

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Baxley, Chair
Senator Braynon, Vice Chair

MEETING DATE: Tuesday, March 26, 2019
TIME: 4:00—6:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Baxley, Chair; Senator Braynon, Vice Chair; Senators Diaz, Passidomo, Powell, Rodriguez, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 582 Diaz (Identical H 881)	Voting Systems; Defining the term "automatic tabulating equipment" for purposes of the Florida Election Code; revising procedures governing the canvassing of returns to specify usage of a voting system's automatic tabulating equipment; clarifying the circumstances under which ballots must be processed through automatic tabulating equipment in a recount; specifying the manner by which a manual recount may be conducted, etc. EE 03/26/2019 Favorable GO AP	Favorable Yeas 6 Nays 0
2	SB 1702 Baxley (Similar H 1)	Ethics Reform; Prohibiting certain public service announcements by specified governmental entities, persons acting on behalf of such entities, and elected officials; providing applicability; revising applicability of certain provisions relating to conflicting employment and contractual relationships; prohibiting statewide elected officers and legislators from soliciting employment offers or investment advice arising out of official or political activities, etc. EE 03/26/2019 Amendments Adopted - Temporarily Postponed GO RC	Amendments Adopted - Temporarily Postponed

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

Education Practices Commission

3	Bland, Ana Armbrister (West Palm Beach)	09/30/2022	Recommend Confirm Yeas 6 Nays 0
	Copenhaver, Ann B. (Pensacola)	09/30/2021	Recommend Confirm Yeas 6 Nays 0
	DeSanctis, Marielena P. (Lake Worth)	09/30/2022	Recommend Confirm Yeas 6 Nays 0
	Gallucci, E. Jane (Lady Lake)	09/30/2019	Recommend Confirm Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, March 26, 2019, 4:00—6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	Jaureguizar, Martha T. (Miami)	09/30/2021	Recommend Confirm Yeas 6 Nays 0
	Pillay, Nigel D. (St. Augustine)	09/30/2022	Recommend Confirm Yeas 6 Nays 0
	Swint, Michelle (DeLand)	09/30/2021	Recommend Confirm Yeas 6 Nays 0
	Wilks, Kathy (Osprey)	09/30/2021	Recommend Confirm Yeas 6 Nays 0
	Wright, Brandon (Brooksville)	09/30/2020	Recommend Confirm Yeas 6 Nays 0
Secretary of Business and Professional Regulation			
4	Beshears, Halsey (Monticello)	Pleasure of Governor	Recommend Confirm Yeas 5 Nays 1
Secretary of Juvenile Justice			
5	Marsteller, Simone ()	Pleasure of Governor	Recommend Confirm Yeas 6 Nays 0
Secretary of Management Services			
6	Satter, Jonathan R. (North Palm Beach)	Pleasure of Governor	Recommend Confirm Yeas 6 Nays 0
Secretary of State			
7	Lee, Laurel M. ()	Pleasure of Governor	Recommend Confirm Yeas 6 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Documents		

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 582

INTRODUCER: Senator Diaz and others

SUBJECT: Voting Systems

DATE: March 22, 2019

REVISED: 03/26/19

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fox</u>	<u>Roberts</u>	<u>EE</u>	Favorable
2.	<u></u>	<u></u>	<u>GO</u>	<u></u>
3.	<u></u>	<u></u>	<u>AP</u>	<u></u>

I. Summary:

SB 582 gives county canvassing boards and supervisors of elections the *option* to use State-certified, digital-imaging, automated tabulating equipment that is not part of the county’s voting system to conduct both machine and manual recounts. Currently, only seven counties —**Bay, Broward, Columbia, Leon, Nassau, Putnam, and St. Lucie** — have purchased and use such equipment to conduct post-certification, automated *audits*.

The bill takes effect July 1, 2019.

II. Present Situation:

Voting Systems

A “voting system” is a method of casting and processing votes that consists of electromechanical components and, in most instances, utilizes marksense ballots.¹ The voting system may also include things like procedures, operating manuals, supplies, printouts, and other software necessary for the system’s operation.

The Division of Elections must approve all voting systems used in Florida elections. Florida’s certification process is among the most comprehensive in the nation. The Electronic Voting Systems Act in the Florida Elections Code prescribes the general standards for the approval of voting systems; division rule further details the complex, technical certification requirements.²

¹ Section 97.021(45), F.S.

² Sections 101.5605, 101.5606, F.S.; *see*, Florida Division of Elections, Bureau of Voting Systems Certification, Form DS-DE 101 (eff. Jan. 12, 2005) (incorporated by reference, Rule 1S-5.001, F.A.C.) (66-page *Florida Voting System Standards* document containing technical requirements for certification), available at <http://dos.myflorida.com/media/693718/dsde101.pdf>, (last accessed Mar. 11, 2019).

The certification process tests the reliability of both the hardware and software components of the voting system to make sure that they meet rigorous standards.

Recounts

The preliminary results of an extremely close election may warrant a statutory *machine* and/or *manual* recount, depending on the margin of victory. The recount occurs *before* the election results are certified. The purpose of the recount is to determine *who won an election*. The State Elections Canvassing Commission, in the case of federal, state, and multicounty races, and the local county canvassing board in most other elections, must certify the results by the 9th day after a primary election and the 14th day after a general election.³

The current recount framework, with only a few minor modifications for peripheral issues, has been in effect since the Legislature enacted the Florida Election Reform Act of 2001 — which completely overhauled the State’s outdated recount process after the 2000 U.S. presidential recount.

Machine Recounts

If the *first* set of unofficial results⁴ indicate that the margin of victory in any race is one-half of one percent or less, each canvassing board must run the marksense ballots through the *voting system’s* automatic tabulating equipment for every affected precinct.⁵ During this machine recount process, the tabulators sort out the overvotes and undervotes, in case the results are close enough to warrant a manual recount of overvotes and undervotes. Touchscreen ballots for disabled voters are recounted by examining and reconciling discrepancies in the precinct tabulator counters. There are also requirements for canvassing boards to perform L & A (“logic-and-accuracy”) tests on the tabulation equipment prior to re-tabulation, duplicating damaged ballots, and addressing voting discrepancies.

Manual Recounts

If the machine recount results comprising the *second* set of unofficial results⁶ indicate a margin of victory of one-quarter of one percent or less, the county canvassing board generally must conduct a manual recount of the *overvotes* and *undervotes*.⁷

³ Section 102.111(2), F.S. County canvassing boards must submit final returns to the Department of State for races certified by the Elections Canvassing Commission no later than 5:00 p.m. on the 7th day after a primary election and by noon on the 12th day after a general election. Section 102.112(1),(2), F.S. (Prior to 2007, the deadline for the county canvassing board to submit general election results was even earlier — 5:00 p.m. on the 11th day after the election. Ch. 2007-30, § 32, LAWS OF FLA. (codified at § 102.112(2), F.S.))

⁴ County canvassing boards must report the first set of unofficial results in federal, statewide, state or multicounty office or ballot measure to the Department of State by noon of the third day after a primary election and noon of the 4th day after a general election. Section 102.141(5), F.S.

⁵ Section 102.141(7), F.S. A losing candidate within one-half of one percent or less can waive the automatic recount in writing. *Id.*

⁶ County canvassing boards must report the second set of unofficial results in federal, statewide, state or multicounty office or ballot measure to the Department of State by 3:00 p.m. of the 5th day after a primary election and 3:00 p.m. of the 9th day after a general election. Section 102.141(7)(c), F.S.

⁷ Section 102.166(1), F.S. A manual recount is not required if the losing candidate waives the recount or if the number of overvotes and undervotes to be recounted is fewer than the number of votes needed to change the election outcome. *Id.*

The majority of the manual recount process involves teams of two electors (preferably from opposing parties) reviewing marksense paper ballots to determine whether there is a “clear indication on the ballot that the voter has made a definite choice” — a very detailed process in the case of some markings.⁸ If a team cannot agree, the ballot is “bumped up” to the canvassing board for a final determination.⁹

Recounts are governed by complex procedures and requirements designed to protect the integrity of the process, involving:

- Duplication of ballots;
- Security of ballots during the recount;
- Time and location of the recount;
- Opportunity for public observance;
- Objections to ballot determinations;
- Recordation of recount proceedings; and,
- Processes relating to affected candidates.¹⁰

The recount process — both machine and manual — creates numerous logistical and organizational challenges for county supervisors of elections; depending on the race and the number of ballots involved, it can be a very time-consuming and labor-intensive process. With rare exception,¹¹ county canvassing boards and supervisors of elections have repeatedly risen to the challenge when a State-certified recount has been necessary.¹²

Voting System Audits

Voting system audits, as distinct from recounts, are conducted *after* the final canvassing board certifies the election results for the purposes of *confirming* the accuracy of the *voting system tabulation* and *identifying problems and recommending cures for future elections*.

⁸ Section 102.166(4)(b), F.S. The division has a 14-page rule detailing which ballot markings constitute a valid vote in the context of how a voter filled out a particular ballot. Rule 1S-2.027, F.A.C. There are also some relatively straightforward rules for counting touchscreen ballots cast on disability voting equipment. *Id.*

⁹ Section 102.166(5)(c), F.S.

¹⁰ Section 102.166(5)(b),(d), F.S.; Rule 1S-2.031 (Recount Procedures).

¹¹ In the 2018 General Election, Broward, Hillsborough, Miami-Dade, and Palm Beach counties were reported to have missed an interim deadlines for submitting *unofficial* results to the State. Frances Robles, New York Times, [Nearly 3,000 Votes Disappeared From Florida’s Recount. That’s Not Supposed to Happen](https://www.nytimes.com/2018/11/16/us/voting-machines-florida.html) (Nov. 16, 2018) (available at <https://www.nytimes.com/2018/11/16/us/voting-machines-florida.html>) (last accessed Mar. 11, 2019). Notwithstanding, all but Palm Beach County, because of its antiquated voting system hardware, were able to certify *final* results to the State in all recount races by the deadline on the 12th day following the election.

¹² For 8+ election cycles beginning in 2002, county canvassing boards conducted *recounts in 37 elections (37 machine; 15 manual)*; (review of primary, general and special election results from 2002-2018, excluding the 2018 General Election). See generally, Florida Division of Elections, [Election Results Archive](https://results.elections.myflorida.com/) web site, available at <https://results.elections.myflorida.com/> (last accessed Mar. 11, 2019). Some of these recounts may have involved multiple counties, effectively increasing the total numbers (assuming each county’s recount constitutes a separate event). In the 2018 General Election, canvassing boards and supervisors *simultaneously* conducted an additional *204 countywide machine recounts and 137 countywide manual recounts* in three separate statewide races, one Florida Senate race (District 18), and two Florida House races (District 26 and District 89). See generally, Florida Division of Elections E-night Election Results Archive, available at <https://enight.elections.myflorida.com/> (last accessed Mar. 11, 2019).

Section 101.591(1), F.S., provides:

Immediately following the certification of each election, the county canvassing board... shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts (emphasis added).

Manual random audits consist of a public, hand tally of a 1%-2% of precincts in a single race on the ballot.¹³ The audit includes a tally of Election Day, vote-by-mail, early voting, provisional, and overseas ballots.

Automated audits are much more extensive, tallying votes cast across every race that appears on the ballot.¹⁴ The tally includes all election day, vote-by-mail, early voting, provisional, and overseas ballot in at least of 20% of the precincts chosen at random by the canvassing board.

The division “approves” the independent audit equipment pursuant to both statutory and rule standards. The automated audit equipment must be:¹⁵

- Completely independent of the primary voting system;
- Fast enough to produce audit results no later than midnight of the 7th day following election certification; and,
- Capable of demonstrating that the audit system has accurately tallied the ballots.

Division Rule 1S-5.026, F.A.C., contains additional “approval” requirements and procedures, which are not as comprehensive as the requirements for certifying full voting systems.¹⁶

¹³ Section 101.591(2)(a), F.S.

¹⁴ Section 101.591(2)(b), F.S. In 2013, Florida became the first state to give counties the option of conducting post-certification audits either manually or through an automated, independent method. Ch. 2013-57, § 10, LAWS OF FLA. (codified at § 101.591, F.S.); Hillary Lincoln, Marketing and Communications Manager, Clear Ballot, Clear Ballot's Audit of Florida's Presidential Election Results a Success (Dec. 14, 2016) (press release), available at <http://www.prnewswire.com/news-releases/clear-ballots-audit-of-floridas-presidential-election-results-a-success-300378422.html> (last accessed Mar. 11, 2019) [hereinafter, Clear Ballot, 2016 Press Release]. Division of Elections indicates that the *ClearAudit* digital imaging system from Clear Ballot Group of Boston, MA, was the only system approved to conduct automated audits for the 2016 and 2018 general election cycles. *See*, Florida Division of Elections, Approvals and Technical Advisories (identifying Democracy Live, Inc.'s, *LiveBallot* electronic ballot delivery/duplication [non-audit] system as the only other system that the division “approved”), available at <http://dos.myflorida.com/elections/voting-systems/approvals-and-technical-advisories/> (last accessed Apr. 10, 2017); Maria Matthews, Director, Florida Division of Elections, ClearAudit 1.4.4. Approval Letter (July 27, 2018, available at <https://dos.myflorida.com/media/699784/clearaudit-144-approval-7272018.pdf> (approving *ClearAudit* as alternative to manual audit process provided in s. 101.591, F.S. for 2018 election cycle) (last accessed Mar. 20, 2019); Maria Matthews, Director, Florida Division of Elections, ClearAudit Interim Approval Extension Letter (Jan. 25, 2016) (approving *ClearAudit* as alternative to manual audit process provided in s. 101.591, F.S. for 2016 election cycle), available at <http://dos.myflorida.com/media/695954/clearaudit-106-interim-approval-extension-1252016.pdf> (last accessed Mar. 20, 2019). Seven of Florida's 67 counties — *Bay, Broward, Columbia, Leon, Nassau, Putnam, and St. Lucie* — used the Clear Ballot product to audit nearly 14% of the ballots cast in the Florida 2016 general election. Clear Ballot, 2016 Press Release. For more information on *ClearAudit* (last visited Mar. 20, 2019).

¹⁵ Section 101.591(2)(c), F.S.

¹⁶ Rule 1S-5.026 (Post-Election Certification Voting System Audit); *see also, infra* note 2 and accompanying text (discussing voting system certification requirements).

