

By the Committee on Gubernatorial Appointments and Confirmations; and Senators Myers, Casas, Dyer, Latvala and McKay

318-108A-00

1 A bill to be entitled
2 An act relating to executive appointments;
3 amending s. 14.29, F.S., relating to terms of
4 members of the Florida Commission on Community
5 Service; deleting obsolete provisions; amending
6 s. 20.255, F.S.; clarifying provisions relating
7 to the terms of members of the Environmental
8 Regulation Commission within the Department of
9 Environmental Protection; amending s. 20.316,
10 F.S.; requiring that the Secretary of Juvenile
11 Justice be confirmed by the Senate; amending s.
12 20.41, F.S., relating to the Secretary of
13 Elderly Affairs; deleting obsolete provisions;
14 amending s. 20.42, F.S.; requiring the Director
15 of Health Care Administration to be confirmed
16 by the Senate; amending s. 186.504, F.S.;
17 clarifying membership, and specifying terms of
18 members, of regional planning councils;
19 amending s. 231.545, F.S., relating to
20 membership on the Education Standards
21 Commission within the Department of Education;
22 deleting obsolete provisions; amending s.
23 240.145, F.S., relating to terms of members of
24 the Postsecondary Education Planning
25 Commission; deleting obsolete provisions;
26 amending s. 240.313, F.S.; specifying the terms
27 of members of the board of trustees of a
28 community college; amending s. 246.205, F.S.,
29 relating to terms of members of the State Board
30 of Nonpublic Career Education; deleting
31 obsolete provisions; amending s. 288.707, F.S.;

1 clarifying membership on the Florida Black
2 Business Investment Board within the Office of
3 Tourism, Trade, and Economic Development;
4 deleting obsolete provisions; amending s.
5 288.9604, F.S., relating to terms of members of
6 the board of the Florida Development Finance
7 Corporation; deleting obsolete provisions;
8 amending s. 331.308, F.S., relating to the
9 board of supervisors of the Spaceport Florida
10 Authority; deleting a requirement that the
11 Senate confirm the legislative ex officio
12 members of the board; deleting obsolete
13 provisions relating to appointments and terms;
14 amending s. 349.03, F.S., relating to terms of
15 members of the governing body of the
16 Jacksonville Transportation Authority; deleting
17 obsolete provisions; amending s. 350.01, F.S.,
18 relating to terms of members of the Florida
19 Public Service Commission; deleting obsolete
20 provisions; clarifying the term for the
21 chairperson of the commission; amending s.
22 370.19, F.S.; revising the membership of the
23 Atlantic States Marine Fisheries Commission;
24 revising requirements for the legislative ex
25 officio members of the commission; specifying
26 terms of office; amending s. 370.20, F.S.,
27 relating to the Gulf States Marine Fisheries
28 Commission; revising requirements for the
29 legislative ex officio members of the
30 commission; specifying terms of office;
31 amending s. 373.0693, F.S.; clarifying terms of

1 office for members of basin boards within the
2 water management districts; amending s.
3 380.504, F.S., relating to terms of members of
4 the governing body of the Florida Communities
5 Trust within the Department of Community
6 Affairs; deleting obsolete provisions; amending
7 s. 404.31, F.S., relating to terms of members
8 of the Southeast Interstate Low-Level
9 Radioactive Waste Management Commission;
10 deleting obsolete provisions; amending s.
11 443.012, F.S., relating to terms of members of
12 the Unemployment Appeals Commission within the
13 Department of Labor and Employment Security;
14 deleting obsolete provisions; amending s.
15 447.205, F.S., relating to terms of members of
16 the Public Employees Relations Commission
17 within the Department of Labor and Employment
18 Security; deleting obsolete provisions;
19 repealing s. 464.0045, F.S., relating to terms
20 of members of the Board of Nursing; amending s.
21 468.1135, F.S., relating to terms and
22 qualifications of members of the Board of
23 Speech-Language Pathology and Audiology;
24 deleting obsolete provisions; amending s.
25 468.203, F.S., relating to the practice of
26 occupational therapy; providing a definition;
27 amending s. 468.205, F.S., relating to terms
28 for members of the Board of Occupational
29 Therapy Practice; deleting obsolete provisions;
30 amending s. 468.354, F.S.; deleting a
31 limitation on terms of appointment; deleting

1 obsolete provisions; amending s. 468.4315,
2 F.S., relating to terms of members of the
3 Regulatory Council of Community Association
4 Managers; deleting obsolete provisions;
5 amending s. 468.521, F.S., relating to terms of
6 members of the Board of Employee Leasing
7 Companies; deleting obsolete provisions;
8 amending s. 468.605, F.S., relating to terms of
9 the members of the Florida Building Code
10 Administrators and Inspectors Board; deleting
11 obsolete and conflicting provisions; amending
12 s. 468.801, F.S., relating to the terms of
13 members of the Board of Orthotists and
14 Prosthetists; deleting obsolete provisions;
15 amending s. 475.02, F.S., relating to terms of
16 the members of the Florida Real Estate
17 Commission within the Department of Business
18 and Professional Regulation; deleting obsolete
19 provisions; amending s. 475.613, F.S., relating
20 to terms and qualifications of members of the
21 Florida Real Estate Appraisal Board; deleting
22 obsolete provisions; amending s. 476.054, F.S.,
23 relating to terms of members of the Barbers'
24 Board; deleting conflicting provisions;
25 amending s. 477.015, F.S., relating to terms of
26 the members of the Board of Cosmetology;
27 deleting a limitation on terms of appointment;
28 amending s. 480.035, F.S., relating to terms of
29 the members of the Board of Massage Therapy;
30 deleting a limitation on terms of appointment;
31 amending s. 483.805, F.S., relating to terms of

1 members of the Board of Clinical Laboratory
2 Personnel; deleting obsolete provisions;
3 amending s. 489.107, F.S., relating to terms of
4 the members of the Construction Industry
5 Licensing Board; deleting a limitation on terms
6 of appointment; amending s. 491.004, F.S.,
7 relating to terms of the members of the Board
8 of Clinical Social Work, Marriage and Family
9 Therapy, and Mental Health Counseling; deleting
10 obsolete provisions; amending s. 497.101, F.S.,
11 relating to terms of the members of the Board
12 of Funeral and Cemetery Services; deleting
13 obsolete provisions; amending s. 601.04, F.S.,
14 relating to the appointment and terms of
15 members of the Florida Citrus Commission within
16 the Department of Citrus; deleting obsolete
17 provisions; clarifying terms of members
18 following redistricting; amending s. 945.602,
19 F.S., relating to qualifications of the members
20 of the State of Florida Correctional Medical
21 Authority; deleting obsolete provisions;
22 amending ss. 947.01, 947.03, F.S., relating to
23 the appointment and number of members of the
24 Parole Commission; deleting obsolete
25 provisions; repealing s. 947.022, F.S.,
26 relating to terms and appointment of members of
27 the Parole Commission; providing an effective
28 date.

29
30 Be It Enacted by the Legislature of the State of Florida:
31

1 Section 1. Subsection (4) of section 14.29, Florida
2 Statutes, is amended to read:

3 14.29 Florida Commission on Community Service.--

4 (4) Members of the commission shall be appointed to
5 ~~serve for terms of 3 years, except that of those voting~~
6 ~~members initially appointed, no less than five and up to eight~~
7 ~~shall serve for terms of 1 year and no less than five and up~~
8 ~~to eight shall serve for terms of 2 years.~~ Members may be
9 reappointed for successive terms. A vacancy shall be filled
10 for the remainder of the unexpired term in the same manner as
11 the original appointment.

12 Section 2. Subsection (10) of section 20.255, Florida
13 Statutes, is amended to read:

14 20.255 Department of Environmental Protection.--There
15 is created a Department of Environmental Protection.

