen Braynon  
2:11:49 PM Sen Hutson  
2:12:16 PM Sen Torres  
2:12:28 PM Sen Hutson  
2:13:26 PM Leslie Steele, City Manager, City of Midway, speaks in opposition  
2:13:54 PM Chair Perry  
2:13:56 PM Sen Hutson  
2:14:19 PM Marilyn Wills, League of Women Voters of FL, waives in opposition  
2:14:29 PM Sen Hutson waives close  
2:14:41 PM Roll Call  
2:15:14 PM CS/SB 1262 Recorded Favorably as Committee Substitute  
2:15:38 PM Recess to wait on Bill Sponsor  
2:15:41 PM Recording Paused  
2:22:33 PM Recording Resumed  
2:22:53 PM Tab 16 SB 532 by Sen Lee  
2:22:59 PM Sen Hutson, Bill Co-Sponsor, presents SB 532  
2:23:34 PM David Ramba, FL State supervisor of elections, Waives in Support  
2:23:43 PM Marilyn Wills, League of Women Voters, Waives in Support  
2:23:50 PM Sen Hutson waives close  
2:23:52 PM Roll Call  
2:24:10 PM CS/SB 532 Recorded Favorably  
2:24:26 PM Adjourned