The canvassing board must complete the audit no later than midnight of the 7th day after it certifies the election results.¹⁷ The canvassing board must provide a report to the Department of State by the 15th day after completing the audit that addresses:¹⁸

- The overall accuracy of the audit;
- A description of any problems or discrepancies encountered;
- The likely cause of such problems or discrepancies; and,
- Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

If a manual recount takes place, the affected canvassing board is not required to conduct an audit.¹⁹

III. Effect of Proposed Changes:

SB 582 gives county canvassing boards and supervisors of elections the *option* to use digital imaging, automated tabulating equipment that is not part of the voting system to conduct both machine and manual recounts.

In the machine recount process, the ballots are run through the digital imaging tabulators and not the voting system's tabulators that performed the original tally. Overvotes and undervotes may be sorted physically or digitally, in case the results are close enough to require a manual recount.

To facilitate faster manual recounts of overvotes and undervotes, SB 582 specifically allows for the counting of the actual paper ballots *or* the digital image of the ballots.

Further, the bill directs the division to adopt by rule "procedures relating to the certification, and the use thereof, of automatic tabulating equipment that is not part of a voting system." Use of the word "certification" suggests a higher threshold for authorization than the current "approval" process for automated *audit* systems, something more akin to the *voting systems* certification standards.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁷ Section 101.591(4), F.S.

¹⁸ Section 101.591(5), F.S.

¹⁹ Section 101.591(6), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

As the bill makes the use of digital imaging systems for recounts permissive, any private sector impact would be purely speculative.

C. Government Sector Impact:

As the bill makes the use of digital imaging systems for recounts permissive and there is no way to predict which county may be impacted by a recount, any government sector impact would be purely speculative.

Supervisors of elections currently using digital-imaging, automated tabulating equipment to conduct automated audits may realize cost savings in the event of a recount. As counties generally fund elections at the local level, supervisors wishing to purchase new or add additional digital-imaging equipment would not need an expenditure from the State's General Revenue fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Senate Bill 7066 (2019), an Ethics and Elections committee bill, offers a different approach to addressing the tight statutory time frames for recounts; it provides an *extra week* for ALL county canvassing boards and supervisors to certify *general election recount results*, and an *additional 5 days* to certify results in all *primary* elections.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 97.021, 101.5614, 102.141, 102.166.

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 Diaz

36-00925-19

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1 A bill to be entitled
 2 An act relating to voting systems; amending s. 97.021,
 3 F.S.; defining the term "automatic tabulating
 4 equipment" for purposes of the Florida Election Code;
 5 amending s. 101.5614, F.S.; revising procedures
 6 governing the canvassing of returns to specify usage
 7 of a voting system's automatic tabulating equipment;
 8 amending s. 102.141, F.S.; clarifying the
 9 circumstances under which ballots must be processed
 10 through automatic tabulating equipment in a recount;
 11 amending s. 102.166, F.S.; specifying the manner by
 12 which a manual recount may be conducted; revising
 13 requirements for hardware or software used in a manual
 14 recount; authorizing overvotes and undervotes to be
 15 identified and sorted physically or digitally in a
 16 manual recount; revising minimum requirements for
 17 Department of State rules to require procedures
 18 regarding the certification and use of automatic
 19 tabulating equipment for manual recounts; providing an
 20 effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Present subsections (5) through (45) of section
 25 97.021, Florida Statutes, are renumbered as subsections (6)
 26 through (46), respectively, and a new subsection (5) is added to
 27 that section, to read:

28 97.021 Definitions.—For the purposes of this code, except
 29 where the context clearly indicates otherwise, the term:

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30 (5) "Automatic tabulating equipment" means an apparatus
 31 that automatically examines, counts, and records votes.
 32 Section 2. Paragraph (a) of subsection (4) and subsections
 33 (6) and (7) of section 101.5614, Florida Statutes, are amended
 34 to read:
 35 101.5614 Canvass of returns.—
 36 (4) (a) If any vote-by-mail ballot is physically damaged so
 37 that it cannot properly be counted by the voting system's
 38 automatic tabulating equipment, a true duplicate copy shall be
 39 made of the damaged ballot in the presence of witnesses and
 40 substituted for the damaged ballot. Likewise, a duplicate ballot
 41 shall be made of a vote-by-mail ballot containing an overvoted
 42 race or a marked vote-by-mail ballot in which every race is
 43 undervoted which shall include all valid votes as determined by
 44 the canvassing board based on rules adopted by the division
 45 pursuant to s. 102.166(4). All duplicate ballots shall be
 46 clearly labeled "duplicate," bear a serial number which shall be
 47 recorded on the defective ballot, and be counted in lieu of the
 48 defective ballot. After a ballot has been duplicated, the
 49 defective ballot shall be placed in an envelope provided for
 50 that purpose, and the duplicate ballot shall be tallied with the
 51 other ballots for that precinct.
 52 (6) Vote-by-mail ballots may be counted by the voting
 53 system's automatic tabulating equipment if they have been marked
 54 in a manner which will enable them to be properly counted by
 55 such equipment.
 56 (7) The return printed by the voting system's automatic
 57 tabulating equipment, to which has been added the return of
 58 write-in, vote-by-mail, and manually counted votes and votes

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59 from provisional ballots, shall constitute the official return
60 of the election upon certification by the canvassing board. Upon
61 completion of the count, the returns shall be open to the
62 public. A copy of the returns may be posted at the central
63 counting place or at the office of the supervisor of elections
64 in lieu of the posting of returns at individual precincts.

65 Section 3. Paragraph (a) of subsection (7) of section
66 102.141, Florida Statutes, is amended to read:

67 102.141 County canvassing board; duties.—

68 (7) If the unofficial returns reflect that a candidate for
69 any office was defeated or eliminated by one-half of a percent
70 or less of the votes cast for such office, that a candidate for
71 retention to a judicial office was retained or not retained by
72 one-half of a percent or less of the votes cast on the question
73 of retention, or that a measure appearing on the ballot was
74 approved or rejected by one-half of a percent or less of the
75 votes cast on such measure, a recount shall be ordered of the
76 votes cast with respect to such office or measure. The Secretary
77 of State is responsible for ordering recounts in federal, state,
78 and multicounty races. The county canvassing board or the local
79 board responsible for certifying the election is responsible for
80 ordering recounts in all other races. A recount need not be
81 ordered with respect to the returns for any office, however, if
82 the candidate or candidates defeated or eliminated from
83 contention for such office by one-half of a percent or less of
84 the votes cast for such office request in writing that a recount
85 not be made.

86 (a) Each canvassing board responsible for conducting a
87 recount shall put each marksense ballot through automatic

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88 tabulating equipment and determine whether the returns correctly
89 reflect the votes cast. If any marksense ballot is physically
90 damaged so that it cannot be properly counted by the automatic
91 tabulating equipment during the recount, a true duplicate shall
92 be made of the damaged ballot pursuant to the procedures in s.
93 101.5614(4). Immediately before the start of the recount, a test
94 of the tabulating equipment shall be conducted as provided in s.
95 101.5612. If the test indicates no error, the recount tabulation
96 of the ballots cast shall be presumed correct and such votes
97 shall be canvassed accordingly. If an error is detected, the
98 cause therefor shall be ascertained and corrected and the
99 recount repeated, as necessary. The canvassing board shall
100 immediately report the error, along with the cause of the error
101 and the corrective measures being taken, to the Department of
102 State. No later than 11 days after the election, the canvassing
103 board shall file a separate incident report with the Department
104 of State, detailing the resolution of the matter and identifying
105 any measures that will avoid a future recurrence of the error.
106 If the automatic tabulating equipment used in a recount is not
107 part of the voting system and the ballots have already been
108 processed through such equipment, the canvassing board is not
109 required to put each ballot through any automatic tabulating
110 equipment again.

111 Section 4. Subsections (1), (2), and (5) of section
112 102.166, Florida Statutes, are amended to read:

113 102.166 Manual recounts of overvotes and undervotes.—

114 (1) If the second set of unofficial returns pursuant to s.
115 102.141 indicates that a candidate for any office was defeated
116 or eliminated by one-quarter of a percent or less of the votes

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117 cast for such office, that a candidate for retention to a
 118 judicial office was retained or not retained by one-quarter of a
 119 percent or less of the votes cast on the question of retention,
 120 or that a measure appearing on the ballot was approved or
 121 rejected by one-quarter of a percent or less of the votes cast
 122 on such measure, a manual recount of the overvotes and
 123 undervotes cast in the entire geographic jurisdiction of such
 124 office or ballot measure shall be ordered unless:

125 (a) The candidate or candidates defeated or eliminated from
 126 contention by one-quarter of 1 percent or fewer of the votes
 127 cast for such office request in writing that a recount not be
 128 made; or

129 (b) The number of overvotes and undervotes is fewer than
 130 the number of votes needed to change the outcome of the
 131 election.

132
 133 The Secretary of State is responsible for ordering a manual
 134 recount for federal, state, and multicounty races. The county
 135 canvassing board or local board responsible for certifying the
 136 election is responsible for ordering a manual recount for all
 137 other races. A manual recount consists of a recount of marksense
 138 ballots or of digital images of those ballots by a person.

139 (2) (a) Any hardware or software used to identify and sort
 140 overvotes and undervotes for a given race or ballot measure must
 141 be certified by the Department of State ~~as part of the voting~~
 142 ~~system pursuant to s. 101.015.~~ Any such hardware or software
 143 must be capable of simultaneously counting votes.

144 (b) Overvotes and undervotes shall be identified and sorted
 145 while recounting ballots pursuant to s. 102.141, if the hardware

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146 or software for this purpose has been certified or the
 147 department's rules so provide. Overvotes and undervotes may be
 148 identified and sorted physically or digitally.

149 (5) Procedures for a manual recount are as follows:

150 (a) The county canvassing board shall appoint as many
 151 counting teams of at least two electors as is necessary to
 152 manually recount the ballots. A counting team must have, when
 153 possible, members of at least two political parties. A candidate
 154 involved in the race shall not be a member of the counting team.

155 (b) Each duplicate ballot prepared pursuant to s.
 156 101.5614(4) or s. 102.141(7) shall be compared with the original
 157 ballot to ensure the correctness of the duplicate.

158 (c) If a counting team is unable to determine whether the
 159 ballot contains a clear indication that the voter has made a
 160 definite choice, the ballot shall be presented to the county
 161 canvassing board for a determination.

162 (d) The Department of State shall adopt detailed rules
 163 prescribing additional recount procedures for each certified
 164 voting system which shall be uniform to the extent practicable.
 165 The rules shall address, at a minimum, the following areas:

- 166 1. Security of ballots during the recount process;
- 167 2. Time and place of recounts;
- 168 3. Public observance of recounts;
- 169 4. Objections to ballot determinations;
- 170 5. Record of recount proceedings; ~~and~~
- 171 6. Procedures relating to candidate and petitioner
- 172 representatives; and
- 173 7. Procedures relating to the certification and the use of
- 174 automatic tabulating equipment that is not part of a voting

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175 system.

176 Section 5. This act shall take effect July 1, 2019.



The Florida Senate

Committee Agenda Request

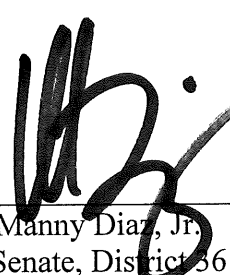
To: Senator Dennis Baxley, Chair
Committee on Ethics and Elections

Subject: Committee Agenda Request

Date: February 29, 2019

I respectfully request that **Senate Bill # 582**, relating to Voting Systems, be placed on the:

- Committee agenda at your earliest possible convenience.
- Next committee agenda.



Senator Manny Diaz, Jr.
Florida Senate, District 36

Tab #1

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/26/19
Meeting Date

582
Bill Number (if applicable)

Topic Voting Systems

Amendment Barcode (if applicable)

Name Mark Early

Job Title Leon County Supervisor of Elections

Address 3241 MAJESTIC PRINCE TRL

Phone 850 580 4852

TALLAHASSEE FL 32309
City State Zip

Email carlegym@leon~~co~~ gov ^{county fl.}

Speaking: For Against Information

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

Representing Leon County Supervisor 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.

Tel #1

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/26/19
Meeting Date

582
Bill Number (if applicable)

Topic Voting Systems

Amendment Barcode (if applicable)

Name Mark Andersen

Job Title Bay County Supervisor of Elections

Address 2824 Kings Rd

Phone 850-819-6933

Panama City FL 32405
City State Zip

Email baysuper@bayvotes.org

Speaking: For Against Information

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

Representing Bay County Supervisor 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.

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APPEARANCE RECORD

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

26 Mar 19
Meeting Date

582
Bill Number (if applicable)

Topic Voting Systems

Amendment Barcode (if applicable)

Name Paul Lux

Job Title Supervisor of Elections, Okaloosa County

Address 302 Wilson St., Ste 102

Phone 850-225-7096

Street

Crestview

FL

32536

Email plux@co.okaloosa.fl.us

City

State

Zip

Speaking: For Against Information

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

Representing Florida State Assoc. of Sup. 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.

APPEARANCE RECORD

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

3/26/2019

Meeting Date

SB 582

Bill Number (if applicable)

Topic Election System

Amendment Barcode (if applicable)

Name Linda Miklowitz

Job Title Chair, Action Team, NCJW Tallahassee

Address 2542 Arthur's Court

Phone 850.559.1312

Tallahassee FL 32301

City State Zip

Email NCJW Tallahassee, Action Team@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

Tub #1

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

3/26/19
Meeting Date

582
Bill Number (if applicable)

Topic Voting Systems

Amendment Barcode (if applicable)

Name Keri Rayborn Silver

Job Title _____

Address PO Box 1565
Street

Phone 850-524-2394

Tallahassee, FL 32302
City State Zip

Email Keri@raybornconsultants.com

Speaking: For Against Information

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

Representing Clear Ballot

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
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 1702
 INTRODUCER: Senator Baxley
 SUBJECT: Ethics Reform
 DATE: March 20, 2019 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Mitchell	Roberts	EE	Pre-meeting
2.	_____	_____	GO	_____
3.	_____	_____	RC	_____

I. Summary:

SB 1702 addresses public officer, employee and third party conduct regarding solicitation and negotiation of conflicting and potentially conflicting employment or other income producing relationships. The bill addresses post-service lobbying restrictions for certain officers and revises executive branch lobbyist registration requirements in addition to other reforms. Specifically, the bill:

- Removes restrictions on state employees lobbying the legislature;
- Prohibits a governmental entity or an elected official from using or authorizing the use of an elected official’s name, image, likeness, official uniform, badge, or other symbol of office in a public service announcement during an election, if such announcement is paid with public funds or if the time or space for the announcement was donated by the media;
- Prohibits public officers and employees from soliciting an employment or contractual relationship from entities with whom they are prohibited from entering into conflicting employment and contractual relationships;
- Requires public officers and employees to report or disclose particular solicitations and offers of employment or contractual relationships;
- Imposes certain restrictions on statewide elected officers and legislators related to employment or investment advice;
- Restricts certain unelected state officers and employees regarding soliciting and negotiating an employment or contractual relationship with certain employers;
- Authorizes the Florida Commission on Ethics to investigate disclosures of certain prohibited solicitations in the same manner as a complaint; and
- Revises executive branch lobbying registration requirements to mandate electronic registration, clarify provisions, adjust the registration fee cap, provide a new fee for each agency lobbied, and add the Board of Governors of the State University System and the State Board of Education to the list of entities to which the requirements apply.

