

By Senator King

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1 A bill to be entitled
2 An act relating to the Florida Energy and Climate
3 Commission; amending s. 377.6015, F.S.; providing that
4 terms for members of the Florida Energy and Climate
5 Commission begin and end on specified dates; providing
6 an effective date.

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

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10 Section 1. Paragraph (a) of subsection (1) of section
11 377.6015, Florida Statutes, is amended to read:

12 377.6015 Florida Energy and Climate Commission.—

13 (1) The Florida Energy and Climate Commission is created
14 within the Executive Office of the Governor. The commission
15 shall be comprised of nine members appointed by the Governor,
16 the Commissioner of Agriculture, and the Chief Financial
17 Officer.

18 (a) The Governor shall appoint one member from three
19 persons nominated by the Florida Public Service Commission
20 Nominating Council, created in s. 350.031, to each of seven
21 seats on the commission. The Commissioner of Agriculture shall
22 appoint one member from three persons nominated by the council
23 to one seat on the commission. The Chief Financial Officer shall
24 appoint one member from three persons nominated by the council
25 to one seat on the commission.

26 1. The council shall submit the recommendations to the
27 Governor, the Commissioner of Agriculture, and the Chief
28 Financial Officer by September 1 of those years in which the
29 terms are to begin the following October or within 60 days after

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30 a vacancy occurs for any reason other than the expiration of the
31 term. The Governor, the Commissioner of Agriculture, and the
32 Chief Financial Officer may proffer names of persons to be
33 considered for nomination by the council.

34 2. The Governor, the Commissioner of Agriculture, and the
35 Chief Financial Officer shall fill a vacancy occurring on the
36 commission by appointment of one of the applicants nominated by
37 the council only after a background investigation of such
38 applicant has been conducted by the Department of Law
39 Enforcement.

40 3. Members shall be appointed to 3-year terms; however, in
41 order to establish staggered terms, for the initial
42 appointments, the Governor shall appoint four members to 3-year
43 terms, two members to 2-year terms, and one member to a 1-year
44 term, and the Commissioner of Agriculture and the Chief
45 Financial Officer shall each appoint one member to a 3-year term
46 and shall appoint a successor when that appointee's term expires
47 in the same manner as the original appointment. The terms of
48 members shall begin on October 1 and end on September 30.

49 4. The Governor shall select from the membership of the
50 commission one person to serve as chair.

51 5. A vacancy on the commission shall be filled for the
52 unexpired portion of the term in the same manner as the original
53 appointment.

54 6. If the Governor, the Commissioner of Agriculture, or the
55 Chief Financial Officer has not made an appointment within 30
56 consecutive calendar days after the receipt of the
57 recommendations, the council shall initiate, in accordance with
58 this section, the nominating process within 30 days.

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59 7. Each appointment to the commission shall be subject to
60 confirmation by the Senate during the next regular session after
61 the vacancy occurs. If the Senate refuses to confirm or fails to
62 consider the appointment of the Governor, the Commissioner of
63 Agriculture, or the Chief Financial Officer, the council shall
64 initiate, in accordance with this section, the nominating
65 process within 30 days.

66 8. The Governor or the Governor's successor may recall an
67 appointee.

68 Section 2. This act shall take effect July 1, 2009.