

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Passidomo, Chair**  
**Senator Grimsley, Vice Chair**

**MEETING DATE:** Tuesday, March 7, 2017  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Passidomo, Chair; Senator Grimsley, Vice Chair; Senators Bean, Braynon, Lee, Rodriguez, and Torres

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
<b>Board of Accountancy</b>			
1	Socorro, Jesus (Miami)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Board of Acupuncture</b>			
2	Margewicz, Janine Marie (Winter Garden)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Board of Architecture and Interior Design</b>			
3	Bao-Garciga, Aida (Miami)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Regulatory Council of Community Association Managers</b>			
4	Phillips, Angela M. (Satellite Beach)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Board of Trustees of Daytona State College</b>			
5	Freckleton, Lloyd J. (Flagler Beach)	05/31/2019	Recommend Confirm Yeas 7 Nays 0
	Hosseini, Forough B. (Ormond Beach)	05/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Education Practices Commission</b>			
6	Bland, Ana Armbrister (West Palm Beach)	09/30/2018	Recommend Confirm Yeas 7 Nays 0
	Hardie, Douglas V. ()	08/17/2020	Recommend Confirm Yeas 7 Nays 0
	Hollis-Cole, Tiffany (West Palm Beach)	09/30/2020	Recommend Confirm Yeas 7 Nays 0
	Maynard, Stephen K. ()	08/17/2020	Recommend Confirm Yeas 7 Nays 0
<b>Commission for Independent Education</b>			
7	Crocitto, Peter F., Jr. (Palm City)	06/30/2019	Recommend Confirm Yeas 7 Nays 0

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Ethics and Elections

Tuesday, March 7, 2017, 4:00—6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Board of Occupational Therapy Practice</b>			
8	Banta, Caylee (Rockledge)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Board of Physical Therapy Practice</b>			
9	Donald, Ellen Kroog (Ft. Myers)	10/31/2020	Recommend Confirm Yeas 7 Nays 0
<b>Board of Podiatric Medicine</b>			
10	Strickland, Joseph H. (Clearwater)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Florida Real Estate Appraisal Board</b>			
11	Oreto, Evalyn F. (Hudson)	10/31/2019	Recommend Confirm Yeas 7 Nays 0
<b>Northeast Florida Regional Planning Council, Region 4</b>			
12	Johns, James Kenneth (St. Augustine)	10/01/2018	Recommend Confirm Yeas 7 Nays 0
<b>Board of Professional Surveyors and Mappers</b>			
13	McLaughlin, Christopher Paul (Dunedin)	10/31/2020	Recommend Confirm Yeas 7 Nays 0
	Schryver, David W. (Port St. Lucie)	10/31/2020	Recommend Confirm Yeas 7 Nays 0
<b>Governing Board of the Suwannee River Water Management District</b>			
14	Jones, Gary F. (Old Town)	03/01/2020	Recommend Confirm Yeas 7 Nays 0
	Keith, Charles G. ( )	03/01/2018	Recommend Confirm Yeas 7 Nays 0
	Quincey, Donald "Don" (Chiefland)	03/01/2020	Recommend Confirm Yeas 7 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
15	<b>SB 914</b> Baxley (Identical H 919)	Public Meetings; Specifying conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions, etc.  EE     03/07/2017 Favorable CA RC	Favorable Yeas 7 Nays 0