II. Present Situation:

State Employee Lobbyists

State law regulates aspects of legislative lobbying by state employees. Employees of non-public entities are only required to register if they are principally employed for governmental affairs activities and purposes. However, any state employee who appears before any legislator or appears before or attends any legislative committee to advocate for or against legislation must register as a lobbyist on behalf of his or her agency.¹ In addition, each state, state university, or community college employee is required to record his or her attendance before any committee during the established business hours of the employee's agency and to record with the Office of Legislative Services (OLS) any attendance in the legislative chambers, committee rooms, legislative offices, and other areas, unless the agency designates the individual's position as being used for lobbying. The law requires deduction from the employee's paycheck for all business hours spent lobbying in violation of these requirements.² Other than the registration requirement, these regulations are antiquated and do not appear to have been enforced in recent years.

Elected Official Public Service Announcements

Chapter 106, F.S., governs campaign financing for candidates for public office and contains many provisions relating to political organizations, campaign contributions, use of campaign funds, and campaign advertising. The provisions related to campaign advertising set forth the requirements applicable to the contents of political advertisements³ as well as the use and removal of such advertisements.⁴ In addition, s. 106.113, F.S., prohibits a local government⁵ or a person acting on behalf of a local government from expending or authorizing the expenditure of public funds for a political advertisement concerning an issue, referendum, or amendment that is subject to a vote of the electors.

In Florida, the general election date for federal, state, county, and district office is the first Tuesday after the first Monday in November of each even-numbered year.⁶ In each year in which a general election is held, the primary election is held on the Tuesday 10 weeks prior to the

¹ Section 11.061, F.S.

² Section 11.061(2)(b), F.S.

³ Section 106.011(15), F.S., defines the term "political advertisement" to mean a paid expression in a specified communications medium, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:

- A statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization.
- Editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.

⁴ Sections 106.143 and 106.1435, F.S.

⁵ Section 106.113(1)(a), F.S., defines the term "local government" to mean:

- A county, municipality, school district, or other political subdivision in this state; and
- Any department, agency, board, bureau, district, commission, authority, or similar body of a county, municipality, school district, or other political subdivision of this state.

⁶ FLA. CONST., Art. VI, s. 5 and s. 100.031, F.S.

general election.⁷ The election date for municipal offices may be set by municipal ordinance.⁸ For all of these offices, current law provides for the following qualifying dates:

- Federal office – between noon on the 120th day before the primary election through noon on the 116th day before the primary election;
- State office – between noon on the 71st day before the primary election through noon on the 67th day before the primary election;
- State attorney – between noon on the 120th day before the primary election through noon on the 116th day before the primary election;
- Public Defender - between noon on the 120th day before the primary election through noon on the 116th day before the primary election;
- County office - between noon on the 71st day before the primary election through noon on the 67th day before the primary election.⁹

Florida Election Dates					
	Federal	State	State Attorney/Public Defender	County Office	Municipal Office
Qualifying Period	Between noon on the 120 th day before the primary election through noon on the 116 th day before the primary election	Between noon on the 71 st day before the primary election through noon on the 67 th day before the primary election	Between noon on the 120 th day before the primary election through noon on the 116 th day before the primary election	Between noon on the 71 st day before the primary election through noon on the 67 th day before the primary election	Municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality.
Primary Election	Tuesday, ten weeks before primary election	Tuesday, ten weeks before primary election	Tuesday, ten weeks before primary election	Tuesday, ten weeks before primary election	Municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality.
General Election	First Tuesday after the first Monday in November of each even-numbered year	First Tuesday after the first Monday in November of each even-numbered year	First Tuesday after the first Monday in November of each even-numbered year	First Tuesday after the first Monday in November of each even-numbered year	Municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality.

Conflicting Employment

Current law prohibits a public officer or employee from entering into an employment or contractual relationship with any entity, including public agencies, over which the officer’s or employee’s agency exercises regulatory power or with whom the officer’s or employee’s agency does business.¹⁰ There are a number of exceptions relating to certain objectively fair or *de*

⁷ Section 100.061, F.S.

⁸ FLA. CONST., Art. VI, s. 6 and s. 100.3605, F.S.

⁹ Section 99.061, F.S.

¹⁰ Section 112.313(7)(a), F.S.

minimis procurements, certain disclosed relationships, and other comparable exceptions.¹¹ “Regulatory power” under this law does not include power exercised by a legislative body over another agency or legislative authority exercised by the passage of laws or ordinances.¹²

The Code of Ethics for Public Officers and Employees (Code of Ethics)¹³ imposes on many public officers and state employees a two-year ban on lobbying their own agency after vacation of public office or employment.¹⁴ Affected employees are generally those with policymaking or significant purchasing authority. Affected legislative employees, including committee staff directors, deputy staff directors, certain attorneys, analysts, and others, are barred by this statute from lobbying either house or any office of the Legislature. Affected state agency personnel are only barred from lobbying their own former agency. Thus, a former Secretary of Health may lobby the Executive Office of the Governor or any agency under the Governor except the Department of Health. For both legislative and executive employees, however, there is an exception to the ban for those subsequently employed by other state agencies.¹⁵ Thus, a former agency secretary or legislative staff director may lobby their former employer on behalf of another state agency by whom they are employed during the first two years after leaving the position to which the ban relates.

The Code of Ethics imposes additional post-service restrictions on certain state employees.¹⁶ There is a concurrent employment prohibition¹⁷ and a post-employment restriction¹⁸ on employment by agency contractors over which the employee has exercised certain procurement influence or authority during public service. After retirement or termination, the former employee may not be employed “in connection with any contract” over which the employee had influence with respect to the procurement.¹⁹ The restriction lasts for the duration of such contract.²⁰ There is an exception when the employee’s position is contracted out to the contractor, the influence was merely advisory, and the agency head determines the best interests of the state will be served by the employee having an employment or contractual relationship with the contractor.²¹

A related restriction prohibits a former state agency employee, within two years after retirement or termination, from having or holding any employment or contractual relationship with any business entity in connection with any contract for contractual services that was “within [the]

¹¹ Section 112.313(12), F.S.

¹² Section 112.313(7)(a)2., F.S.

¹³ Sections 112.311 – 112.3261, F.S., are known as the Code of Ethics for Public Officers and Employees.

¹⁴ Section 112.313(9), F.S. Effective beginning in 2023, Amendment 12 to the Florida Constitution, adopted by the voters in November, 2018, extends the lobbying ban for public officers to 6 years for lobbying on issues of policy, appropriations and procurement before many governmental bodies.

¹⁵ Section 112.313(9)(a)4., F.S.

¹⁶ Section 112.3185, F.S.

¹⁷ Section 112.3185(2), F.S.

¹⁸ Section 112.3185(3), F.S.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

responsibility” of the former employee.²² An exception exists when the agency head determines the former employee’s employment with the contractor is in the best interests of the state.²³

In addition, there is a post-service compensation limitation applicable to an agency employee who becomes a contractor providing services to his or her former agency.²⁴ During the first year after leaving his or her position with the agency, the former employee may not be paid more than the annual salary he or she was receiving upon leaving the agency for contractual services provided to the agency.²⁵ This limitation also has an exception when the agency head grants a waiver for a particular contract after determining it will result in significant time or cost savings to the state.²⁶

The Code of Ethics also prohibits a public officer or employee or a candidate for public office from soliciting or accepting anything of value based upon an understanding that the vote, official action, or judgment of the officer, employee, or candidate would be influenced thereby.²⁷ This includes gifts,²⁸ employment, and valuable investment advice. In addition, even without such a quid pro quo understanding, the law prohibits certain public officers and employees from soliciting any gift or honorarium from certain entities – primarily vendors, political committees, lobbyists, and principals.²⁹ Nonetheless, a public officer or employee may solicit employment from entities from which they may not seek a gift and may solicit future employment from entities from which they may not accept present employment, so long as there is no understanding that influence is offered in the exchange.

Solicitation of Investment Advice and Business Deals with Lobbyists and Principals

The Code of Ethics prohibits a current or former public officer or employee from disclosing or using non-public information gained by reason of public position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.³⁰

Disclosure of Employment by Elected Officers

The financial disclosure laws require elected constitutional officers to file a full and complete disclosure of assets, liabilities, and income annually, and require candidates for such offices to file the disclosure when qualifying for office.³¹ These disclosures are due on July 1 each year for the period covering the previous calendar year.³² Thus, employer and income information is not reportable for six to 18 months after it is earned. There are no requirements for immediate disclosure of changes in income or employment.

²² Section 112.3185(4), F.S.

²³ *Id.*

²⁴ Section 112.3185(5), F.S.

²⁵ *Id.*

²⁶ *Id.*

²⁷ Section 112.313(2), F.S.

²⁸ Section 112.312(12)(a), F.S.

²⁹ Sections 112.3148(3) and 112.3149(2), F.S. (Only unsolicited gifts, \$100 and under, may be accepted; and only expenses such as travel and lodging related to an honorarium event may be accepted.)

³⁰ Section 112.313(8), F.S.

³¹ FLA. CONST., Art. II, s. 8(a); *see also* s. 112.3144, F.S.

³² Section 112.3144(2), F.S.

The Code of Ethics prohibits a public officer from accepting public employment if the officer knows or should know that the employment is being offered to gain influence or other advantage based on the public officer's office or candidacy.³³ Any public employment accepted by a public officer must meet all of the following conditions:

- The position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position;
- The position was publicly advertised;
- The public officer was subject to the same application and hiring processes as other candidates for the position; and
- The public officer meets or exceeds the required qualifications for the position.³⁴

A person who was employed by the state or any of its political subdivisions before qualifying as a public officer may continue his or her employment.³⁵ However, he or she may not accept promotion, advancement, additional compensation, or anything of value that he or she knows or should know is provided as a result of his or her election or position.³⁶

Lobbyist Registration and Compensation Reporting

Lobbyists must register to lobby the executive branch and the legislative branch in Florida. Executive branch lobbying is regulated by the Code of Ethics and administered by the Florida Commission on Ethics (Commission).³⁷ The annual lobbyist registration fee is set by Commission rule, not to exceed \$40 for each principal represented.³⁸ The current fee is set by rule at \$25.³⁹ Legislative branch lobbying is regulated primarily by Joint Rule and administered by the Office of Legislative Services (OLS). Both registration systems require lobbyists to register annually for each principal represented and to indicate the entities to be lobbied. In addition, lobbying firms must file quarterly compensation reports. Both the Commission and the Legislature have instituted electronic registration and compensation reporting. Executive branch lobbyists, however, must supply a written oath to complete each registration.⁴⁰

All state agency and legislative officers and employees are exempt from executive branch lobbying registration.⁴¹ However, local officers and employees must register to lobby the state executive branch.

Compensation reporting is subject to random audits and findings of non-compliance are reported to the Commission (in case of executive branch lobbying firms) for investigation.⁴² Some cases involve mere mistakes in reporting or calculation.

³³ Section 112.3125(2), F.S.

³⁴ Section 112.3125(3), F.S.

³⁵ Section 112.3125

³⁶ Section 112.3125, F.S.

³⁷ Section 112.3215, F.S.

³⁸ Section 112.3215(4), F.S.

³⁹ Fla. Admin. Code R. 34-12.200 (2019)

⁴⁰ Section 112.3215(3), F.S.

⁴¹ Section 112.3215(1)(h)2., F.S.

⁴² Section 112.3215(8), F.S.

Code of Ethics Enforcement

The Commission is the independent body responsible for investigating and reporting on complaints concerning breach of the public trust by public officers or employees not within the jurisdiction of the Judicial Qualifications Commission.⁴³ This jurisdiction extends to alleged violations of the Code of Ethics.⁴⁴ For most violations, the Commission may not investigate except upon receipt of a complaint or referral from particular state officers responsible for enforcing the laws or from a United States Attorney.⁴⁵

The power to impose civil penalties for violations is vested in the Governor and other public officers, depending on the status of the violator. Only the House or Senate may impose penalties on members of the House or Senators, respectively. If the Commission finds grounds for impeachment of an impeachable officer, findings are submitted to the Speaker of the House. In addition, the Governor is authorized to impose penalties on other officers subject to impeachment and the Attorney General has such power to impose penalties on the Governor. The presiding officers of the Legislature are empowered to impose penalties on certain legislative employees.⁴⁶

The Commission investigates complaints, determines probable cause, and, after any public administrative hearing, makes findings of violations and recommendations on punishment. If the Commission does not find probable cause, the complaint is dismissed.⁴⁷ A hearing must be requested within 14 days following mailing of the probable cause notification.⁴⁸ In addition, the Commission may require a public hearing on its own motion.⁴⁹ The Commission may not enter into a stipulation or settlement imposing penalties. All penalties must be imposed by the appropriate disciplinary authority.⁵⁰ The Commission may dismiss any complaint or referral at any stage of disposition if it determines that the violation that is alleged or has occurred is a de minimis violation.⁵¹

Executive branch lobbyist registration enforcement is governed by distinct enforcement provisions.⁵² The Commission reports probable cause findings to the Governor and Cabinet for appropriate action, which can include a fine up to \$5,000 and prohibition from lobbying for up to two years.⁵³ A person accused of violating the lobbyist registration law may also request a hearing within 14 days of the mailing of the probable cause notification.⁵⁴ Such complaints, however, are not subject to dismissal based on the de minimis nature of a violation.⁵⁵

⁴³ FLA. CONST., Art. II, s. 8(f) and (i)(3).