16 (10) There is created as a part of the Department of
17 Environmental Protection an Environmental Regulation
18 Commission. The commission shall be composed of seven
19 residents of this state appointed by the Governor, subject to
20 confirmation by the Senate. The commission shall include one,
21 but not more than two, members from each water management
22 district who have resided in the district for at least 1 year,
23 and the remainder shall be selected from the state at large.
24 Membership shall be representative of agriculture, the
25 development industry, local government, the environmental
26 community, lay citizens, and members of the scientific and
27 technical community who have substantial expertise in the
28 areas of the fate and transport of water pollutants,
29 toxicology, epidemiology, geology, biology, environmental
30 sciences, or engineering. The Governor shall appoint the
31 chair, and the vice chair shall be elected from among the

1 membership. Members of the commission shall be appointed to
2 terms of 4 years each. A vacancy shall be filled for the
3 unexpired portion of the term in the same manner as the
4 original appointment.~~The members serving on the commission on~~
5 ~~July 1, 1995, shall continue to serve on the commission for~~
6 ~~the remainder of their current terms. All appointments~~
7 ~~thereafter shall continue to be for 4-year terms. The Governor~~
8 ~~may at any time fill a vacancy for the unexpired term.~~~~The~~
9 members of the commission shall serve without compensation,
10 but are entitled to reimbursement for ~~shall be paid~~ travel and
11 per diem expenses as provided in s. 112.061 while in the
12 performance of their official duties. Administrative,
13 personnel, and other support services necessary for the
14 commission shall be furnished by the department.

15 Section 3. Paragraph (a) of subsection (1) of section
16 20.316, Florida Statutes, is amended to read:

17 20.316 Department of Juvenile Justice.--There is
18 created a Department of Juvenile Justice.

19 (1) SECRETARY OF JUVENILE JUSTICE.--

20 (a) The head of the Department of Juvenile Justice is
21 the Secretary of Juvenile Justice. The secretary of the
22 department shall be appointed by the Governor, subject to
23 confirmation by the Senate, and shall serve at the pleasure of
24 the Governor.

25 Section 4. Subsection (1) of section 20.41, Florida
26 Statutes, is amended to read:

27 20.41 Department of Elderly Affairs.--There is created
28 a Department of Elderly Affairs.

29 (1) The head of the department is the Secretary of
30 Elderly Affairs. The secretary must be appointed by the
31 Governor, subject to confirmation by the Senate. ~~The~~

1 ~~requirement for Senate confirmation applies to any person so~~
2 ~~appointed on or after July 1, 1994.~~The secretary serves at
3 the pleasure of the Governor. The secretary shall administer
4 the affairs of the department and may employ assistants,
5 professional staff, and other employees as necessary to
6 discharge the powers and duties of the department.

7 Section 5. Subsection (1) of section 20.42, Florida
8 Statutes, is amended to read:

9 20.42 Agency for Health Care Administration.--There is
10 created the Agency for Health Care Administration within the
11 Department of Business and Professional Regulation. The agency
12 shall be a separate budget entity, and the director of the
13 agency shall be the agency head for all purposes. The agency
14 shall not be subject to control, supervision, or direction by
15 the Department of Business and Professional Regulation in any
16 manner, including, but not limited to, personnel, purchasing,
17 transactions involving real or personal property, and
18 budgetary matters.

19 (1) DIRECTOR OF HEALTH CARE ADMINISTRATION.--The head
20 of the agency is the Director of Health Care Administration,
21 who shall be appointed by the Governor, subject to
22 confirmation by the Senate. The requirement for Senate
23 confirmation applies to any person appointed on or after
24 October 1, 2000.The director shall serve at the pleasure of
25 and report to the Governor.

26 Section 6. Subsection (3) of section 186.504, Florida
27 Statutes, is amended to read:

28 186.504 Regional planning councils; creation;
29 membership.--

30 (3) Not fewer ~~less~~ than two-thirds of the
31 representatives serving as voting members on the governing

1 bodies of such regional planning councils shall be elected
2 officials of local general-purpose governments chosen by the
3 municipalities ~~cities~~ and counties of the region, and provided
4 each county must ~~shall~~ have at least one vote. The remaining
5 one-third of the voting members on the governing board shall
6 be appointed by the Governor to terms of 3 years each, subject
7 to confirmation by the Senate, and must ~~shall~~ reside in the
8 region. No two appointees of the Governor may ~~shall~~ have
9 their places of residence in the same county until each county
10 within the region is represented by a Governor's appointee to
11 the governing board. Nothing contained in this section shall
12 deny to local governing bodies or the Governor the option of
13 appointing either locally elected officials or lay citizens
14 provided at least two-thirds of the governing body of the
15 regional planning council is composed of locally elected
16 officials.

17 Section 7. Subsection (1) of section 231.545, Florida
18 Statutes, is amended to read:

19 231.545 Education Standards Commission;
20 organization.--

21 (1) There is created the Education Standards
22 Commission, to consist of 24 members appointed by the State
23 Board of Education from nominations by the Commissioner of
24 Education and subject to Senate confirmation. Prior to making
25 nominations, the commissioner shall consult with the teaching
26 and other involved associations in the state. In making
27 nominations, the commissioner shall attempt to achieve equal
28 geographical representation, as closely as possible. The
29 members shall include:

30 (a) Twelve teachers at least one of whom is a teacher
31 in a private institution who is certified by the Department of

1 Education and one of whom is certified as a vocational
2 teacher.

3 (b) One superintendent.

4 (c) One school principal.

5 (d) One school personnel officer, ~~to be appointed on~~
6 ~~the date of the first expiration of a school principal's term.~~

7 (e) One teacher education/in-service director.

8 (f) Four citizens, two of whom are school board
9 members.

10 (g) Three representatives from higher education, two
11 of whom are deans of colleges, schools, or departments of
12 education and one of whom is employed by an independent
13 institution.

14 (h) One administrative representative from a community
15 college.

16 Section 8. Subsection (2) of section 240.145, Florida
17 Statutes, is amended to read:

18 240.145 Postsecondary Education Planning Commission.--

19 (2) The commission shall be composed of 11 members of
20 the general public and one full-time student representing the
21 postsecondary education system of the state. Each member
22 shall be appointed by the Governor, approved by three members
23 of the State Board of Education other than the Governor, and
24 confirmed by the Senate. Members shall be appointed to serve
25 staggered 4-year terms, except for the full-time student
26 member, who shall be appointed to serve for 1 year, ~~however,~~
27 ~~of the initial nonstudent appointees, two shall hold 1-year~~
28 ~~terms, three shall hold 2-year terms, three shall hold 3-year~~
29 ~~terms, and three shall hold 4-year terms.~~ The student member
30 shall be selected annually with the qualification that he or
31 she be a registered full-time student at a postsecondary

1 educational institution as defined in chapter 230, relating to
2 public area technical centers; in this chapter, relating to
3 public community colleges and universities; or in chapter 246,
4 relating to nonpublic colleges, universities, and vocational
5 schools. The members of the commission shall elect a chair
6 annually. The Governor shall fill all vacancies, subject to
7 approval and confirmation, that may at any time occur on the
8 commission.

9 Section 9. Subsection (3) of section 240.313, Florida
10 Statutes, is amended to read:

11 240.313 Community college districts; establishment and
12 organization of boards of trustees.--

13 (3) Trustees shall be appointed by the Governor,
14 approved by four members of the State Board of Education, and
15 confirmed by the Senate in regular session; however, no
16 appointee shall take office until after his or her appointment
17 has been approved by four members of the State Board of
18 Education; further, the State Board of Education shall develop
19 rules and procedures for review and approval of the
20 appointees. Each member of the board of trustees of a
21 community college shall be appointed to serve a term of 4
22 years. Prior to the time the Governor appoints any member of
23 any community college district board of trustees, the school
24 board or boards in the community college district may submit
25 to the Governor for his or her consideration the names of two
26 or more persons for each office.