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Ethics and Elections

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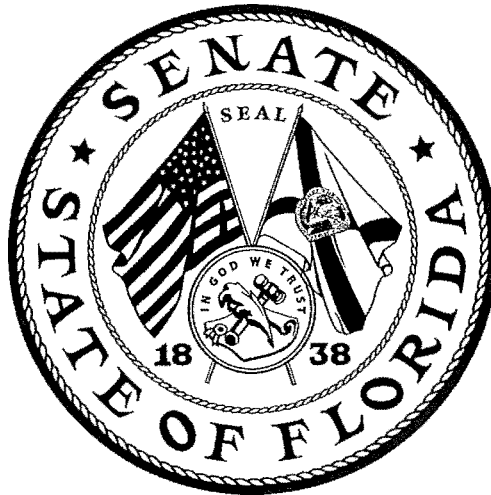
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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	<b>SJR 882</b> Bean (Identical HJR 811)	Election of Secretary of State/Membership of Cabinet; Proposing amendments to the State Constitution to provide for the election of the Secretary of State and his or her inclusion as a member of the Cabinet, etc.  EE      03/07/2017 Favorable RC	Favorable Yeas 7 Nays 0
17	<b>SB 954</b> Passidomo (Compare CS/H 105, H 733, H 1325, S 544, S 598, S 1160)	Canvassing of Vote-by-mail Ballots; Authorizing use of the vote-by-mail ballot cure affidavit if an elector's signature does not match the signature in the registration books or precinct register; requiring the supervisor of elections to immediately notify an elector upon receipt of a vote-by-mail ballot with a missing or mismatched signature; specifying that a Florida driver license or Florida identification card are acceptable forms of identification for purposes of curing a vote-by-mail ballot, etc.  EE      03/07/2017 Favorable JU RC	Favorable Yeas 7 Nays 0

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Other Related Meeting Documents

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Committee:  
**ETHICS AND ELECTIONS**

Senator Passidomo, Chair  
Senator Grimsley, Vice Chair

**Meeting Packet**  
Tuesday, March 7, 2017  
4:00—6:00 p.m.  
Pat Thomas Committee Room, 412 Knott Building

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1	Socorro, Jesus (Miami)	10/31/2019	
<b>Board of Acupuncture</b>			
2	Margewicz, Janine Marie (Winter Garden)	10/31/2019	
<b>Board of Architecture and Interior Design</b>			
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9	Donald, Ellen Kroog (Ft. Myers)	10/31/2020	
<b>Board of Podiatric Medicine</b>			
10	Strickland, Joseph H. (Clearwater)	10/31/2019	

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Tuesday, March 7, 2017, 4:00—6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Florida Real Estate Appraisal Board</b>			
11	Oreto, Evalyn F. (Hudson)	10/31/2019	
<b>Northeast Florida Regional Planning Council, Region 4</b>			
12	Johns, James Kenneth (St. Augustine)	10/01/2018	
<b>Board of Professional Surveyors and Mappers</b>			
13	McLaughlin, Christopher Paul (Dunedin)	10/31/2020	
	Schryver, David W. (Port St. Lucie)	10/31/2020	
<b>Governing Board of the Suwannee River Water Management District</b>			
14	Jones, Gary F. (Old Town)	03/01/2020	
	Keith, Charles G. ( )	03/01/2018	
	Quincey, Donald "Don" (Chiefland)	03/01/2020	

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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16	<b>SJR 882</b> Bean (Identical HJR 811)	Election of Secretary of State/Membership of Cabinet; Proposing amendments to the State Constitution to provide for the election of the Secretary of State and his or her inclusion as a member of the Cabinet, etc.  EE 03/07/2017 RC	
17	<b>SB 954</b> Passidomo (Compare CS/H 105, H 733, S 544, S 598, S 1160)	Canvassing of Vote-by-mail Ballots; Authorizing use of the vote-by-mail ballot cure affidavit if an elector's signature does not match the signature in the registration books or precinct register; requiring the supervisor of elections to immediately notify an elector upon receipt of a vote-by-mail ballot with a missing or mismatched signature; specifying that a Florida driver license or Florida identification card are acceptable forms of identification for purposes of curing a vote-by-mail ballot, etc.  EE 03/07/2017 JU RC	