⁴⁴ See ss. 112.322(1) and 112.324, F.S.

⁴⁵ Section 112.324(1), F.S.

⁴⁶ Section 112.324(4)-(8), F.S.

⁴⁷ Section 112.324(3), F.S.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ Section 112.324(11), F.S.

⁵² Section 112.3215(8)-(9), F.S.

⁵³ Section 112.3215(10), F.S.

⁵⁴ Section 112.3215(9), F.S.

⁵⁵ Section 112.3215(8)-(9), F.S.

III. Effect of Proposed Changes:

State Employee Lobbyists

The bill repeals the statutory requirement⁵⁶ that a state employee who lobbies must register as a lobbyist with the joint legislative office. However, registration by such employees will still be required under the Joint Rules. Repeal of the section removes an antiquated and unenforced provision of law requiring certain state, university, and community college employees who lobby on behalf of their state government employer to record their attendance before any legislative committee or legislative office.

Elected Official Public Service Announcements

The bill defines the term “governmental entity” as any executive, judicial, or quasi-judicial department; state university; community college; water management district; or political subdivision. In addition, the term “public service announcement” is defined as any message communicated by radio, television, electronic communication, or billboard that promotes or announces an issue of public importance, concern, or welfare.

The bill prohibits a governmental entity, a person acting on behalf of a governmental entity, or an elected official from using or authorizing the use of an elected official’s name, image, likeness, official uniform, badge, or other symbol of office in a public service announcement beginning on the date that the public official qualifies as a candidate for reelection or election to public office and ending on the day after the election for which the elected official qualified as a candidate, if such announcement is paid with public funds or if the time or space for the announcement was donated by the media. The prohibition does not apply to charitable events held by an entity with 501(c)(3) tax-exempt status or to bona fide news events, such as press conferences or public debates broadcast by a licensed broadcaster. The provision does not restrict the use of funds from a campaign or political committee account.

Conflicting Employment

The bill prohibits a public officer or employee of an agency from soliciting an employment or contractual relationship from an entity regulated by his or her agency or doing business with his or her agency. To enforce this prohibition, the bill requires such entities to disclose to the head of the employing agency any solicitation prohibited by the law. If the solicitor is the agency head or a member of a body that is the agency head, the disclosure must be made to the Commission.

The bill prohibits a statewide elected officer or member of the Legislature from soliciting an employment offer arising out of official or political activities engaged in while he or she is an officer or legislator or a candidate for such office, except in the following circumstances:

- The officer or legislator may solicit or accept future employment in the last 180 days of his or her term of office if he or she is ineligible to run for reelection or has publicly announced that he or she is not and does not intend to become a candidate for reelection.

⁵⁶ Section 11.061, F.S.

- The officer or legislator may solicit or accept employment from any prospective employer in a profession or occupation in which he or she has formerly engaged, has been formally educated or trained, or is licensed unless such employment is prohibited by other general law.

The bill also prohibits certain unelected state officers and state agency employees, those required to file financial disclosures under the Code of Ethics, from soliciting an employment or contractual relationship from an entity that does business with or is regulated by the employing agency or from any person from whom they may not solicit gifts, including lobbyists and principals. Further, such state officers and state agency employees may not negotiate an offer of future employment with such entities without the permission of their agency head or an authorized designee. Permission may only be withheld if the agency head or designee determines such negotiation conflicts with the interests of the state. However, these officers and employees may solicit or negotiate such employment during the 90 days prior to termination of employment if the individual has given notice of termination or is ending a fixed term of office and will not be reappointed. In addition, if the agency has notified the individual that he or she will be discharged from employment or office, solicitation and negotiation is permitted during the 180 days prior to such discharge.

The bill requires a prohibited solicitation to be reported by the restricted employers to the agency head or to the Commission if the solicitor is the agency head. Officers and employees must disclose to their agency head, inspector general, general counsel, or a designee of the agency head any offer of employment or contractual relationship from entities from whom they may not solicit such relationships.

Solicitation of Investment Advice and Business Deals with Lobbyists and Principals

The bill prohibits statewide elected officers and members of the Legislature from soliciting or accepting investment advice from lobbyists and principals or soliciting investment advice arising out of official or political activities.

The bill also prohibits such officers and legislators from entering into an investment, joint venture, or other profitmaking relationship with a lobbyist or principal. However, this prohibition does not apply to an employment relationship to engage the personal services⁵⁷ of the elected official.

Disclosure of Employment by Elected Officers

The bill requires statewide elected officials and members of the Legislature to disclose information relating to new employment or increased compensation under certain circumstances. Such officers and legislators must file a written statement with the Commission prior to the effective date of the change or within 30 days of acceptance of any new employment or increased compensation if the employer is:

- An entity that receives state funds directly by appropriation;

⁵⁷ The IRS describes personal service activity as follows: “A personal service activity is an activity that involves performing personal services in the fields of health, law, engineering, architecture, accounting, actuarial science, performing arts, consulting, or any other trade or business in which capital is not a material income-producing factor.” “2016 Instructions for Schedule C” (Form 1040), p. C-4.

- An agency;⁵⁸ or
- A lobbying firm, a lobbyist, or a lobbyist's principal.

In addition, new employment must be disclosed if the offer of employment arose out of official or political activities engaged in while the officer or legislator was in office or was a candidate for such office. The Commission must publish the disclosures online with the official's full financial disclosure.

Lobbyist Registration and Compensation Reporting

The bill updates the executive branch registration law by requiring registrations to include e-mail addresses of lobbyists, principals, and lobbying firms. It requires registration to be electronic and removes the written oath requirement. The bill revises provisions to bring some definitions into closer conformity with the legislative branch lobbying registration rule.

The bill lowers the cap for the annual executive branch lobbyist registration fee from \$40 to \$20 for each principal represented. However, the bill also imposes a fee capped at \$5 for each additional agency lobbied following the first agency lobbied on behalf of each principal represented.

The bill adds the Board of Governors of the State University System and the State Board of Education to the list of entities for which executive branch lobbyist registration and compensation reporting is required.

The bill exempts officers and employees of political subdivisions from the requirement to register as executive branch lobbyists.

Code of Ethics Enforcement

The bill authorizes the Commission to investigate certain mandatory disclosures of prohibited solicitations by certain public officers and employees in the same manner as the Commission investigates complaints.

The bill also authorizes the Commission to dismiss executive branch lobbyist registration complaints and referrals based on lobbying firm compensation audits if the Commission determines that the public interest is not served by proceeding further. In such cases, the Commission must issue a public report stating with particularity its reasons for the dismissal. This will allow dismissal of cases involving *de minimis* violations or unintentional mistakes in compensation reports.

The bill has an effective date of July 1, 2019.

⁵⁸ Section 112.312(2), F.S., defines the term "agency" to mean "any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; any public school, community college, or state university; or any special district as defined in s. 189.012."

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

Not applicable. The bill does not appear to:

- Require counties or municipalities to spend funds or take action requiring the expenditure of funds;
- Reduce the authority that counties or municipalities have to raise revenues in the aggregate; or
- Reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

There is some concern that the provision imposing a new executive branch lobbying fee of a \$5 cap per agency lobbied on behalf of each principal represented could constitute a new fee or tax. If this is the case, this provision would have to be presented in separate legislation and be subject to supermajority approval for passage.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The changes related to streamlining the executive branch lobbyist registration process are expected to yield an indeterminate reduction in the Commission's overall cost of administering that law. However, the savings may be offset by an increase in costs associated with other provisions of the bill potentially resulting in the need to conduct additional investigations. According to an analysis of the bill, the Commission's staff has estimated the cost of implementing the bill at roughly \$136,472. This figure includes

estimated salaries (no benefits) for two FTEs: an attorney (\$60,414) and an investigator (\$56,658). The remaining costs are administrative and related to office space/supplies.

The revisions to the executive branch lobbying registration law and other changes to the Code of Ethics are proper subjects of the rulemaking powers of the Commission.

The bill may result in a slight reduction in costs to local governments by exempting local officers and employees from executive branch lobbying registration.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates sections 106.114 and 112.3181 of the Florida Statutes.

This bill substantially amends sections 112.313, 112.3185, and 112.3215 of the Florida Statutes.

This bill makes a technical amendment to section 420.5061 of the Florida Statutes.

This bill repeals section 11.061 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.



695238

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/26/2019	.	
	.	
	.	
	.	

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

Senate Amendment

Delete line 71
and insert:
importance, concern, or welfare, excluding an official communication on the official's official website or a social media account used exclusively for official business.



141988

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/26/2019	.	
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	.	
	.	

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

Senate Amendment (with directory and title amendments)

Delete lines 516 - 521.

===== **D I R E C T O R Y C L A U S E A M E N D M E N T**=====

And the directory clause is amended as follows:

Delete line 437

and insert:subsection (3), paragraph (a) of subsection (5), and

===== **T I T L E A M E N D M E N T**=====

And the title is amended as follows:



141988

11 Delete lines 52 - 53
12 and insert:
13 cancellation, and investigation requirements;
14 authorizing the commission

By Senator Baxley

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1 A bill to be entitled
 2 An act relating to ethics reform; repealing s. 11.061,
 3 F.S., relating to state, state university, and
 4 community college employee lobbyists; creating s.
 5 106.114, F.S.; providing definitions; prohibiting
 6 certain public service announcements by specified
 7 governmental entities, persons acting on behalf of
 8 such entities, and elected officials; providing
 9 applicability; amending s. 112.313, F.S.; revising
 10 applicability of certain provisions relating to
 11 conflicting employment and contractual relationships;
 12 prohibiting public officers or employees of an agency
 13 from soliciting specified employment or contractual
 14 relationships; requiring certain offers and
 15 solicitations of employment or contractual
 16 relationships to be disclosed to certain persons;
 17 requiring such solicitations to be disclosed to the
 18 Commission on Ethics in certain circumstances;
 19 authorizing the commission to investigate such
 20 disclosures; prohibiting specified persons from
 21 receiving certain compensated representation for a
 22 specified period following vacation of office;
 23 deleting certain exceptions from postemployment
 24 restrictions; providing applicability; creating s.
 25 112.3181, F.S.; prohibiting statewide elected officers
 26 and legislators from soliciting employment offers or
 27 investment advice arising out of official or political
 28 activities; providing exceptions; prohibiting such
 29 officers or legislators from soliciting or accepting

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30 investment advice from or soliciting or entering into
 31 certain profitmaking relationships with or advised by
 32 lobbyists or principals; providing definitions;
 33 requiring lobbyists and principals to disclose certain
 34 prohibited solicitations to the commission;
 35 authorizing the commission to investigate such
 36 disclosures; providing disclosure requirements for
 37 reporting certain employment; requiring the commission
 38 to publish disclosures on its website; authorizing the
 39 commission to adopt rules; amending s. 112.3185, F.S.;
 40 providing definitions; prohibiting certain officers
 41 and employees from soliciting employment or
 42 contractual relationships from or negotiating
 43 employment or contractual relationships with certain
 44 employers; providing exceptions; requiring disclosure
 45 of certain offers of employment or contractual
 46 relationships; providing applicability; amending s.
 47 112.3215, F.S., and reenacting subsection (15);
 48 revising definitions; requiring executive branch
 49 lobbyists to electronically register with the
 50 commission; revising lobbyist registration,
 51 compensation report, principal designation
 52 cancellation, and investigation requirements; revising
 53 lobbyist registration fees; authorizing the commission
 54 to dismiss certain complaints and investigations;
 55 amending s. 420.5061, F.S.; conforming a provision;
 56 providing an effective date.

57
 58 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 11.061, Florida Statutes, is repealed.

Section 2. Section 106.114, Florida Statutes, is created to read:

106.114 Elected official advertising.—

(1) As used in this section, the term:

(a) "Governmental entity" means any executive, judicial, or quasi-judicial department; state university; community college; water management district; or political subdivision.

(b) "Public service announcement" means any message communicated by radio, television, electronic communication, or billboard which promotes or announces an issue of public importance, concern, or welfare.

(2) A governmental entity, a person acting on behalf of a governmental entity, or an elected official may not use or authorize the use of an elected official's name, image, likeness, official uniform, badge, or other symbol of office in a public service announcement beginning on the date that the elected official qualifies as a candidate, pursuant to s. 99.061 or other applicable law, for reelection or election to another public office and ending on the day after the election for which the elected official qualified as a candidate if such announcement is paid for with public funds or if the time or space for such announcement is donated by the media. This subsection does not apply to charitable events held by an organization with tax-exempt status under s. 501(c)(3) of the Internal Revenue Code or bona fide news events, such as press conferences or public debates broadcast by a licensed broadcaster.

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Section 3. Subsections (7), (9), and (15) of section 112.313, Florida Statutes, are amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

(a) A ~~Ne~~ public officer or employee of an agency may not ~~shall~~ have or hold any employment or contractual relationship with any business entity or any agency that ~~which~~ is subject to the regulation of, or is doing business with, the officer's or employee's ~~an~~ agency. This paragraph does not apply to ~~of which~~ he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state. Such, ~~nor shall an~~ officer or employee also may not ~~of an agency~~ have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

1. When the agency referred to is a ~~that certain kind of~~ special tax district created by general or special law and is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the agency has jurisdiction, or when the agency has been organized pursuant to chapter 298, ~~then~~ employment with, or entering into a contractual relationship with, such a business entity by a public officer or employee of such an agency is ~~shall not be~~

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117 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.
 118 However, conduct by such officer or employee that is prohibited
 119 by, or otherwise frustrates the intent of, this section must
 120 ~~shall~~ be deemed a conflict of interest in violation of the
 121 standards of conduct set forth by this section.

122 2. When the agency referred to is a legislative body and
 123 the regulatory power over the business entity resides in another
 124 agency, or when the regulatory power that ~~which~~ the legislative
 125 body exercises over the business entity or agency is strictly
 126 through the enactment of laws or ordinances, ~~then~~ employment
 127 with, or entering into a contractual relationship with, such a
 128 business entity by a public officer or employee of such a
 129 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection
 130 or ~~be~~ deemed a conflict based on the regulatory power of the
 131 legislative body, unless prohibited by or deemed a conflict by
 132 another law.