27 Section 10. Subsection (2) of section 246.205, Florida
28 Statutes, is amended to read:

29 246.205 State Board of Nonpublic Career Education.--

30 (2) Each of the members shall be appointed by the
31 Governor, subject to confirmation by the Senate, for a term of

1 ~~3 years. Of the original members appointed by the Governor,~~
2 ~~three shall serve for terms of 1 year, three shall serve for~~
3 ~~terms of 2 years, and three shall serve for terms of 3 years.~~
4 Of the appointive members from the nonpublic postsecondary
5 career schools, each shall have occupied executive or
6 managerial positions in a nonpublic postsecondary career
7 school in this state for at least 5 years. All members shall
8 be residents of this state. In the event of a vacancy on the
9 board caused other than by the expiration of a term, the
10 Governor shall appoint a successor to serve the unexpired
11 term.

12 Section 11. Subsection (3) of section 288.707, Florida
13 Statutes, is amended to read:

14 288.707 Florida Black Business Investment Board.--

15 (3) There is ~~hereby~~ created within the Office of
16 Tourism, Trade, and Economic Development a body politic and
17 corporate to be known as the Florida Black Business Investment
18 Board, hereinafter referred to as the "board." The board is
19 ~~hereby~~ constituted as a public instrumentality, and the
20 exercise by the board of the powers conferred by ss. 9-21,
21 chapter 85-104, Laws of Florida, shall be deemed to be the
22 performance of an essential governmental function.

23 (a) The board shall consist of seven members appointed
24 by the Governor subject to confirmation by the Senate, six of
25 whom shall be experienced in investment finance and business
26 development and one of whom must be a member of a black
27 business investment corporation. The chair of the Florida
28 Development Finance Corporation, created pursuant to s.
29 288.9604, shall be an ex officio member of the board.

30 (b) Members appointed by the Governor shall be
31 appointed to ~~serve~~ terms of 4 years, ~~except that in making the~~

1 ~~initial appointments, the Governor shall appoint one member to~~
2 ~~serve for a term of 1 year, two members to serve for terms of~~
3 ~~2 years, two members to serve for terms of 3 years, and two~~
4 ~~members to serve for terms of 4 years.~~

5 (c) Any person appointed to fill a vacancy on the
6 board shall be appointed in a like manner and shall be
7 appointed to serve for only the unexpired term. Any member
8 shall be eligible for reappointment.

9 (c)(d) The Governor shall appoint the chairperson who
10 shall be a member of the board. The board shall annually
11 elect one of its members as vice chairperson and shall
12 designate a secretary-treasurer who need not be a member of
13 the board. The secretary-treasurer shall keep a record of the
14 proceedings of the board and shall be the custodian of all
15 books, documents, and papers filed with the board, of the
16 minute books of the board, and of its official seal. A
17 majority of the members of the board shall constitute a
18 quorum.

19 (d)(e) Members of the board shall serve without
20 compensation, but are entitled to reimbursement ~~shall be~~
21 ~~reimbursed~~ for per diem and travel expenses in accordance with
22 s. 112.061.

23 (e)(f) Each member of the board shall file full and
24 public disclosure of financial interests at the times and
25 places and in the same manner required of elected
26 constitutional officers under s. 8, Art. II of the State
27 Constitution and any law implementing s. 8, Art. II of the
28 State Constitution.

29 Section 12. Subsection (3) of section 288.9604,
30 Florida Statutes, is amended to read:

31 288.9604 Creation of the authority.--

1 (3) Upon activation of the corporation, the Governor,
2 subject to confirmation by the Senate, shall appoint the board
3 of directors of the corporation, who shall be five in number.
4 The terms of office for the directors shall be for 4 years,
5 ~~except that three of the initial directors shall be designated~~
6 ~~to serve terms of 1, 2, and 3 years, respectively, from the~~
7 ~~date of their appointment, and all other directors shall be~~
8 ~~designated to serve terms of 4 years from the date of their~~
9 ~~appointment.~~ A vacancy occurring during a term shall be filled
10 for the unexpired term. A director shall be eligible for
11 reappointment. At least three of the directors of the
12 corporation must ~~shall~~ be bankers who have been selected by
13 the Governor from a list of bankers who were nominated by
14 Enterprise Florida, Inc., and one of the directors must ~~shall~~
15 be an economic development specialist. The chairperson of the
16 Florida Black Business Investment Board shall be an ex officio
17 member of the board of the corporation.

18 Section 13. Section 331.308, Florida Statutes, is
19 amended to read:

20 331.308 Board of supervisors.--

21 (1) There is created within the Spaceport Florida
22 Authority a board of supervisors consisting of seven regular
23 members, who shall be appointed by the Governor, ~~and two ex~~
24 ~~officio nonvoting members, one of whom shall be a state~~
25 ~~senator selected by the President of the Senate and one of~~
26 ~~whom shall be a state representative selected by the Speaker~~
27 ~~of the House of Representatives, all of whom shall be subject~~
28 to confirmation by the Senate at the next regular session of
29 the Legislature. Each of the regular board members must be a
30 resident of the state and must have experience in the
31 aerospace or commercial space industry or in finance or have

1 other significant relevant experience. One regular member
2 shall represent organized labor interests and one regular
3 member shall represent minority interests. In addition to the
4 regular members, there shall be two ex-officio nonvoting
5 members, one of whom is a member of the Senate appointed by
6 the President of the Senate and one of whom is a member of the
7 House of Representatives appointed by the Speaker of the House
8 of Representatives.

9 (2) Each member shall serve a term of 4 years or until
10 a successor is appointed and qualified. The term of each such
11 member shall be construed to commence on the date of
12 appointment and to terminate on June 30 of the year of the end
13 of the term. Appointment to the board shall not preclude any
14 such member from holding any other private or public position.

15 (3) The ex officio nonvoting members shall serve on
16 the board for 2-year terms.

17 (4) Any vacancy on the board shall be filled for the
18 balance of the unexpired term.

19 ~~(5) Initial appointments shall be made no later than~~
20 ~~60 days after this act takes effect.~~

21 ~~(5)(6) The board shall hold its initial meeting no~~
22 ~~later than 20 days after the members have been appointed. At~~
23 ~~its initial meeting, or as soon thereafter as is practicable,~~
24 The board shall appoint an executive director. Meetings shall
25 be held quarterly or more frequently at the call of the chair.
26 A majority of the regular members of the board shall
27 constitute a quorum, and a majority vote of such members
28 present is necessary for any action taken by the board.

29 ~~(6)(7) The Governor may has the authority to remove~~
30 from the board any regular member in the manner and for cause
31 as defined by the laws of this state and applicable to

1 situations that ~~which may~~ arise before the board. Unless
2 excused by the chair of the board, a regular member's absence
3 from two or more consecutive board meetings creates a vacancy
4 in the office to which the member was appointed.