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Ethics and Elections

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

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The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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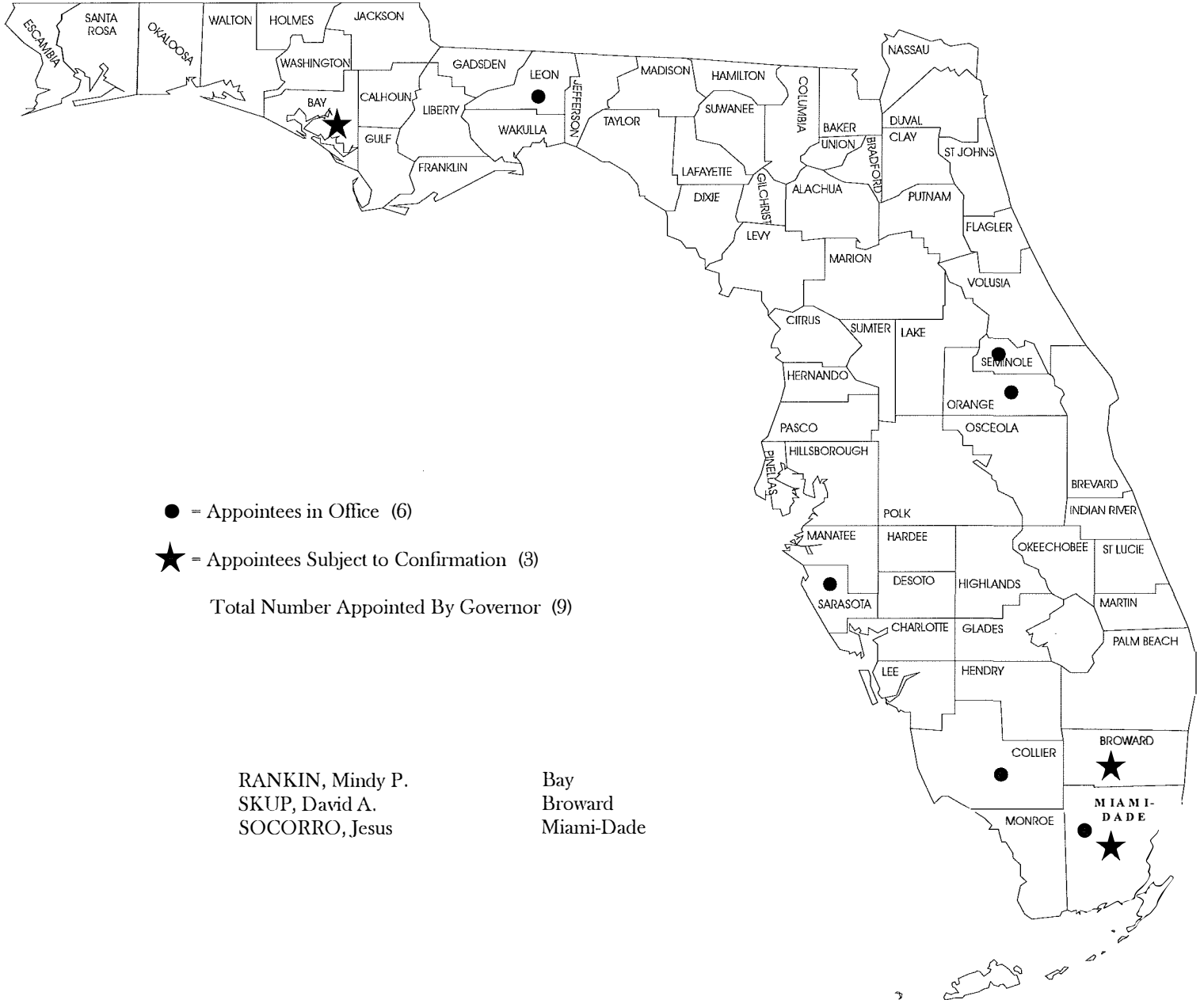
**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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



# Board of Accountancy



- = Appointees in Office (6)
  - ★ = Appointees Subject to Confirmation (3)
- Total Number Appointed By Governor (9)

RANKIN, Mindy P.  
 SKUP, David A.  
 SOCORRO, Jesus

Bay  
 Broward  
 Miami-Dade

## Recommendation for Senate Confirmation of Executive Appointment

Appointee: Socorro, Jesus  
 Term: 12/16/2016 – 10/31/2019  
 City/County: Miami/Miami-Dade  
 Office: Board of Accountancy, Member  
 Authority: 473.303, F.S. & 20.165(4)(b)1, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 12/20/2016  
 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 1/31/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/25/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Audit Principal at Morrison, Brown, Argiz, Farra, LLC

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The nine-member board consists of:

- Seven members who are certified public accountants who are licensed in this state and practiced public accounting in this state on a substantially full-time basis for at least five years; and
- Two lay members who are not and have never been certified public accountants or members of any closely related profession or occupation.