133 (b) This subsection does ~~shall~~ not prohibit a public
 134 officer or employee from practicing in a particular profession
 135 or occupation when such practice by persons holding such public
 136 office or employment is required or permitted by law or
 137 ordinance.

138 (c) A public officer or an employee of an agency may not
 139 solicit any employment or contractual relationship prohibited by
 140 this subsection.

141 (d) A public officer or an employee of an agency shall
 142 disclose to the head of his or her agency, the general counsel
 143 or inspector general of his or her agency, or any other officer
 144 or attorney designated by the head of his or her agency any
 145 offer of employment or contractual relationship that is

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146 prohibited by this subsection.

147 (e) If a public officer or an employee of an agency, or a
 148 person acting on his or her behalf, solicits employment with any
 149 business entity or any agency that is subject to the regulation
 150 of, or is doing business with, the officer's or employer's
 151 agency in violation of paragraph (c), the solicited business
 152 entity or agency must disclose such solicitation to the head of
 153 the officer's or employee's agency. If such solicitation is by
 154 or on behalf of the head of the agency or a member of a body
 155 that is the head of the agency, the solicited business entity or
 156 agency must disclose such solicitation to the commission. The
 157 commission may investigate such disclosure as if it were a valid
 158 complaint under this part.

159 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR
 160 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

161 (a)1. It is the intent of the Legislature to implement by
 162 statute the provisions of s. 8(e), Art. II of the State
 163 Constitution relating to legislators, statewide elected
 164 officers, appointed state officers, and designated public
 165 employees.

166 2. As used in this paragraph:

167 a. "Employee" means:

168 (I) Any person employed in the executive or legislative
 169 branch of government holding a position in the Senior Management
 170 Service as defined in s. 110.402 or any person holding a
 171 position in the Selected Exempt Service as defined in s. 110.602
 172 or any person having authority over policy or procurement
 173 employed by the Department of the Lottery.

174 (II) The Auditor General, the director of the Office of

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175 Program Policy Analysis and Government Accountability, the
176 Sergeant at Arms and Secretary of the Senate, and the Sergeant
177 at Arms and Clerk of the House of Representatives.

178 (III) The executive director and deputy executive director
179 of the Commission on Ethics.

180 (IV) An executive director, staff director, or deputy staff
181 director of each joint committee, standing committee, or select
182 committee of the Legislature; an executive director, staff
183 director, executive assistant, analyst, or attorney of the
184 Office of the President of the Senate, the Office of the Speaker
185 of the House of Representatives, the Senate Majority Party
186 Office, Senate Minority Party Office, House Majority Party
187 Office, or House Minority Party Office; or any person, hired on
188 a contractual basis, having the power normally conferred upon
189 such persons, by whatever title.

190 (V) The Chancellor and Vice Chancellors of the State
191 University System; the general counsel to the Board of Governors
192 of the State University System; and the president, provost, vice
193 presidents, and deans of each state university.

194 (VI) Any person, including an other-personal-services
195 employee, having the power normally conferred upon the positions
196 referenced in this sub-subparagraph.

197 b. "Appointed state officer" means any member of an
198 appointive board, commission, committee, council, or authority
199 of the executive or legislative branch of state government whose
200 powers, jurisdiction, and authority are not solely advisory and
201 include the final determination or adjudication of any personal
202 or property rights, duties, or obligations, other than those
203 relative to its internal operations.

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204 c. "State agency" means an entity of the legislative,
205 executive, or judicial branch of state government over which the
206 Legislature exercises plenary budgetary and statutory control.

207 3.a. No member of the Legislature, appointed state officer,
208 or statewide elected officer shall personally represent another
209 person or entity for compensation before the government body or
210 agency of which the individual was an officer or member for a
211 period of 2 years following vacation of office. No member of the
212 Legislature shall personally represent another person or entity
213 for compensation during his or her term of office before any
214 state agency other than judicial tribunals or in settlement
215 negotiations after the filing of a lawsuit.

216 b. For a period of 2 years following vacation of office, a
217 former member of the Legislature may not act as a lobbyist for
218 compensation before an executive branch agency, agency official,
219 or employee. The terms used in this sub-subparagraph have the
220 same meanings as provided in s. 112.3215.

221 4. An agency employee, including an agency employee who was
222 employed on July 1, 2001, in a Career Service System position
223 that was transferred to the Selected Exempt Service System under
224 chapter 2001-43, Laws of Florida, may not personally represent
225 another person or entity for compensation before the agency with
226 which he or she was employed for a period of 2 years following
227 vacation of position, except when ~~unless~~ employed by and
228 representing another state agency ~~of state government~~.

229 5. Any person violating this paragraph is ~~shall be~~ subject
230 to the penalties provided in s. 112.317 and a civil penalty of
231 an amount equal to the compensation which the person receives
232 for the prohibited conduct.

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233 ~~6. This paragraph is not applicable to:~~
 234 ~~a. A person employed by the Legislature or other agency~~
 235 ~~prior to July 1, 1989;~~
 236 ~~b. A person who was employed by the Legislature or other~~
 237 ~~agency on July 1, 1989, whether or not the person was a defined~~
 238 ~~employee on July 1, 1989;~~
 239 ~~c. A person who was a defined employee of the State~~
 240 ~~University System or the Public Service Commission who held such~~
 241 ~~employment on December 31, 1994;~~
 242 ~~d. A person who has reached normal retirement age as~~
 243 ~~defined in s. 121.021(29), and who has retired under the~~
 244 ~~provisions of chapter 121 by July 1, 1991; or~~
 245 ~~e. Any appointed state officer whose term of office began~~
 246 ~~before January 1, 1995, unless reappointed to that office on or~~
 247 ~~after January 1, 1995.~~

248 (b) In addition to the provisions of this part which are
 249 applicable to legislators and legislative employees by virtue of
 250 their being public officers or employees, the conduct of members
 251 of the Legislature and legislative employees shall be governed
 252 by the ethical standards provided in the respective rules of the
 253 Senate or House of Representatives which are not in conflict
 254 herewith.

255 (15) ADDITIONAL EXEMPTION.—
 256 (a) An Ne elected public officer may not shall be held in
 257 violation of subsection (7) if the officer maintains an
 258 employment relationship with an entity which is currently a tax-
 259 exempt organization under s. 501(c) of the Internal Revenue Code
 260 and which contracts with or otherwise enters into a business
 261 relationship with the officer's agency and:

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262 1.(a) The officer's employment is not directly or
 263 indirectly compensated as a result of such contract or business
 264 relationship;
 265 2.(b) The officer has in no way participated in the
 266 agency's decision to contract or to enter into the business
 267 relationship with his or her employer, whether by participating
 268 in discussion at the meeting, by communicating with officers or
 269 employees of the agency, or otherwise; and
 270 3.(e) The officer abstains from voting on any matter which
 271 may come before the agency involving the officer's employer,
 272 publicly states to the assembly the nature of the officer's
 273 interest in the matter from which he or she is abstaining, and
 274 files a written memorandum as provided in s. 112.3143.

275 (b) This subsection does not apply to an officer who begins
 276 his or her term of office on or after July 1, 2019.

277 Section 4. Section 112.3181, Florida Statutes, is created
 278 to read:
 279 112.3181 Additional standards for statewide elected
 280 officers and legislators.—
 281 (1) A statewide elected officer or member of the
 282 Legislature may not solicit an employment offer or investment
 283 advice arising out of official or political activities engaged
 284 in while he or she is an officer or a legislator or a candidate
 285 for such office, except under either of the following
 286 circumstances:
 287 (a) The officer or legislator may solicit or accept future
 288 employment, including professional partnerships, in the last 180
 289 days of his or her term of office if he or she is ineligible to
 290 run for reelection or has publicly announced, and filed a letter

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291 or other written notice with the qualifying officer with whom
 292 reelection qualification papers are filed, that he or she is not
 293 and does not intend to become a candidate for reelection.
 294 (b) The officer or legislator may solicit or accept
 295 employment from any prospective employer in a profession or an
 296 occupation in which he or she has formerly engaged, has been
 297 formally educated or trained, or is licensed unless such
 298 employment is prohibited by other general law.
 299 (2) A statewide elected officer or member of the
 300 Legislature may not solicit or accept investment advice from or
 301 solicit or enter into an investment, a joint venture, or other
 302 profitmaking relationship with a lobbyist or principal, as those
 303 terms are defined in s. 11.045 or s. 112.3215. However, the
 304 officer or legislator may buy or sell listed, publicly traded
 305 securities of a principal without the advice of a lobbyist or
 306 principal unless such action violates s. 112.313. For purposes
 307 of this section, the phrase "investment, joint venture, or other
 308 profitmaking relationship" does not include an employment
 309 relationship or any enterprise organized to employ or engage the
 310 personal services of individuals, including the officer or
 311 legislator. For purposes of this section, the terms "investment
 312 advice" and "profitmaking relationship" do not include a client
 313 relationship with a licensed investment broker, licensed
 314 investment advisor, or similarly licensed professional to whom
 315 the officer or legislator pays ordinary and reasonable fees for
 316 services, regardless of such broker's, advisor's, or
 317 professional's status as a lobbyist's principal or a nonlobbyist
 318 employee of such principal.
 319 (3) A lobbyist or principal who receives a solicitation

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320 prohibited by this section by or on behalf of a statewide
 321 elected officer or member of the Legislature must disclose such
 322 solicitation to the commission. Any other person who receives
 323 such solicitation may disclose such solicitation to the
 324 commission. The commission may investigate any disclosure under
 325 this subsection as if it were a valid complaint under this part.
 326 (4) (a) A statewide elected officer or member of the
 327 Legislature must file a written disclosure with the commission
 328 upon acceptance of the following:
 329 1. Any new employment with or increased compensation from
 330 an entity that receives state funds directly by appropriation;
 331 2. Any new employment with or increased compensation from
 332 an agency;
 333 3. Any new employment the offer of which arose out of
 334 official or political activities engaged in while he or she was
 335 a statewide elected officer, member of the Legislature, or
 336 candidate for such office; or
 337 4. Any new employment with or increased compensation from a
 338 lobbyist, principal of a lobbyist, or lobbying firm.
 339 (b) The disclosure must identify the applicable
 340 subparagraph of paragraph (a), the employer, position, salary or
 341 other compensation, and the effective date of employment or
 342 increased compensation. Such disclosure must be filed within 30
 343 days after he or she accepts the employment or increased
 344 compensation or before the effective date of employment or
 345 increased compensation, whichever date is earliest. With respect
 346 to employment or increased compensation accepted or effective
 347 between December 31, 2018, and July 1, 2019, the officer or
 348 legislator must file such disclosure within 30 days after July

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349 1, 2019. The commission shall publish such disclosures with the
 350 officer's or legislator's full financial disclosure on its
 351 website. The commission may adopt forms for disclosure and may
 352 adopt rules requiring electronic submission of the disclosure
 353 required by this subsection.

354 Section 5. Present subsection (7) of section 112.3185,
 355 Florida Statutes, is renumbered as subsection (8), subsection
 356 (1) of that section is reordered and amended, present subsection
 357 (8) of that section is amended, and a new subsection (7) is
 358 added to that section, to read:

359 112.3185 Additional standards for state officers and agency
 360 employees.—

361 (1) For the purposes of this section, the term:

362 (b)(a) "Contractual services" has the same meaning shall be
 363 defined as set forth in chapter 287.

364 (a)(b) "Agency" means any state officer, department, board,
 365 commission, or council of the executive, legislative, or
 366 judicial branch of state government and includes the Public
 367 Service Commission.

368 (c) "Covered officer" means a state officer who is serving
 369 in a position that is not an elective position. The term does
 370 not include a person who is appointed to fill an unexpired term
 371 of an elective office.

372 (d) "Negotiate" or "negotiation" means a response to an
 373 offer or solicitation of an offer of an employment or a
 374 contractual relationship, including the submission of a resume,
 375 an application, or any other information demonstrating interest
 376 on the part of a prospective employee and interviewing or
 377 engaging in other communication intended to lead to an offer or

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378 acceptance of an employment or a contractual relationship.

379 (e) "Reporting employee" means any agency employee who is a
 380 reporting individual or procurement employee, as those terms are
 381 defined in s. 112.3148.

382 (f) "Restricted employer," with respect to any state
 383 officer or agency employee, means any entity that does business
 384 with or is subject to regulation by an agency employing the
 385 covered officer or reporting employee and any person or entity
 386 from whom the covered officer or reporting employee may not
 387 solicit a gift under s. 112.3148(3).

388 (g) "Subject to regulation by an agency" means subject to
 389 regulation by agency action as defined in s. 120.52(2) or its
 390 substantial equivalent. The term does not include regulatory
 391 power exercised strictly through the enactment of general laws.

392 (7) A covered officer or reporting employee who is employed
 393 in such position on or after July 1, 2019, may not solicit an
 394 employment or contractual relationship from or negotiate an
 395 employment or contractual relationship with a restricted
 396 employer except as provided in this subsection.

397 (a) A covered officer or reporting employee may solicit a
 398 future employment or contractual relationship from or negotiate
 399 a future employment or contractual relationship with a
 400 restricted employer within 90 days before the expiration of the
 401 officer's term of office, if the officer does not seek
 402 reappointment, or within 90 days before the officer's or
 403 employee's termination or retirement date, if he or she provides
 404 notice of termination or retirement to the head of his or her
 405 agency, the general counsel or inspector general of his or her
 406 agency, or any other officer or attorney designated by the head

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407 of his or her agency.

408 (b) If a covered officer or reporting employee has been
 409 notified by his or her appointing authority or employing agency
 410 that he or she will be discharged from office or dismissed or
 411 terminated from employment, he or she may solicit a future
 412 employment or contractual relationship from or negotiate a
 413 future employment or contractual relationship with a restricted
 414 employer at any time after such notice but not sooner than 180
 415 days before his or her employment is scheduled to end.

416 (c) A covered officer or reporting employee must disclose
 417 to the head of his or her agency, the general counsel or
 418 inspector general of his or her agency, or any other officer or
 419 attorney designated by the head of his or her agency any offer
 420 from a restricted employer of an employment or a contractual
 421 relationship. After such disclosure, a covered officer or
 422 reporting employee may negotiate an employment or a contractual
 423 relationship with the restricted employer if expressly
 424 authorized by the head of his or her agency or the agency head's
 425 authorized designee. Permission may be withheld only if the
 426 agency head or his or her authorized designee determines such
 427 negotiation poses an actual or a potential conflict with the
 428 interests of the state or the agency.