5 Section 14. Subsection (2) of section 349.03, Florida
6 Statutes, is amended to read:

7 349.03 Jacksonville Transportation Authority.--

8 (2) The governing body of the authority shall consist
9 of seven members. Three members shall be appointed by the
10 Governor and confirmed by the Senate. Three members shall be
11 appointed by the mayor of the City of Jacksonville subject to
12 confirmation by the council of the City of Jacksonville. The
13 seventh member shall be the district secretary of the
14 Department of Transportation serving in the district that
15 contains the City of Jacksonville. Except for the seventh
16 member, members shall be residents and qualified electors of
17 the City of Jacksonville. ~~The members of the authority~~
18 ~~holding office on July 1, 1979, shall continue in office until~~
19 ~~the expiration of their terms as if this section were not in~~
20 ~~effect, to ensure staggered terms, and their successors shall~~
21 ~~thereafter be appointed by either the mayor or the Governor,~~
22 ~~whoever appointed the retiring member.~~

23 Section 15. Subsections (2) and (4) of section 350.01,
24 Florida Statutes, are amended to read:

25 350.01 Florida Public Service Commission; terms of
26 commissioners; vacancies; election and duties of chair;
27 quorum; proceedings.--

28 (2)(a) Each commissioner shall be appointed for a term
29 of 4 years ~~serving on July 1, 1978, shall be permitted to~~
30 ~~remain in office until the completion of his or her current~~
31 ~~term. Upon the expiration of the term, a successor shall be~~

1 ~~appointed in the manner prescribed by s. 350.031(3) and (4)~~
2 ~~for a 4-year term, except that the terms of the initial~~
3 ~~members appointed under this act shall be as follows:~~

4 1. ~~The vacancy created by the present term ending in~~
5 ~~January, 1981, shall be filled by appointment for a 4-year~~
6 ~~term and for 4-year terms thereafter; and~~

7 2. ~~The vacancies created by the two present terms~~
8 ~~ending in January, 1979, shall be filled by appointment for a~~
9 ~~3-year term and for 4-year terms thereafter.~~

10 (b) ~~Two additional commissioners shall be appointed in~~
11 ~~the manner prescribed by s. 350.031(3) and (4) for 4-year~~
12 ~~terms beginning the first Tuesday after the first Monday in~~
13 ~~January, 1979, and successors shall be appointed for 4-year~~
14 ~~terms thereafter.~~

15 (c) Vacancies on the commission shall be filled for
16 the unexpired portion of the term in the same manner as
17 original appointments to the commission.

18 (4) One member of the commission shall be elected by
19 majority vote to serve as chair for a term of 2 years,
20 commencing on beginning with the first Tuesday after the first
21 Monday in January of odd-numbered years ~~1979~~. A member may
22 not serve two consecutive terms as chair.

23 Section 16. Subsections (1) and (2) of section 370.19,
24 Florida Statutes, are amended to read:

25 370.19 Atlantic States Marine Fisheries Compact;
26 implementing legislation.--

27 (1) FORM.--The Governor of this state is hereby
28 authorized and directed to execute a compact on behalf of the
29 State of Florida with any one or more of the States of Maine,
30 New Hampshire, Massachusetts, Rhode Island, Connecticut, New
31 York, New Jersey, Delaware, Maryland, Virginia, North

1 Carolina, South Carolina, and Georgia, and with such other
2 states as may enter into the compact, legally joining therein
3 in the form substantially as follows:

4
5 ATLANTIC STATES MARINE FISHERIES
6 COMPACT

7
8 The contracting states solemnly agree:

9
10 ARTICLE I

11
12 The purpose of this compact is to promote the better
13 utilization of the fisheries, marine, shell, and anadromous,
14 of the Atlantic seaboard by the development of a joint program
15 for the promotion and protection of such fisheries, and by the
16 prevention of the physical waste of the fisheries from any
17 cause. It is not the purpose of this compact to authorize the
18 states joining herein to limit the production of fish or fish
19 products for the purpose of establishing or fixing the price
20 thereof, or creating and perpetuating a monopoly.

21
22 ARTICLE II

23
24 This agreement shall become operative immediately as to
25 those states executing it whenever any two or more of the
26 States of Maine, New Hampshire, Massachusetts, Rhode Island,
27 Connecticut, New York, New Jersey, Delaware, Maryland,
28 Virginia, North Carolina, South Carolina, Georgia and Florida
29 have executed it in the form that is in accordance with the
30 laws of the executing state and the Congress has given its
31 consent. Any state contiguous with any of the aforementioned

1 states and riparian upon waters frequented by anadromous fish,
2 flowing into waters under the jurisdiction of any of the
3 aforementioned states, may become a party hereto as
4 hereinafter provided.

5
6 ARTICLE III
7

8 Each state joining herein shall appoint three
9 representatives to a commission hereby constituted and
10 designated as the Atlantic States Marine Fisheries Commission.
11 One shall be the executive officer of the administrative
12 agency of such state charged with the conservation of the
13 fisheries resources to which this compact pertains or, if
14 there be more than one officer or agency, the official of that
15 state named by the governor thereof. The second shall be a
16 member of the legislature of such state designated by the
17 commission or committee on interstate cooperation ~~house~~
18 ~~committee on commerce and reciprocal trade~~ of such state, or
19 if there be none, or if the commission on interstate
20 cooperation cannot constitutionally designate the member, such
21 legislator shall be designated by the governor thereof,
22 however, if it is constitutionally impossible to appoint a
23 legislator as a commissioner from such state, the second
24 member shall be appointed by the governor of the state, at his
25 or her discretion. The third shall be a citizen who shall have
26 a knowledge of and interest in the marine fisheries problem to
27 be appointed by the governor. This commission shall be a body
28 corporate with the powers and duties set forth herein.

29
30 ARTICLE IV
31

1 The duty of the said commission shall be to make
2 inquiry and ascertain from time to time such methods,
3 practices, circumstances and conditions as may be disclosed
4 for bringing about the conservation and the prevention of the
5 depletion and physical waste of the fisheries, marine, shell
6 and anadromous, of the Atlantic seaboard. The commission
7 shall have power to recommend the coordination of the exercise
8 of the police powers of the several states within their
9 respective jurisdictions to promote the preservation of those
10 fisheries and their protection against overfishing, waste,
11 depletion or any abuse whatsoever and to assure a continuing
12 yield from the fisheries resources of the aforementioned
13 states.

14 To that end the commission shall draft and, after
15 consultation with the advisory committee hereinafter
16 authorized, recommend to the governors and legislatures of the
17 various signatory states legislation dealing with the
18 conservation of the marine, shell and anadromous fisheries of
19 the Atlantic seaboard. The commission shall, more than one
20 month prior to any regular meeting of the legislature in any
21 signatory state, present to the governor of the state its
22 recommendations relating to enactments to be made by the
23 legislature of that state in furthering the intents and
24 purposes of this compact.

25 The commission shall consult with and advise the
26 pertinent administrative agencies in the states party hereto
27 with regard to problems connected with the fisheries and
28 recommend the adoption of such regulations as it deems
29 advisable.

30 The commission shall have power to recommend to the
31 states party hereto the stocking of the waters of such states

1 with fish and fish eggs or joint stocking by some or all of
2 the states party hereto and when two or more of the states
3 shall jointly stock waters the commission shall act as the
4 coordinating agency for such stocking.

5
6 ARTICLE V

7
8 The commission shall elect from its number a chair and
9 a vice chair and shall appoint and at its pleasure remove or
10 discharge such officers and employees as may be required to
11 carry the provisions of this compact into effect and shall fix
12 and determine their duties, qualifications and compensation.
13 Said commission shall adopt rules and regulations for the
14 conduct of its business. It may establish and maintain one or
15 more offices for the transaction of its business and may meet
16 at any time or place but must meet at least once a year.

17
18 ARTICLE VI

19
20 No action shall be taken by the commission in regard to
21 its general affairs except by the affirmative vote of a
22 majority of the whole number of compacting states present at
23 any meeting. No recommendation shall be made by the
24 commission in regard to any species of fish except by the
25 affirmative vote of a majority of the compacting states which
26 have an interest in such species. The commission shall define
27 what shall be an interest.

28
29 ARTICLE VII

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ARTICLE X

Continued absence of representation or of any representative on the commission from any state party hereto shall be brought to the attention of the governor thereof.

