

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Diaz de la Portilla offered the following:

**Amendment (with title amendment)**

On page 4, between lines 15 & 16,

insert:

Section 2. Effective upon becoming a law, subsection (1) of section 106.24, Florida Statutes, is amended to read:  
106.24 Florida Elections Commission; membership; powers; duties.--

(1)(a) There is created within the Department of Legal Affairs, Office of the Attorney General, a Florida Elections Commission, hereinafter referred to as the commission. The commission shall be a separate budget entity, and its director shall be the agency head for all purposes. The commission shall not be subject to control, supervision, or direction by the Department of Legal Affairs or the Attorney General in the performance of its duties, including, but not limited to, personnel, purchasing transactions involving real or personal property, and budgetary matters.

(b) The commission shall be composed of nine members.

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1 The President of the Senate, the Speaker of the House of  
2 Representatives, the minority leader of the Senate, and the  
3 minority leader of the House of Representatives shall each  
4 provide a list of six nominees to the Governor for initial  
5 appointment to the commission. The Governor may appoint two  
6 members to the commission from each list. If the Governor  
7 refuses to appoint two members from any of the respective  
8 lists, the Governor shall so inform the nominating officer and  
9 the nominating officer shall submit a new list of six nominees  
10 within 30 days. The new list must contain at least three  
11 nominees not included on the prior nominating list. The ninth  
12 commission member, who shall serve as chair of the commission,  
13 shall be appointed by the Governor. Each member of the  
14 commission is subject to confirmation by the Senate. The  
15 chair of the commission shall serve for a maximum term of 4  
16 years, such term to run concurrently with the term of the  
17 appointing Governor and until a future successor is appointed.  
18 Other members of the commission shall serve for 4-year terms  
19 and until their successors are appointed. An individual who is  
20 a lobbyist at the state or local government level may not  
21 serve as a member of the commission, except that this  
22 prohibition shall not apply to an individual who is a member  
23 of the commission on July 1, 2002, until the expiration of his  
24 or her current term. A member of the commission is prohibited  
25 from lobbying state or local government while he or she is a  
26 member of the commission, except that this prohibition shall  
27 not apply to an individual who is a member of the commission  
28 on July 1, 2002, until the expiration of his or her current  
29 term.

30 (c) As the terms of members expire, excluding the  
31 chair, successors shall be appointed to 4-year terms and shall

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1 serve until their successors are appointed. Six months prior  
 2 to the expiration of a commission member's term, the ranking  
 3 officer of the political party in the respective house  
 4 originally nominating the commission member shall submit a  
 5 list of three nominees to the Governor. The Governor may  
 6 appoint one of the listed nominees to the commission. If no  
 7 nominee is selected from the list, the Governor shall so  
 8 inform the nominating officer, who shall submit a list of  
 9 three different nominees to the Governor within 30 days.  
 10 Vacancies on the commission shall expeditiously be filled for  
 11 the unexpired terms in the same manner.

12 (d) As the term of the chair of the commission expires  
 13 or becomes vacant, a successor shall be appointed in the  
 14 manner of the original appointment, and shall serve for a  
 15 maximum of 4 years, such term to run concurrently with the  
 16 term of the appointing Governor and until a future successor  
 17 is appointed.

18 (e) In no event may any member of the commission serve  
 19 more than two full terms. Members of the commission shall be  
 20 paid travel and per diem as provided in s. 112.061 while in  
 21 performance of their duties and in traveling to, from, and  
 22 upon same. Of the nine members of the commission, no more  
 23 than five members shall be from the same political party at  
 24 any one time.

25  
 26 (Redesignate subsequent sections.)  
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29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 On page 1, line 9, after the semicolon

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1 insert:

2 amending s. 106.24, F.S.; providing for  
3 restrictions on the membership of the Florida  
4 Elections Commission; providing exceptions;

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