429 (d) This subsection does not authorize any employment or
 430 contractual relationship solicitation otherwise prohibited by
 431 general law.

432 (9)(8) Subsections (1) through (6) of this section do not
 433 apply is not applicable to any employee of the Public Service
 434 Commission who was so employed on or before December 31, 1994,
 435 unless so employed on or after July 1, 2019.

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436 Section 6. Paragraphs (a), (f), and (h) of subsection (1),
 437 subsections (3) and (4), paragraph (a) of subsection (5), and
 438 subsections (7) and (8) of section 112.3215, Florida Statutes,
 439 are amended, and subsection (15) of that section is reenacted,
 440 to read:

441 112.3215 Lobbying before the executive branch or the
 442 Constitution Revision Commission; registration and reporting;
 443 investigation by commission.—

444 (1) For the purposes of this section:

445 (a) "Agency" means the Governor; ~~the~~ Governor and
 446 Cabinet; ~~or~~ any department, division, bureau, board,
 447 commission, or authority of the executive branch; the State
 448 Board of Education; or the Board of Governors of the State
 449 University System. The term also includes ~~In addition,~~ "agency"
 450 ~~shall mean~~ the Constitution Revision Commission as provided by
 451 s. 2, Art. XI of the State Constitution.

452 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of
 453 another person, to influence an agency with respect to a
 454 decision of the agency in the area of policy or procurement or
 455 an attempt to obtain the goodwill of an agency official or
 456 employee. The term "Lobbies" also means influencing or
 457 attempting to influence, on behalf of another, the Constitution
 458 Revision Commission's action or nonaction through oral or
 459 written communication or an attempt to obtain the goodwill of a
 460 member or employee of the Constitution Revision Commission.

461 (h) "Lobbyist" means a person who is employed and receives
 462 payment, or who contracts for economic consideration, for the
 463 purpose of lobbying, or a person who is principally employed for
 464 governmental affairs by another person or governmental entity to

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465 lobby on behalf of that other person or governmental entity. For
 466 purposes of this paragraph, the phrase "principally employed for
 467 governmental affairs" means that one of the principal or most
 468 significant responsibilities of the employee to the employer is
 469 overseeing the employer's various relationships with government
 470 or representing the employer in its contacts with government.
 471 The term "Lobbyist" does not include a person who is:

472 1. An attorney, or any person, who represents a client in a
 473 judicial proceeding or in a formal administrative proceeding
 474 conducted pursuant to chapter 120 or any other formal hearing
 475 before an agency, board, commission, or authority of this state.

476 2. An officer or employee of an agency, or of a legislative
 477 or judicial branch entity, or a political subdivision of this
 478 state acting in the normal course of his or her office or
 479 duties.

480 3. A confidential informant who is providing, or wishes to
 481 provide, confidential information to be used for law enforcement
 482 purposes.

483 4. A person who seeks lobbies to procure a contract
 484 pursuant to chapter 287 which contract is less than the
 485 threshold for CATEGORY ONE as provided in s. 287.017.

486 (3) A person may not lobby an agency until such person has
 487 electronically registered as a lobbyist with the commission.
 488 Such registration shall be due upon initially being retained to
 489 lobby and is renewable on a calendar year basis thereafter. The
 490 commission shall request authorization from the principal with
 491 the principal's name, business address, e-mail address, and
 492 telephone number to confirm that the registrant is authorized to
 493 represent the principal ~~Upon registration the person shall~~

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494 ~~provide a statement signed by the principal or principal's~~
 495 ~~representative that the registrant is authorized to represent~~
 496 ~~the principal.~~ The principal or principal's representative shall
 497 also identify and designate its main business pursuant to the
 498 North American Industry Classification System six-digit
 499 numerical code that most accurately describes the principal's
 500 main business. Registration is not complete until the commission
 501 receives the principal's authorization and the registration fee
 502 ~~on the statement authorizing that lobbyist pursuant to a~~
 503 ~~classification system approved by the commission.~~ The
 504 registration shall require each lobbyist to attest to disclose,
 505 ~~under oath,~~ the following information:

506 (a) Full legal name, e-mail address, telephone number, Name
 507 and business address;

508 (b) The full name, e-mail address, telephone number, and
 509 business address of each principal represented;

510 (c) ~~His or her area of interest;~~

511 ~~(d)~~ The agencies before which he or she will appear; and

512 (d)(e) The existence of any direct or indirect business
 513 association, partnership, or financial relationship with any
 514 employee of an agency with which he or she lobbies, or intends
 515 to lobby, as disclosed in the registration.

516 (4) The annual lobbyist registration fee must shall be set
 517 by the commission by rule, not to exceed \$20 \$40 for each
 518 principal represented. Additionally, for each principal
 519 represented, a fee must be set by commission rule, not to exceed
 520 \$5, for each additional agency lobbied following the first
 521 agency that is lobbied.

522 (5) (a) 1. Each lobbying firm shall file a compensation

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523 report with the commission for each calendar quarter during any
 524 portion of which one or more of the firm's lobbyists were
 525 registered to represent a principal. The report shall include
 526 the:

527 a. Full name, e-mail address, business address, and
 528 telephone number of the lobbying firm;

529 b. Name of each of the firm's lobbyists; and

530 c. Total compensation provided or owed to the lobbying firm
 531 from all principals for the reporting period, reported in one of
 532 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;
 533 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
 534 \$999,999; \$1 million or more.

535 2. For each principal represented by one or more of the
 536 firm's lobbyists, the lobbying firm's compensation report shall
 537 also include the:

538 a. Full name, e-mail address, business address, and
 539 telephone number of the principal; and

540 b. Total compensation provided or owed to the lobbying firm
 541 for the reporting period, reported in one of the following
 542 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
 543 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
 544 more. If the category "\$50,000 or more" is selected, the
 545 specific dollar amount of compensation must be reported, rounded
 546 up or down to the nearest \$1,000.

547 3. If the lobbying firm subcontracts work from another
 548 lobbying firm and not from the original principal:

549 a. The lobbying firm providing the work to be subcontracted
 550 shall be treated as the reporting lobbying firm's principal for
 551 reporting purposes under this paragraph; and

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552 b. The reporting lobbying firm shall, for each lobbying
 553 firm identified under subparagraph 2., identify the name and
 554 address of the principal originating the lobbying work.

555 4. The senior partner, officer, or owner of the lobbying
 556 firm shall certify to the veracity and completeness of the
 557 information submitted pursuant to this paragraph.

558 (7) A lobbyist shall promptly send a written statement to
 559 the commission canceling the designation of registration for a
 560 principal in his or her registration upon termination of such
 561 the lobbyist's representation of that principal. The commission
 562 may cancel a lobbyist's designation of a principal upon the
 563 principal's notification that the lobbyist is no longer
 564 authorized to represent the principal Notwithstanding this
 565 requirement, the commission may remove the name of a lobbyist
 566 from the list of registered lobbyists if the principal notifies
 567 the office that a person is no longer authorized to represent
 568 that principal.

569 (8) (a) The commission shall investigate every sworn
 570 complaint that is filed with it alleging that a person covered
 571 by this section has failed to register, has failed to submit a
 572 compensation report, has made a prohibited expenditure, or has
 573 knowingly submitted false information in any report or
 574 registration required in this section.

575 (b) All proceedings, the complaint, and other records
 576 relating to the investigation are confidential and exempt from
 577 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 578 Constitution, and any meetings held pursuant to an investigation
 579 are exempt from the provisions of s. 286.011(1) and s. 24(b),
 580 Art. I of the State Constitution either until the alleged

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581 violator requests in writing that such investigation and
582 associated records and meetings be made public or until the
583 commission determines, based on the investigation, whether
584 probable cause exists to believe that a violation has occurred.

585 (c) The commission shall investigate any lobbying firm,
586 lobbyist, principal, agency, officer, or employee upon receipt
587 of information from a sworn complaint or from a random audit of
588 lobbying reports indicating that the individual or entity has
589 intentionally failed to disclose any material fact or has
590 knowingly submitted false information in any report required by
591 this section or by rules adopted pursuant to this section a
592 possible violation other than a late filed report.

593 (d) Notwithstanding paragraphs (a)-(c), the commission may
594 dismiss any complaint or investigation resulting from a random
595 audit of lobbying reports, at any stage of disposition, if it
596 determines that the public interest is not served by proceeding
597 further, in which case the commission shall issue a public
598 report stating with particularity its reasons for the dismissal.

599 (e)1. Records relating to an audit conducted pursuant to
600 this section or an investigation conducted pursuant to this
601 section or s. 112.32155 are confidential and exempt from s.
602 119.07(1) and s. 24(a), Art. I of the State Constitution.

603 2. Any portion of a meeting wherein such investigation or
604 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.
605 I of the State Constitution.

606 3. The exemptions no longer apply if the lobbying firm
607 requests in writing that such investigation and associated
608 records and meetings be made public or the commission determines
609 there is probable cause that the audit reflects a violation of

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610 the reporting laws.

611 (15) The commission shall adopt rules to administer this
612 section, which shall prescribe forms for registration and
613 compensation reports, procedures for registration, and
614 procedures that will prevent disclosure of information that is
615 confidential as provided in this section.

616 Section 7. Section 420.5061, Florida Statutes, is amended
617 to read:

618 420.5061 Transfer of agency assets and liabilities.—The
619 corporation is the legal successor in all respects to the
620 agency, is obligated to the same extent as the agency under any
621 agreements existing on December 31, 1997, and is entitled to any
622 rights and remedies previously afforded the agency by law or
623 contract, including specifically the rights of the agency under
624 chapter 201 and part VI of chapter 159. Effective January 1,
625 1998, all references under Florida law to the agency are deemed
626 to mean the corporation. The corporation shall transfer to the
627 General Revenue Fund an amount which otherwise would have been
628 deducted as a service charge pursuant to s. 215.20(1) if the
629 Florida Housing Finance Corporation Fund established by s.
630 420.508(5), the State Apartment Incentive Loan Fund established
631 by s. 420.5087(7), the Florida Homeownership Assistance Fund
632 established by s. 420.5088(4), the HOME Investment Partnership
633 Fund established by s. 420.5089(1), and the Housing
634 Predevelopment Loan Fund established by s. 420.525(1) were each
635 trust funds. For purposes of s. 112.313, the corporation is
636 deemed to be a continuation of the agency, and the provisions
637 thereof are deemed to apply as if the same entity remained in
638 place. ~~Any employees of the agency and agency board members~~

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639 ~~covered by s. 112.313(9)(a)6. shall continue to be entitled to~~
640 ~~the exemption in that subparagraph, notwithstanding being hired~~
641 ~~by the corporation or appointed as board members of the~~
642 ~~corporation.~~

643 Section 8. This act shall take effect July 1, 2019.

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, March 26, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

3

A600B

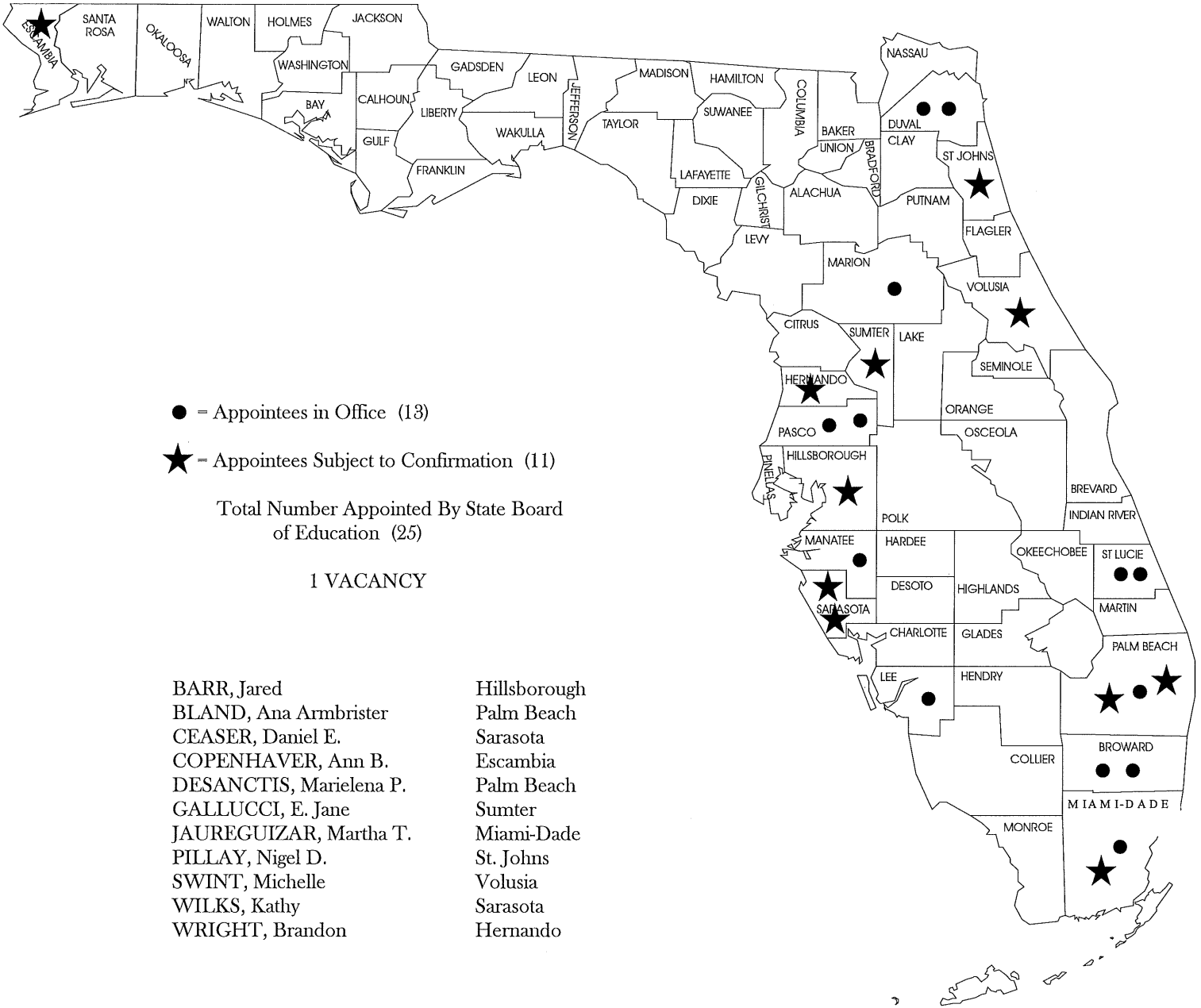
TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.