ARTICLE XI

The states party hereto agree to make annual appropriations to the support of the commission in proportion to the primary market value of the products of their fisheries, exclusive of cod and haddock, as recorded in the most recent published reports of the Fish and Wildlife Service of the United States Department of the Interior, provided no state shall contribute less than \$200 per annum and the annual contribution of each state above the minimum shall be figured to the nearest \$100.

The compacting states agree to appropriate initially the annual amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the catch record of 1938. Subsequent budgets shall be recommended by a majority of the commission and the cost thereof allocated equitably among the states in accordance with their respective interests and submitted to the compacting states.

Schedule of Initial Annual
State Contributions

Maine.....	\$700
New Hampshire.....	200
Massachusetts.....	2,300
Rhode Island.....	300

1	Connecticut.....	400
2	New York.....	1,300
3	New Jersey.....	800
4	Delaware.....	200
5	Maryland.....	700
6	Virginia.....	1,300
7	North Carolina.....	600
8	South Carolina.....	200
9	Georgia.....	200
10	Florida.....	1,500

11

ARTICLE XII

12

13

14 This compact shall continue in force and remain binding
15 upon each compacting state until renounced by it.
16 Renunciation of this compact must be preceded by sending 6
17 months' notice in writing of intention to withdraw from the
18 compact to the other states party hereto.

19

20 (2) COMMISSIONERS; APPOINTMENT AND REMOVAL.--In
21 pursuance of Article III of said compact there shall be three
22 members (hereinafter called commissioners) of the Atlantic
23 States Marine Fisheries Commission (hereinafter called
24 commission) from this state. The first commissioner from this
25 state shall be the Executive Director of the Fish and Wildlife
26 Conservation Commission, ex officio, and the term of any such
27 ex officio commissioner shall terminate at the time he or she
28 ceases to hold said office of Executive Director of the Fish
29 and Wildlife Conservation Commission, and his or her successor
30 as commissioner shall be his or her successor as executive
31 director. The second commissioner from this state shall be a
legislator appointed by the Governor from lists of three

1 legislators submitted by the President of the Senate or the
2 Speaker of the House of Representatives, as applicable.
3 Legislators shall be appointed on a rotating basis, beginning
4 with the appointment of a member of the Senate. Terms of
5 legislators, as ex officio commissioners, shall be for 2
6 years, ending on the date of the general election.~~and member~~
7 ~~of the house committee on commerce and reciprocal trade (of~~
8 ~~the State of Florida, ex officio, designated by said house~~
9 ~~committee on commerce and reciprocal trade), and the term of~~
10 ~~any such ex officio commissioner shall terminate at the time~~
11 ~~he or she ceases to hold said legislative office as~~
12 ~~commissioner on interstate cooperation, and his or her~~
13 ~~successor as commissioner shall be named in like manner.~~The
14 Governor (subject to confirmation by the Senate), shall
15 appoint a citizen as a third commissioner who shall have a
16 knowledge of, and interest in, the marine fisheries problem.
17 The term of said commissioner shall be 3 years and the
18 commissioner shall hold office until a successor shall be
19 appointed and qualified. Vacancies occurring in the office of
20 such commissioner from any reason or cause shall be filled by
21 appointment by the Governor (subject to confirmation by the
22 Senate), for the unexpired term. The Executive Director of the
23 Fish and Wildlife Conservation Commission as ex officio
24 commissioner may delegate, from time to time, to any deputy or
25 other subordinate in his or her department or office, the
26 power to be present and participate, including voting, as his
27 or her representative or substitute at any meeting of or
28 hearing by or other proceeding of the commission. The terms of
29 each of the initial three members shall begin at the date of
30 the appointment of the appointive commissioner, provided the
31 said compact shall then have gone into effect in accordance

1 with Article II of the compact; otherwise, they shall begin
2 upon the date upon which said compact shall become effective
3 in accordance with said Article II. Any commissioner may be
4 removed from office by the Governor upon charges and after a
5 hearing.

6 Section 17. Subsection (2) of section 370.20, Florida
7 Statutes, is amended to read:

8 370.20 Gulf States Marine Fisheries Compact;
9 implementing legislation.--

10 (2) MEMBERS OF COMMISSION; TERM OF OFFICE.--In
11 pursuance of article III of such ~~said~~ compact, there shall be
12 three members (hereinafter called commissioners) of the Gulf
13 States Marine Fisheries Commission (hereafter called
14 commission) from the State of Florida. The first commissioner
15 from the State of Florida shall be the Executive Director of
16 the Fish and Wildlife Conservation Commission, ex officio, and
17 the term of any such ex officio commissioner shall terminate
18 at the time he or she ceases to hold the ~~said~~ office of
19 Executive Director of the Fish and Wildlife Conservation
20 Commission, and his or her successor as commissioner shall be
21 his or her successor as executive director. The second
22 commissioner from the State of Florida shall be a legislator
23 appointed by the President of the Senate or the Speaker of the
24 House of Representatives, as applicable. Legislators shall be
25 appointed on a rotating basis, beginning with the appointment
26 of a member of the House of Representatives. Terms of
27 legislators as ex officio commissioners shall be for 2 years,
28 ending on the date of the general election.~~and a member of~~
29 ~~the house committee on commerce and reciprocal trade (of the~~
30 ~~State of Florida ex officio, designated by said house~~
31 ~~committee on commerce and reciprocal trade), and the term of~~

1 ~~any such ex officio commissioner shall terminate at the time~~
2 ~~he or she ceases to hold said legislative office as~~
3 ~~commissioner on interstate cooperation, and his or her~~
4 ~~successor as commissioner shall be named in like manner.~~The
5 Governor (subject to confirmation by the Senate) shall appoint
6 a citizen as a third commissioner who must ~~shall~~ have a
7 knowledge of and interest in the marine fisheries problem. The
8 term of such ~~said~~ commissioner shall be 3 years, and the
9 commissioner shall hold office until a successor is ~~shall be~~
10 appointed and qualified. Vacancies occurring in the office of
11 such commissioner from any reason or cause shall be filled by
12 appointment by the Governor (subject to confirmation by the
13 Senate) for the unexpired term. The Executive Director of the
14 Fish and Wildlife Conservation Commission, as ex officio
15 commissioner, may delegate, from time to time, to any deputy
16 or other subordinate in his or her department or office, the
17 power to be present and participate, including voting, as his
18 or her representative or substitute at any meeting of or
19 hearing by or other proceeding of the commission. The terms of
20 each of the initial three members shall begin at the date of
21 the appointment of the appointive commissioner, provided the
22 ~~said~~ compact shall then have gone into effect in accordance
23 with article II of the compact; otherwise they shall begin
24 upon the date upon which the ~~said~~ compact shall become
25 effective in accordance with ~~said~~ article II.

26 Any commissioner may be removed from office by the
27 Governor upon charges and after a hearing.

28 Section 18. Subsection (3) of section 373.0693,
29 Florida Statutes, is amended to read:

30 373.0693 Basins; basin boards.--

31

1 (3) Each member of the various basin boards shall
2 serve for a period of 3 years or until a successor is
3 appointed, except that the board membership of each new basin
4 shall be divided into three groups as equally as possible,
5 with members in such groups to be appointed for 1, 2, and 3
6 years, respectively. Each basin board shall choose a vice
7 chair and a secretary to serve for a period of 1 year. The
8 term of office of a basin board member shall ~~be construed to~~
9 commence on March 2 ~~preceding the date of appointment~~ and to
10 terminate on March 1 of the 3rd calendar year of the ~~end of a~~
11 term.