Education Practices Commission

3a	Bland, Ana Armbrister (West Palm Beach)	09/30/2022	
3b	Copenhaver, Ann B. (Pensacola)	09/30/2021	
3c	DeSanctis, Marielena P. (Lake Worth)	09/30/2022	
3d	Gallucci, E. Jane (Lady Lake)	09/30/2019	
3e	Jaureguizar, Martha T. (Miami)	09/30/2021	
3f	Pillay, Nigel D. (St. Augustine)	09/30/2022	
3g	Swint, Michelle (DeLand)	09/30/2021	
3h	Wilks, Kathy (Osprey)	09/30/2021	
3i	Wright, Brandon (Brooksville)	09/30/2020	

Education Practices Commission



Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bland, Ana Armbrister
 Term: 10/25/2018 – 09/30/2022
 City/County: West Palm Beach/Palm Beach
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 11/15/2018
 Prior Term: 09/23/2016 - 09/30/2018

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 6/29/18
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 3/8/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Teacher, Palm Beach County School District; Adjunct Professor at Palm Beach State College

Attendance: Attended 48 of 48 meetings (100%) from September 23, 2016 through March 6, 2019.

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 - Teacher
Number 19 - Dr. Bland is a teacher in Palm Beach County, 2010 - Present. She also is an adjunct professor for the Palm Beach State College. Dr. Bland previously was a teacher in Levy County, 2004-2010.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Copenhaver, Ann B. Appointed: 05/11/2018
 Term: 04/27/2018 – 09/30/2021 Prior Term: 05/20/2014 - 09/30/2017
 City/County: Pensacola/Escambia
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

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

Occupation: Teacher for Escambia County

Attendance: Attended 129 of 129 meetings (100%) from May 20, 2014 through October 23, 2018.

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 - Teacher
Number 19 - Ms. Copenhaver is a teacher for the Escambia County School Board, 1987-Present.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: DeSanctis, Marielena P.
 Term: 10/25/2018 – 09/30/2022
 City/County: Lake Worth/Palm Beach
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 11/15/2018
 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 1/16/19
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 3/8/19
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: Senior Vice President for Academic Affairs and Student Services, Broward College

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 - A former public school assistant superintendent
Number 19 - Dr. DeSanctis is an employee of Broward College since 2014 and currently serves as Senior Vice President for Academic Affairs and Student Services. Dr. DeSanctis worked for the Broward County Public School System, 2011-2014.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Gallucci, E. Jane
 Term: 04/27/2018 – 09/30/2019
 City/County: Lady Lake/Sumter
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 05/11/2018
 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 5/8/18
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 3/8/19
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

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 - Former Pinellas County School Board Member
Number 18 - Ms. Gallucci served on the Pinellas County School Board, 1996 to 2008.
Number 19 - Ms. Gallucci was previously employed as a guidance counselor with the Pinellas County School system, 1988 to 1996.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Jaureguizar, Martha T.
 Term: 04/27/2018 – 09/30/2021
 City/County: Miami/Miami-Dade
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 05/11/2018
 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 8/24/18
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 3/8/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Principal of Kendale Lakes Elementary School

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 - Administrator
Number 19 - Mrs. Jaureguizar is the Principal for Kendale Lakes Elementary School, 2009 to Present.
Mrs. Jaureguizar worked for the Miami-Dade County Parks & Recreation Department from 1983 to 1995 (summers only).

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Pillay, Nigel D.
 Term: 10/01/2018 – 09/30/2022
 City/County: St. Augustine/St. Johns
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 11/15/2018
 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 3/14/19
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 3/8/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Principal in the St. Johns County School District

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 - Administrator
Number 19 - Dr. Pillay is a Principal for the St. Johns County School District, since 2012. Dr. Pillay worked as a Teacher/Administrator for the Seminole County Public Schools, 2001-2012.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Swint, Michelle
 Term: 04/27/2018 – 09/30/2021
 City/County: DeLand/Volusia
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 05/11/2018
 Prior Term: 02/18/2016 - 09/30/2017

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 6/25/18
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 3/8/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Teacher, Volusia County School District

Attendance: Attended 46 of 46 meetings (100%) from February 18, 2016 through October 25, 2018.

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 - Teacher
Number 19 - Ms. Swint is a teacher with the Volusia County School District, since 2004,

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Wilks, Kathy
 Term: 04/27/2018 – 09/30/2021
 City/County: Osprey/Sarasota
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 05/11/2018
 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 3/12/19
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 3/8/19
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: Administrator for the Sarasota County Schools.

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 - Administrator
Number 19 - Ms. Wilks is currently an Administrator with the Sarasota County Schools, since 1999.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Wright, Brandon
 Term: 10/25/2018 – 09/30/2020
 City/County: Brooksville/Hernando
 Office: Education Practices Commission, Member
 Authority: 1012.79(1), F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 11/15/2018
 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 1/16/19
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 3/8/19
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Teacher at Springstead High School, Hernando County School Board

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 - Teacher
Number 19 - Mr. Wright works for the Hernando County School Board, since 2010.

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, March 26, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Innovation, Industry, and Technology
MEETING DATE: Tuesday, March 12, 2019
TIME: 1:30—3:30 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Committee on Innovation, Industry, and Technology

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

Office: Secretary of Business and Professional Regulation

Appointee: Beshears, Halsey

Term: 1/11/2019-Pleasure of Governor

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

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

COMMITTEE: Appropriations Subcommittee on Agriculture, Environment, and General Government
MEETING DATE: Wednesday, March 6, 2019
TIME: 2:00—3:45 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

TO: The Honorable Bill Galvano, President
FROM: Appropriations Subcommittee on Agriculture, Environment, and General Government

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

Office: Secretary of Business and Professional Regulation

Appointee: Beshears, Halsey

Term: 1/11/2019-Pleasure of Governor

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Beshears, Halsey Appointed: 01/11/2019
 Term: 01/11/2019 – Pleasure of Governor Prior Term:
 City/County: Monticello/Jefferson
 Office: Secretary of Business and Professional Regulation, Secretary
 Authority: 20.165(1), F.S.
 Reference(s): Committee on Appropriations Subcommittee on Agriculture, Environment, and General Government-Recommend Confirm-03/06/2019
 Committee on Innovation, Industry, and Technology-Recommend Confirm-03/12/2019
 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 1/25/19
8. Meets Requirements of Law	X		
9. Conviction Record		X	See Below
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 2/5/19
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: Secretary, Department of Business and Professional Regulation

Compensation: \$142,000.04 per year as of March 1, 2019.

Requirements: The Secretary is appointed by the Governor, subject to confirmation of the Senate.

Additional Requirements: The Secretary shall serve at the pleasure of the Governor.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 6 - Secretary Beshears served in the U.S. Navy, 8/1989 to 1/1993.
Number 9 - Secretary Beshears disclosed he was charged with reckless driving in 1995 in Columbia County and adjudication was withheld. The FDLE and HSMV reported this charge.
Number 18 - Secretary Beshears served as a State Representative in the Florida House of Representatives, 11/2012 - 1/2019.
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, March 26, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Criminal Justice
MEETING DATE: Monday, March 11, 2019
TIME: 1:30—3:30 p.m.
PLACE: Mallory Horne Committee Room, 37 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Committee on Criminal Justice

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

Office: Secretary of Juvenile Justice

Appointee: Marsteller, Simone

Term: 1/9/2019-Pleasure of Governor

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Marsteller, Simone Appointed: 01/14/2019
 Term: 01/09/2019 – Pleasure of Governor Prior Term:
 City/County: Tallahassee/Leon
 Office: Secretary of Juvenile Justice, Secretary
 Authority: 20.316(1), F.S.
 Reference(s): Committee on Criminal Justice-Recommend Confirm-03/11/2019
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/11/19
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 2/26/19
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		See Below

Occupation: Secretary of Juvenile Justice

Compensation: \$141,000.08 per year as of March 1, 2019.

Requirements: The Secretary is appointed by the Governor, subject to confirmation by the Senate.

Additional Requirements: The Secretary shall serve at the pleasure of the Governor.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 18 - Secretary Marstiller served as a Judge for the First District Court of Appeal, 2010 - 2015. She was the Interim Secretary of the Department of Management Services, 1/2003-4/2003. From 1/2005-7/2005, Secretary Marstiller was Vice-Chair of the Digital Divide Council. From 6/2002-9/2002, she was a member of the Governor's Guardian Ad Litem Working Group.

Number 19 - Secretary Marstiller previously was employed in the following state positions: Executive Director, Florida Elections Commission 5/2009 - 1/2010; Associate Deputy Attorney General, Office of the Attorney General, 1/2007 - 1/2008; State Chief Information Officer, State Technology Office 6/2004 - 7/2005; Deputy Chief of Staff to Governor Bush, 7/2003 - 6/2004; General Counsel, Department of Management Services, 10/2002 - 1/2003 and 4/2003 - 7/2003; Assistant General Counsel to Governor Bush, 7/2001 - 10/2002; and Chief Appellate Counsel, Agency for Health Care Administration, 7/1999 - 8/2001.

Number 20 - Legislative
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

6

A1425S

Ethics and Elections

MEETING DATE: Tuesday, March 26, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Governmental Oversight and Accountability
MEETING DATE: Tuesday, March 19, 2019
TIME: 4:00—6:00 p.m.
PLACE: 301 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Committee on Governmental Oversight and Accountability

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

Office: Secretary of Management Services

Appointee: Satter, Jonathan R.

Term: 2/5/2019-Pleasure of Governor

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

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

COMMITTEE: Appropriations Subcommittee on Agriculture, Environment, and General Government
MEETING DATE: Wednesday, March 13, 2019
TIME: 1:30—3:30 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Appropriations Subcommittee on Agriculture, Environment, and General Government

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

Office: Secretary of Management Services

Appointee: Satter, Jonathan R.

Term: 2/5/2019-Pleasure of Governor

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Satter, Jonathan R. Appointed: 02/05/2019
 Term: 02/05/2019 – Pleasure of Governor Prior Term:
 City/County: North Palm Beach/Palm Beach
 Office: Secretary of Management Services, Secretary
 Authority: 20.22(1), F.S.
 Reference(s): Committee on Appropriations Subcommittee on Agriculture, Environment, and General
 Government-Recommend Confirm-03/13/2019
 Committee on Governmental Oversight and Accountability-Recommend Confirm-03/19/2019
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/27/18
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 2/19/19
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		See Below

Occupation: Secretary of Management Services

Compensation: \$142,000.04 per year as of March 1, 2019.

Requirements: The Secretary is appointed by the Governor, subject to confirmation by the Senate.

Additional Requirements: The Secretary shall serve at the pleasure of the Governor.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 18 - Secretary Satter served as a Commissioner on the Health Care District of Palm Beach County, 2005-2010.
Number 20 - Legislative
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, March 26, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

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

COMMITTEE: Committee on Governmental Oversight and Accountability
MEETING DATE: Tuesday, March 19, 2019
TIME: 4:00—6:00 p.m.
PLACE: 301 Senate Building

TO: The Honorable Bill Galvano, President

FROM: Committee on Governmental Oversight and Accountability

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

Office: Secretary of State

Appointee: Lee, Laurel M.

Term: 2/4/2019-Pleasure of Governor

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

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Lee, Laurel M. Appointed: 01/28/2019
 Term: 02/04/2019 – Pleasure of Governor Prior Term:
 City/County: Thonotosassa/Hillsborough
 Office: Secretary of State, Secretary
 Authority: 20.10, F.S.
 Reference(s): Committee on Governmental Oversight and Accountability-Recommend Confirm-03/19/2019
 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 6 filed as of 6/26/18
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 2/19/19
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		See Below

Occupation: Secretary, Department of State

Compensation: \$141,999.96 per year as of March 1, 2019.

Requirements: The Secretary of State is appointed by the Governor, subject to confirmation by the Senate.

Additional Requirements: The Secretary of State shall serve at the pleasure of the Governor.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 18 - Secretary Lee served as Circuit Court Judge for the Thirteenth Judicial Circuit, 2013 to 2019.
Number 20 - Legislative
Education Verified

The Florida Senate
Committee Notice Of Hearing

IN THE FLORIDA SENATE
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of
Halsey Beshears
Secretary of Business and Professional Regulation

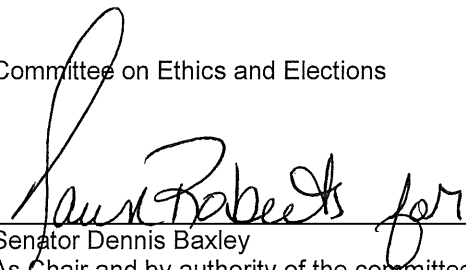
NOTICE OF HEARING

TO: Secretary Halsey Beshears

YOU ARE HEREBY NOTIFIED that the Committee on Ethics and Elections of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, March 26, 2019, in the Pat Thomas Committee Room, 412 Knott Building, commencing at 4:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.
DATED this the 21st day of March, 2019

Committee on Ethics and Elections



Senator Dennis Baxley
As Chair and by authority of the committee

cc: Members, Committee on Ethics and Elections
Office of the Sergeant at Arms

THE FLORIDA SENATE

COMMITTEE WITNESS OATH

CHAIR:

Please raise your right hand and be sworn in as a witness.

Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

Halsey Beshears, Secretary

WITNESS'S NAME: Business & Professional Regulation

ANSWER: I do.

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

COMMITTEE NAME: Senate Ethics and Elections

DATE: 03/26/19

APPEARANCE RECORD

Tib # 4

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

3/26/19

Meeting Date

N/A

Bill Number (if applicable)

Topic CONFIRMATION OF SECRETARY HALSEY RESHEARS

Amendment Barcode (if applicable)

Name GABE PETERS for " " "

Job Title LEGISLATIVE AFFAIRS DIRECTOR

Address 2601 BLAIR STONE RD.