12 Section 19. Subsection (2) of section 380.504, Florida
13 Statutes, is amended to read:

14 380.504 Florida Communities Trust; creation;
15 membership; expenses.--

16 ~~(2) Of the initial governing body members, two of the~~
17 ~~Governor's appointees shall serve for a term of 2 years and~~
18 ~~the remaining one shall serve for a term of 4 years from the~~
19 ~~date of appointment. Thereafter, Governing body members whom~~
20 the Governor appoints shall be appointed to serve for terms of
21 4 years. The Governor may fill any vacancy for an unexpired
22 term.

23 Section 20. Section 404.31, Florida Statutes, is
24 amended to read:

25 404.31 Florida participation.--The Governor shall
26 appoint two members to the Southeast Interstate Low-Level
27 Radioactive Waste Management Commission from this state and
28 two alternate members, subject to confirmation by the Senate.
29 ~~Initially, one member shall be appointed for a 1-year term and~~
30 ~~one member for a 2-year term. Thereafter, Members shall be~~
31 appointed for 2-year terms. An alternate member shall not

1 have a term limitation. Vacancies shall be filled in the same
2 manner as original appointments. Members are ~~shall be~~
3 entitled to reimbursement for per diem and travel expenses as
4 provided in s. 112.061 while engaged in the performance of
5 their duties.

6 Section 21. Subsection (2) of section 443.012, Florida
7 Statutes, is amended to read:

8 443.012 Unemployment Appeals Commission.--

9 (2) Members shall be appointed to ~~serve for~~ terms of 4
10 years each, ~~except that, beginning July 1, 1977, the chair~~
11 ~~shall be appointed for a term of 4 years, one member for 3~~
12 ~~years, and one member for 2 years.~~ A vacancy for the unexpired
13 term of a member shall be filled in the same manner as
14 provided in this subsection for an original appointment. The
15 presence of two members shall constitute a quorum for any
16 called meeting of the commission.

17 Section 22. Subsection (1) of section 447.205, Florida
18 Statutes, is amended to read:

19 447.205 Public Employees Relations Commission.--

20 (1) There is ~~hereby~~ created within the Department of
21 Labor and Employment Security the Public Employees Relations
22 Commission, hereinafter referred to as the "commission." The
23 commission shall be composed of a chair and two full-time
24 members to be appointed by the Governor, subject to
25 confirmation by the Senate, from persons representative of the
26 public and known for their objective and independent judgment,
27 who shall not be employed by, or hold any commission with, any
28 governmental unit in the state or any employee organization,
29 as defined in this part, while in such office. In no event
30 shall more than one appointee be a person who, on account of
31 previous vocation, employment, or affiliation, is, or has

1 | been, classified as a representative of employers; and in no
2 | event shall more than one such appointee be a person who, on
3 | account of previous vocation, employment, or affiliation, is,
4 | or has been, classified as a representative of employees or
5 | employee organizations. The commissioners shall devote full
6 | time to commission duties and shall not engage in any other
7 | business, vocation, or employment while in such office. Terms
8 | ~~Beginning January 1, 1980, the chair shall be appointed for a~~
9 | ~~term of 4 years, one commissioner for a term of 1 year, and~~
10 | ~~one commissioner for a term of 2 years. Thereafter, every term~~
11 | of office shall be for 4 years; and each term of the office of
12 | chair shall commence on January 1 of the second year following
13 | each regularly scheduled general election at which a Governor
14 | is elected to a full term of office. In the event of a
15 | vacancy prior to the expiration of a term of office, an
16 | appointment shall be made for the unexpired term of that
17 | office. The chair shall be responsible for the administrative
18 | functions of the commission and shall have the authority to
19 | employ such personnel as may be necessary to carry out the
20 | provisions of this part. Once appointed to the office of
21 | chair, the chair shall serve as chair for the duration of the
22 | term of office of chair. ~~Nothing contained herein prohibits~~ A
23 | chair or commissioner may serve ~~from serving~~ multiple terms.

24 | Section 23. Section 464.0045, Florida Statutes, is
25 | repealed.

26 | Section 24. Subsection (3) of section 468.1135,
27 | Florida Statutes, is amended to read:

28 | 468.1135 Board of Speech-Language Pathology and
29 | Audiology.--

30 | (3) ~~No later than January 1, 1991, the Governor shall~~
31 | ~~appoint two members for a term of 2 years; two members for a~~

1 ~~term of 3 years; and three members for a term of 4 years.~~
2 ~~Each of the initial speech-language pathologist and~~
3 ~~audiologist members must hold a valid certificate of~~
4 ~~registration issued pursuant to part I of chapter 468, Florida~~
5 ~~Statutes 1989, and must have been engaged in the practice of~~
6 ~~speech-language pathology or audiology for not less than 3~~
7 ~~years prior to his or her appointment. As the terms of the~~
8 ~~initial members expire,~~The Governor shall appoint members
9 ~~successors who meet the requirements of subsection (2) for~~
10 terms of 4 years. Members shall serve until their successors
11 are appointed.

12 Section 25. Present subsections (3), (4), (5), (6),
13 (7), and (8) of section 468.203, Florida Statutes, are
14 redesignated as subsections (4), (5), (6), (7), (8), and (9),
15 respectively, and a new subsection (3) is added to that
16 section, to read:

17 468.203 Definitions.--As used in this act, the term:
18 (3) "Department" means the Department of Health.

19 Section 26. Subsections (3), (4), and (5) of section
20 468.205, Florida Statutes, are amended to read:

21 468.205 Board of Occupational Therapy Practice.--

22 ~~(3) Within 90 days after the effective date of this~~
23 ~~act, the Governor shall appoint the board as follows:~~

24 ~~(a) Two members for terms of 2 years each.~~

25 ~~(b) Two members for terms of 3 years each.~~

26 ~~(c) Three members for terms of 4 years each.~~

27 (3)(4) Members shall be appointed ~~As the terms of the~~
28 ~~members expire, the Governor shall appoint successors for~~
29 terms of 4 years and ~~such members~~ shall serve until their
30 successors are appointed.

31

1 (4)~~(5)~~ All provisions of part II of chapter 455
2 relating to activities of the board shall apply.

3 Section 27. Subsection (3) of section 468.354, Florida
4 Statutes, is amended to read:

5 468.354 Board of Respiratory Care; organization;
6 function.--

7 (3)(a) Except as provided in paragraph (b), the term
8 of office for each board member shall be 4 years. ~~No member~~
9 ~~shall serve for more than two consecutive terms.~~ Any time
10 there is a vacancy to be filled, all professional
11 organizations dealing with respiratory therapy incorporated
12 within the state as not for profit which register their
13 interest shall recommend at least twice as many persons to
14 fill the vacancy as the number of vacancies to be filled, and
15 the Governor may appoint from the submitted list, in his
16 discretion, any of those persons so recommended. The Governor
17 shall, insofar as possible, appoint persons from different
18 geographical areas.

19 ~~(b) To achieve staggering of terms, within 120 days~~
20 ~~after July 1, 1999, the Governor shall appoint the board~~
21 ~~members as follows:~~

22 1. ~~Two members shall be appointed for terms of 2~~
23 ~~years.~~

24 2. ~~Two members shall be appointed for terms of 3~~
25 ~~years.~~

26 3. ~~Three members shall be appointed for terms of 4~~
27 ~~years.~~

28 (b)~~(c)~~ All provisions of part II of chapter 455,
29 relating to boards apply to this part.

30 Section 28. Subsection (1) of section 468.4315,
31 Florida Statutes, is amended to read:

1 468.4315 Regulatory Council of Community Association
2 Managers.--

3 (1) The Regulatory Council of Community Association
4 Managers is created within the department and shall consist of
5 seven members appointed by the Governor and confirmed by the
6 Senate.

7 (a) Five members of the council shall be licensed
8 community association managers, one of whom shall be a
9 community association manager employed by a timeshare managing
10 entity as described in ss. 468.438 and 721.13, who have held
11 an active license for 5 years. The remaining two council
12 members shall be residents of this state and must not be or
13 ever have been connected with the business of community
14 association management.

15 (b) The Governor shall appoint members for terms of 4
16 years. Such members shall serve until their successors are
17 appointed. ~~Members' service on the council shall begin upon~~
18 ~~appointment and shall continue until their successors are~~
19 ~~appointed.~~

20 Section 29. Subsection (3) of section 468.521, Florida
21 Statutes, is amended to read:

22 468.521 Board of Employee Leasing Companies;
23 membership; appointments; terms.--

24 (3) The Governor shall appoint members for terms of 4
25 years, and such members shall serve until their successors are
26 appointed. ~~The members' service on the board shall begin upon~~
27 ~~appointment and shall continue until their successors are~~
28 ~~appointed.~~

29 Section 30. Subsection (1) of section 468.605, Florida
30 Statutes, is amended to read:

31

1 468.605 Florida Building Code Administrators and
2 Inspectors Board.--

3 (1) There is created within the Department of Business
4 and Professional Regulation the Florida Building Code
5 Administrators and Inspectors Board. Members shall be
6 appointed by the Governor, subject to confirmation by the
7 Senate. Members shall be appointed for 4-year terms. ~~No member~~
8 ~~shall serve more than two consecutive 4-year terms, nor serve~~
9 ~~for more than 11 years on the board. To ensure continuity of~~
10 ~~board policies, the Governor shall initially appoint one~~
11 ~~member for a 1-year term, two members for 2-year terms, two~~
12 ~~members for 3-year terms, and two members for 4-year terms.~~

13 Section 31. Subsection (3) of section 468.801, Florida
14 Statutes, is amended to read:

15 468.801 Board of Orthotists and Prosthetists;
16 appointment; membership; terms; headquarters.--

17 (3) Members of the board shall be appointed for terms
18 of 4 years each and shall serve until their successors are
19 appointed. ~~However, for the purpose of staggering terms, two~~
20 ~~of the original board members shall serve terms of 4 years~~
21 ~~each, two shall serve terms of 3 years each, two shall serve~~
22 ~~terms of 2 years each, and one shall serve a term of 1 year,~~
23 ~~as designated by the Governor. Members may be reappointed for~~
24 ~~additional terms.~~

25 Section 32. Subsection (1) of section 475.02, Florida
26 Statutes, is amended to read:

27 475.02 Florida Real Estate Commission.--

28 (1) There is created within the department the Florida
29 Real Estate Commission. The commission shall consist of seven
30 members who shall be appointed by the Governor, subject to
31 confirmation by the Senate. Four members must be licensed

1 brokers, each of whom has held an active license for the 5
2 years preceding appointment; one member must be a licensed
3 broker or a licensed salesperson who has held an active
4 license for the 2 years preceding appointment; and two members
5 must be persons who are not, and have never been, brokers or
6 salespersons. At least one member of the commission must be 60
7 years of age or older. ~~The current members may complete their~~
8 ~~present terms unless removed for cause.~~

9 Section 33. Subsection (1) of section 475.613, Florida
10 Statutes, is amended to read:

11 475.613 Florida Real Estate Appraisal Board.--

12 (1) There is created the Florida Real Estate Appraisal
13 Board, which shall consist of seven members appointed by the
14 Governor, subject to confirmation by the Senate. Four members
15 of the board must be real estate appraisers who have been
16 engaged in the general practice of appraising real property in
17 this state for at least 5 years immediately preceding
18 appointment. In appointing real estate appraisers to the
19 board, while not excluding other appraisers, the Governor
20 shall give preference to real estate appraisers who are not
21 primarily engaged in real estate brokerage or mortgage lending
22 activities. One member of the board must represent
23 organizations that use appraisals for the purpose of eminent
24 domain proceedings, financial transactions, or mortgage
25 insurance. Two members of the board shall be representatives
26 of the general public and shall not be connected in any way
27 with the practice of real estate appraisal, real estate
28 brokerage, or mortgage lending. The appraiser members shall
29 be as representative of the entire industry as possible, and
30 membership in a nationally recognized or state-recognized
31 appraisal organization shall not be a prerequisite to

1 membership on the board. To the extent possible, no more than
2 two members of the board shall be primarily affiliated with
3 any one particular national or state appraisal association.
4 ~~After July 1, 1992,~~Two of the members must be licensed or
5 certified residential real estate appraisers and two of the
6 members must be certified general real estate appraisers at
7 the time of their appointment.

8 (a) ~~Initially, four members of the board shall be~~
9 ~~appointed for 3-year terms, and three members shall be~~
10 ~~appointed for 4-year terms. Thereafter,~~All members shall be
11 appointed for 4-year terms. Any vacancy occurring in the
12 membership of the board shall be filled by appointment by the
13 Governor for the unexpired term. Upon expiration of his or her
14 term, a member of the board shall continue to hold office
15 until the appointment and qualification of the member's
16 successor. ~~A member may not be appointed for more than two~~
17 ~~consecutive terms.~~The Governor may remove any member for
18 cause.

19 (b) The headquarters for the board shall be in
20 Orlando.

21 (c) The board shall meet at least once each calendar
22 quarter to conduct its business.

23 (d) The members of the board shall elect a chairperson
24 at the first meeting each year.

25 (e) Each member of the board is entitled to per diem
26 and travel expenses as set by legislative appropriation for
27 each day that the member engages in the business of the board.

28 Section 34. Section 476.054, Florida Statutes, is
29 amended to read:

30 476.054 Barbers' Board.--

31

1 (1) There is created within the department the
2 Barbers' Board, consisting of seven members who shall be
3 appointed by the Governor, subject to confirmation by the
4 Senate.

5 (2) Five members of the board shall be barbers who
6 have practiced the occupation of barbering in this state for
7 at least 5 years. The remaining two members of the board shall
8 be citizens of the state who are not presently licensed
9 barbers. No person shall be appointed to the board who is in
10 any way connected with the manufacture, rental, or wholesale
11 distribution of barber equipment and supplies.

12 (3) ~~As the terms of the members expire,~~The Governor
13 shall appoint members ~~successors~~ for terms of 4 years; and
14 such members shall serve until their successors are appointed
15 and qualified. The Governor may remove any member for cause.

16 ~~(4) No person shall be appointed to serve more than~~
17 ~~two consecutive terms.~~Any vacancy shall be filled by
18 appointment by the Governor for the unexpired portion of the
19 term.

20 (4)~~(5)~~ Each board member shall receive per diem and
21 mileage allowances as provided in s. 112.061 from the place of
22 her or his residence to the place of meeting and the return
23 therefrom.

24 (5)~~(6)~~ Each board member shall be held accountable to
25 the Governor for the proper performance of all duties and
26 obligations of such board member's office. The Governor shall
27 cause to be investigated any complaints or unfavorable reports
28 received concerning the actions of the board or its individual
29 members and shall take appropriate action thereon, which may
30 include removal of any board member for malfeasance,
31 misfeasance, neglect of duty, commission of a felony,

1 drunkenness, incompetency, or permanent inability to perform
2 her or his official duties.