Phone 850-509-5212

Street

TALLAHASSEE

FL

32399

Email

City

State

Zip

Speaking: [] For [] Against [] Information

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

Representing DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION

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

Lobbyist registered with Legislature: [X] Yes [] No

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

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

The Florida Senate
Committee Notice Of Hearing

IN THE FLORIDA SENATE
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of
Simone Marsteller
Secretary of Juvenile Justice

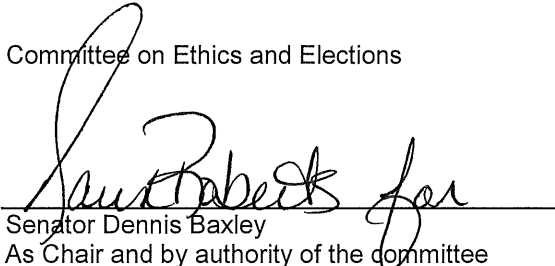
NOTICE OF HEARING

TO: Ms. Simone Marsteller

YOU ARE HEREBY NOTIFIED that the Committee on Ethics and Elections of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, March 26, 2019, in the Pat Thomas Committee Room, 412 Knott Building, commencing at 4:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.
DATED this the 21st day of March, 2019

Committee on Ethics and Elections



Senator Dennis Baxley
As Chair and by authority of the committee

cc: Members, Committee on Ethics and Elections
Office of the Sergeant at Arms

THE FLORIDA SENATE

COMMITTEE WITNESS OATH

CHAIR:

Please raise your right hand and be sworn in as a witness.

Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

Simone Marstiller, Secretary

WITNESS'S NAME: Juvenile Justice

ANSWER: I do.

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

COMMITTEE NAME: Senate Ethics and Elections

DATE: 03/26/19

APPEARANCE RECORD

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

3/26/2019
Meeting Date

Bill Number (if applicable)

Topic Confirmation Hearing for DOJ Sec.

Amendment Barcode (if applicable)

Name Simone Marsteller

Job Title Sec. of DOJ

Address 2737 Centerville Dr.

Phone _____

Tallahassee 32309

Email _____

City State Zip

Speaking: For Against Information

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

Representing _____

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
Committee Notice Of Hearing

IN THE FLORIDA SENATE
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of
Jonathan R. Satter
Secretary of Management Services

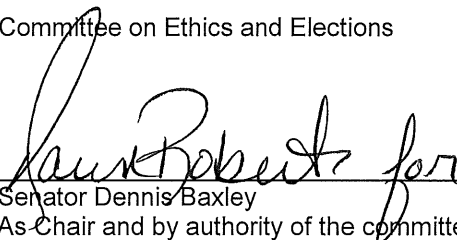
NOTICE OF HEARING

TO: Secretary Jonathan R. Satter

YOU ARE HEREBY NOTIFIED that the Committee on Ethics and Elections of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, March 26, 2019, in the Pat Thomas Committee Room, 412 Knott Building, commencing at 4:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.
DATED this the 21st day of March, 2019

Committee on Ethics and Elections



Senator Dennis Baxley
As Chair and by authority of the committee

cc: Members, Committee on Ethics and Elections
Office of the Sergeant at Arms

THE FLORIDA SENATE

COMMITTEE WITNESS OATH

CHAIR:

Please raise your right hand and be sworn in as a witness.

Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

Jonathan R. Satter, Secretary

WITNESS'S NAME: Management Services

ANSWER: I do.

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

COMMITTEE NAME: Senate Ethics and Elections

DATE: 03/26/19

APPEARANCE RECORD

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

03/26/19

Meeting Date

Bill Number (if applicable)

Topic Confirmation

Amendment Barcode (if applicable)

Name Jonathan Satter

Job Title Secretary

Address 4050 Esplanade Way

Phone 850-922-6535

Tallahassee FL 32399
City State Zip

Email Andrew.Forst@dms.myflorida.com

Speaking: For Against Information

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

Representing Dept. of Management Services

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
Committee Notice Of Hearing

IN THE FLORIDA SENATE
TALLAHASSEE, FLORIDA

IN RE: Executive Appointment of
Laurel M. Lee
Secretary of State

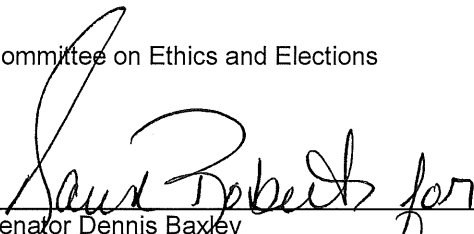
NOTICE OF HEARING

TO: Mrs. Laurel M. Lee

YOU ARE HEREBY NOTIFIED that the Committee on Ethics and Elections of the Florida Senate will conduct a hearing on your executive appointment on Tuesday, March 26, 2019, in the Pat Thomas Committee Room, 412 Knott Building, commencing at 4:00 p.m., pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Please be present at the time of the hearing.
DATED this the 21st day of March, 2019

Committee on Ethics and Elections



Senator Dennis Baxley
As Chair and by authority of the committee

cc: Members, Committee on Ethics and Elections
Office of the Sergeant at Arms

THE FLORIDA SENATE

COMMITTEE WITNESS OATH

CHAIR:

Please raise your right hand and be sworn in as a witness.

Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

Laurel M. Lee

WITNESS'S NAME: Secretary of State

ANSWER: I do.

Pursuant to §90.605(1), *Florida Statutes*: "The witness's answer shall be noted in the record."

COMMITTEE NAME: Senate Ethics and Elections

DATE: 03/26/19

Tab # 7

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/26/19
Meeting Date

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Laura Lee

Job Title Secretary of State

Address 500 S. Bronough

Phone (877) 245-6509

Tallahassee FL. 32399
City State Zip

Email Laura.Lee@dos.myflorida.com

Speaking: For Against Information

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

Representing Department of State

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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T. J. [Signature]

APPEARANCE RECORD

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

3/26

Meeting Date

Bill Number (if applicable)

Topic Confirmation of Laurel Lee

Amendment Barcode (if applicable)

Name John Guard

Job Title Chief Deputy Attorney General

Address PL-01 The Capitol

Phone 850-250-0140

Street

Tallahassee FL

City

State

Zip

Email john.guard@myfloridalegal.com

Speaking: For Against Information

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

Representing Florida Attorney General

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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Tab #7

THE FLORIDA SENATE

APPEARANCE RECORD

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

26 Mar 19
Meeting Date

Bill Number (if applicable)

Topic Confirmation to SOS - Laurel Lee

Amendment Barcode (if applicable)

Name Paul Lux

Job Title President, Florida Sup. of Elections

Address 302 Wilson St., Ste 102
Street

Phone 850-225-7096

Crestview FL 32536
City State Zip

Email plux@mydecalora.com

Speaking: For Against Information

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

Representing Florida Assoc. of 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.



The Florida Senate

Senator Manny Diaz, Jr.

District 36

District Office:

Hialeah Gardens City Hall
10001 NW 87 Avenue
Hialeah Gardens, Florida 33016
(305) 364-3073

Email: diaz.manny@flsenate.gov

Tallahassee Office:

306 Senate Building
404 South Monroe Street
Tallahassee, Florida 32399
(850) 487-5036

VIA EMAIL

The Honorable Baxley
Chair
Ethics and Elections
The Florida Senate
420 Knott Building
404 S. Monroe Street
Tallahassee, FL 32399-11

REF: ABSENCE EXCUSE

Honorable Chair Baxley:

Please excuse my absence from Ethics and Elections committee meeting scheduled for Tuesday, March 26, 2019 at 4:00 pm. I will be presenting two of my bills at different committees.

Please feel free to contact me with any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Diaz".

Manny Diaz, Jr.

CC: Dawn Roberts, Staff Director
Dianne Vause, Administrative Assistant

Education Committee Chair, Appropriations Subcommittee on Education, Health Policy,
Appropriations Subcommittee on Health and Human Services, Ethics and Elections,
Joint Select Committee on Collective Bargaining

CourtSmart Tag Report

Room: KN 412

Case No.:

Type:
Judge:

Caption: Senate Ethics and Elections Committee

Started: 3/26/2019 4:04:05 PM

Ends: 3/26/2019 5:14:14 PM

Length: 01:10:10

4:04:04 PM Meeting called to order
4:04:10 PM Roll Call - Quorum is present
4:04:30 PM Comments from Chair
4:04:42 PM Tab 1 - SB 582 by Senator Diaz - Voting Systems presented by Senator Braynon
4:05:46 PM Chair
4:06:21 PM Questions?
4:06:28 PM Senator Passidomo
4:06:44 PM Senator Braynon
4:07:17 PM Senator Passidomo
4:07:26 PM Senator Braynon
4:08:07 PM Senator Rodriguez
4:08:37 PM Senator Braynon
4:09:11 PM Chair
4:09:21 PM Senator Powell
4:09:41 PM Chair
4:10:07 PM Senator Braynon
4:10:22 PM Chair
4:10:27 PM Appearance Forms?
4:10:35 PM Mark Early, Leon County Supervisor of Elections, speaking for the bill
4:11:25 PM Senator Passidomo
4:12:19 PM Mark Early
4:12:42 PM Chair
4:12:46 PM Mark Early
4:12:53 PM Chair
4:13:45 PM Questions? None
4:13:53 PM Mark Anderson, Bay County Supervisor of Elections, speaking for the bill
4:15:29 PM Senator Powell
4:16:30 PM Mark Anderson
4:18:24 PM Chair
4:18:27 PM Senator Braynon
4:18:43 PM Chair
4:20:22 PM Paul Lux, representing FL State Assoc. of Sup. of Elec., waives in support
4:20:28 PM Linda Miklowitz, Chair, Action Team NCJW Tallahassee, waives in support
4:20:43 PM Keri Rayborn Silver, Clear Ballot, waives in support
4:21:03 PM Debate? None
4:21:07 PM Senator Braynon waives close
4:21:13 PM Roll Call SB 582 - Favorable
4:21:35 PM Chair turned over to Vice Chair Braynon
4:21:50 PM Tab 2 - SB 1702 by Senator Baxley, Ethics Reform
4:23:53 PM Questions?
4:23:58 PM Senator Stargel
4:24:29 PM Senator Baxley
4:25:29 PM Senator Stargel
4:26:38 PM Senator Baxley
4:28:09 PM Senator Stargel
4:28:42 PM Senator Baxley
4:28:55 PM Senator Stargel
4:30:05 PM Senator Baxley
4:30:48 PM Senator Passidomo
4:31:48 PM Senator Baxley
4:33:04 PM Senator Braynon with question
4:33:17 PM Senator Baxley responds

4:34:09 PM Senator Braynon with follow up
4:34:23 PM AM 695238 by Senator Baxley
4:34:37 PM Senator Baxley explains the amendment
4:35:17 PM no questions
4:35:38 PM no public testimony
4:35:45 PM waive close
4:35:48 PM AM 695238 is adopted
4:35:55 PM take up AM 141988 by Senator Baxley
4:36:17 PM no questions or appearance cards
4:36:28 PM AM 141988 is adopted
4:36:37 PM No appearance forms
4:36:51 PM Senator Braynon with debate
4:38:40 PM Senator Baxley to close
4:42:54 PM Motion to TP SB 1702- no objection to motion
4:44:08 PM Chair Baxley takes gavel back.
4:44:40 PM Tabs 3a-3i - Senate Confirmation Hearing on Education Practices Commission
4:44:49 PM One vote for all appointees listed under Tab 3
4:45:30 PM Motion to take up confirmation of all under Tabs (3a-3i) by Senator Stargel
4:45:49 PM Motion is adopted without objection
4:45:58 PM questions about any one on Tab 3 ?
4:46:12 PM none
4:46:14 PM Call the roll on all under Tab 3
4:46:29 PM All appointees under Tab 3 Confirmation recommended favorably
4:47:03 PM Tab 4 - Secretary Halsey Beshears, Secretary of Business and Professional Regulation - under oath as witness - recognized
4:48:00 PM Questions?
4:48:38 PM Senator Rodriguez
4:49:09 PM Halsey Beshears
4:50:47 PM Senator Rodriguez
4:51:23 PM Halsey Beshears
4:51:47 PM Questions of Secretary Beshears? None
4:51:50 PM Appearance Forms? None
4:51:52 PM Senator Braynon motion to recommend confirmation
4:51:54 PM Roll Call
4:52:36 PM Tab 4 - Halsey Beshears Recommend Confirm Favorable
4:53:04 PM Tab 5 - Simone Marstiller - Secretary of Juvenile Justice, Oath administered
4:54:45 PM Secretary Simone Marstiller, Dept. of Juvenile Justice, addresses committee
4:56:38 PM Questions of Secretary Marstiller?
4:56:50 PM no appearance forms
4:56:56 PM Senator Braynon motion to recommend confirmation
4:57:08 PM all in favor- without objection motion adopted
4:57:38 PM Tab 5 - Simone Marstiller, Sec. of DJJ, Roll Call - Recommend Confirmation - Favorable
4:58:06 PM Tab 6 - Jonathan Satter, Sec., Dept. of Management Services
4:58:28 PM Secretary Jonathan R. Satter, Oath administered, Recognized to address the committee
5:01:11 PM questions?
5:02:11 PM No questions
5:02:16 PM No appearance forms
5:02:26 PM Motion by Senator Powell to recommend confirmation of Jonathan Satter as Sec. of DMS
5:02:50 PM Tab 6 - Sec. Satter, Roll Call - Confirmation is recommended favorably
5:03:08 PM Tab 7 - Laurel M. Lee, Secretary, Department of State
5:03:22 PM Oath administered to Sec. Lee
5:04:01 PM Secretary Lee is recognized to address the committee
5:05:05 PM Sec. Lee addresses the Committee
5:07:45 PM Questions for Secretary Lee
5:08:49 PM Questions?
5:08:54 PM Senator Powell
5:09:03 PM Secretary Lee
5:10:42 PM Appearance forms
5:10:50 PM Paul Lux, representing FL State Assoc. of Supervisors of Elections, waives in support
5:11:07 PM John Guard, Chief Deputy Attorney General, waives in support
5:11:37 PM Senator Braynon makes motion to recommend confirmation
5:11:51 PM Motion is adopted

5:12:15 PM Roll call
5:12:19 PM Tab 7 - Sec. Lee, Roll Call, Confirmation is recommended favorable
5:12:33 PM Does any Senator wish to be recorded voting on bills or appointees before the committee-
5:12:33 PM No response
5:13:31 PM Senator Powell moves we adjourn, Is there objection? Seeing none, show the motion adopted.
5:13:56 PM Meeting is adjourned.