3 Section 35. Subsection (3) of section 477.015, Florida
4 Statutes, is amended to read:

5 477.015 Board of Cosmetology.--

6 (3) The Governor may at any time fill vacancies on the
7 board for the remainder of unexpired terms. Each member of
8 the board shall hold over after the expiration of his or her
9 term until a successor is duly appointed and qualified. ~~No~~
10 ~~board member shall serve more than two consecutive terms,~~
11 ~~whether full or partial.~~

12 Section 36. Subsection (3) of section 480.035, Florida
13 Statutes, is amended to read:

14 480.035 Board of Massage Therapy.--

15 (3) The Governor may at any time fill vacancies on the
16 board for the remainder of unexpired terms. Each member of
17 the board shall hold over after the expiration of her or his
18 term until her or his successor has been duly appointed and
19 qualified. ~~No board member shall serve more than two terms,~~
20 ~~whether full or partial.~~

21 Section 37. Subsection (3) of section 483.805, Florida
22 Statutes, is amended to read:

23 483.805 Board of Clinical Laboratory Personnel.--

24 (3) ~~Within 90 days after July 1, 1992, the Governor~~
25 ~~shall appoint two members for a term of 2 years, two members~~
26 ~~for a term of 3 years, and three members for a term of 4~~
27 ~~years. As terms of the initial members expire, The Governor~~
28 shall appoint members successors for terms of 4 years, and
29 such terms shall expire on October 31. A member whose term
30 has expired shall continue to serve on the board until such
31 time as a replacement is appointed. A ~~No~~ member may not shall

1 serve for more than the remaining portion of a previous
2 member's unexpired term, plus two consecutive 4-year terms of
3 the member's own appointment thereafter.

4 Section 38. Subsection (1) of section 489.107, Florida
5 Statutes, is amended to read:

6 489.107 Construction Industry Licensing Board.--

7 (1) To carry out the provisions of this part, there is
8 created within the department the Construction Industry
9 Licensing Board. Members shall be appointed by the Governor,
10 subject to confirmation by the Senate. Members shall be
11 appointed for 4-year terms. A vacancy on the board shall be
12 filled for the unexpired portion of the term in the same
13 manner as the original appointment. ~~No member shall serve more~~
14 ~~than two consecutive 4-year terms or more than 11 years on the~~
15 ~~board.~~

16 Section 39. Subsections (3), (4), (5), (6), and (7) of
17 section 491.004, Florida Statutes, are amended to read:

18 491.004 Board of Clinical Social Work, Marriage and
19 Family Therapy, and Mental Health Counseling.--

20 ~~(3) No later than January 1, 1988, the Governor shall~~
21 ~~appoint nine members of the board as follows:~~

22 ~~(a) Three members for terms of 2 years each.~~

23 ~~(b) Three members for terms of 3 years each.~~

24 ~~(c) Three members for terms of 4 years each.~~

25 ~~(3)(4) As the terms of the initial members expire,~~The
26 Governor shall appoint members ~~successors~~ for terms of 4
27 years, ~~and~~ those members shall serve until their successors
28 are appointed.

29 ~~(4)(5)~~ The board shall adopt rules pursuant to ss.
30 120.536(1) and 120.54 to administer ~~implement and enforce the~~
31 ~~provisions of this chapter.~~

1 ~~(5)(6)~~ All applicable provisions of part II of chapter
2 455 relating to activities of regulatory boards shall apply to
3 the board.

4 ~~(6)(7)~~ The board shall maintain its official
5 headquarters in ~~the City of Tallahassee~~.

6 Section 40. Subsection (3) of section 497.101, Florida
7 Statutes, is amended to read:

8 497.101 Board of Funeral and Cemetery Services;
9 membership; appointment; terms.--

10 (3) The Governor shall appoint members for terms of 4
11 years, and such members shall serve until their successors are
12 appointed. ~~When the terms of the initial board members expire,~~
13 ~~the Governor shall stagger the terms of the successor members~~
14 ~~as follows: one funeral director, one cemetery company~~
15 ~~representative, and one consumer member shall be appointed for~~
16 ~~terms of 2 years, and the remaining members shall be appointed~~
17 ~~for terms of 4 years. All subsequent terms shall be for 4~~
18 ~~years.~~

19 Section 41. Subsections (2) and (4) of section 601.04,
20 Florida Statutes, are amended to read:

21 601.04 Florida Citrus Commission; creation and
22 membership.--

23 (2)(a) The members of such commission shall possess
24 the qualifications ~~herein~~ provided in this section and shall
25 be appointed by the Governor for terms of 3 years each.
26 Appointments shall be made by February 1 preceding the
27 commencement of the term and shall be subject to confirmation
28 by the Senate in the following legislative session. Four
29 members shall be appointed each year. Such members shall serve
30 until their respective successors are appointed and qualified.

31

1 The regular terms shall begin on June 1 and shall end on May
2 31 of the third year after such appointment.

3 (b) When appointments are made, the Governor shall
4 publicly announce the actual classification and district that
5 each appointee represents. A majority of the members of the
6 commission shall constitute a quorum for the transaction of
7 all business and the carrying out of the duties of the
8 commission. Before entering upon the discharge of their
9 duties as members of the commission, each member shall take
10 and subscribe to the oath of office prescribed in s. 5, Art.
11 II of the State Constitution. The qualification of each member
12 as ~~herein~~ required in this section must ~~shall~~ continue
13 throughout the respective term of office, and ~~if in the event~~
14 a member ~~should~~, after appointment, fails ~~fail~~ to meet the
15 qualifications or classification that ~~which~~ she or he
16 possessed at the time of appointment as above set forth, such
17 member shall resign or be removed and be replaced with a
18 member possessing the proper qualifications and
19 classification.

20 ~~(c) Each member of the commission in office on October~~
21 ~~1, 1990, shall continue in office until the expiration of her~~
22 ~~or his current term. When making an appointment to the~~
23 ~~commission on or after October 1, 1990, the Governor shall~~
24 ~~announce the district and classification of the person~~
25 ~~appointed.~~

26 (4) It is the intent of the Legislature that the
27 commission be redistricted every 5 years. Redistricting shall
28 be based on the total boxes produced from each of the three
29 districts during that 5-year period. Each member of the
30 commission shall, at the time of redistricting, continue in
31 office until the expiration of his or her term.

1 Section 42. Subsection (3) of section 945.602, Florida
2 Statutes, is amended to read:

3 945.602 State of Florida Correctional Medical
4 Authority; creation; members.--

5 (3) ~~Effective for new appointments after July 1, 1996,~~
6 At least one member of the authority must be a physician
7 licensed under chapter 458, and one member of the authority
8 may be a physician licensed under chapter 458 or chapter 459.
9 At least two other members of the authority must have had at
10 least 5 years' experience in health care administration.

11 Section 43. Section 947.01, Florida Statutes, is
12 amended to read:

13 947.01 Parole Commission; creation; number of
14 members.--A Parole Commission is created to consist of four
15 ~~six~~ members who are residents of the state. ~~Effective July 1,~~
16 ~~1996, the membership of the commission shall be three members.~~

17 Section 44. Section 947.022, Florida Statutes, is
18 repealed.

19 Section 45. Subsection (1) of section 947.03, Florida
20 Statutes, is amended to read:

21 947.03 Commissioners; tenure and removal.--

22 (1) ~~Unless otherwise provided by law, each~~
23 ~~commissioner serving on July 1, 1983, shall be permitted to~~
24 ~~remain in office until completion of his or her current term.~~
25 ~~Upon the expiration of the term, a successor shall be~~
26 ~~appointed in the manner prescribed pursuant to the provisions~~
27 ~~of this section, unless otherwise provided by law.~~Members
28 appointed by the Governor and Cabinet shall be appointed for
29 terms of 6 years, unless otherwise provided by law. No person
30 is eligible to be appointed for more than two consecutive
31 6-year terms.

1 Section 46. This act shall take effect October 1,
2 2000.

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5 SENATE SUMMARY

6 Revises laws that govern the executive appointments made
7 to various regulatory boards and commissions. Deletes
8 obsolete and conflicting provisions with respect to the
9 appointment of members. Clarifies and revises provisions
10 that govern various terms of appointment. (See bill for
11 details.)

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