At least one member of the board must be sixty years of age or older.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Certified Public Accountant

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Tuesday, March 7, 2017

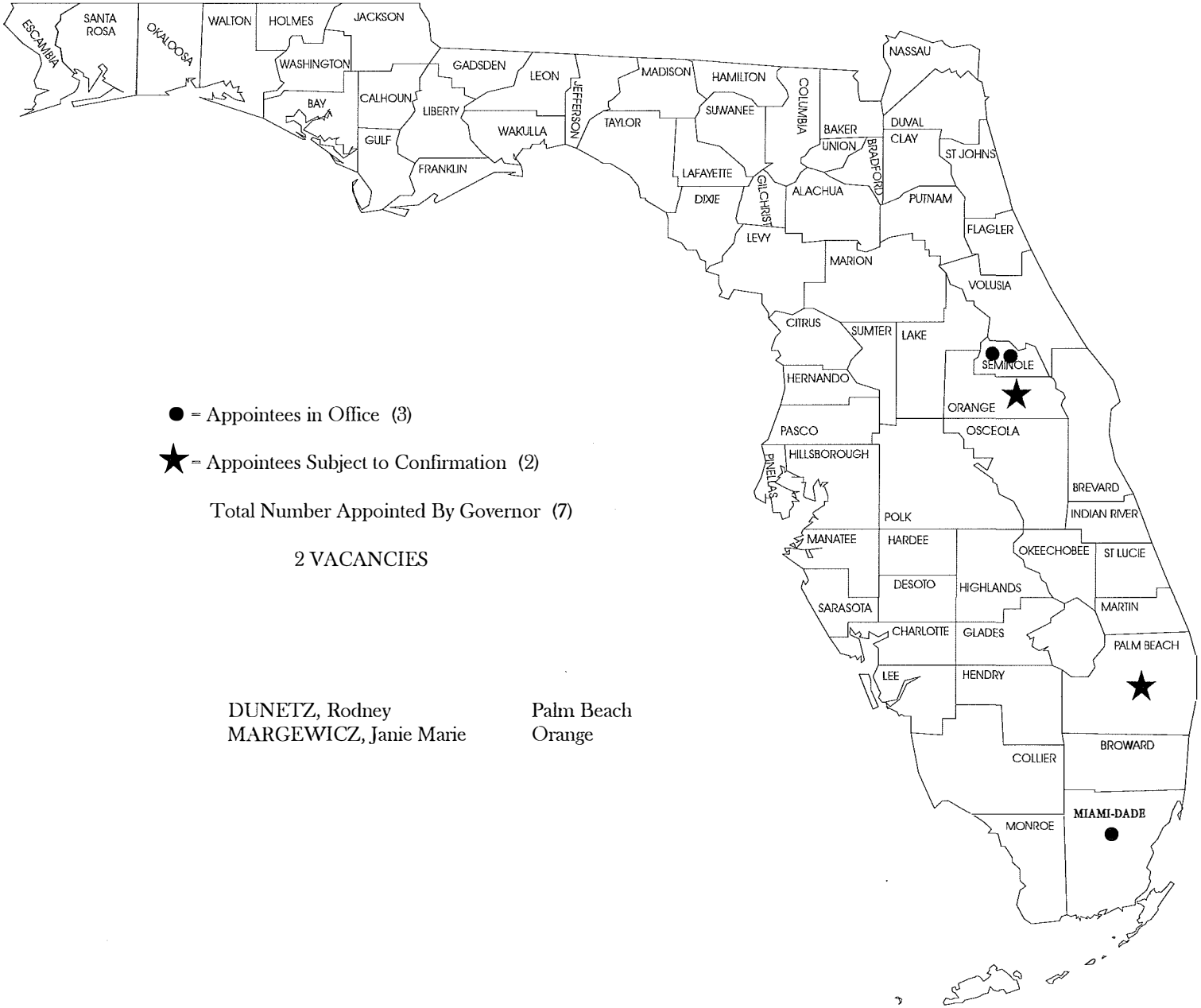
**TIME:** 4:00—6:00 p.m.

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

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A20M

# Board of Acupuncture



- = Appointees in Office (3)
- ★ = Appointees Subject to Confirmation (2)

Total Number Appointed By Governor (7)

2 VACANCIES

DUNETZ, Rodney  
 MARGEWICZ, Janie Marie

Palm Beach  
 Orange

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Margewicz, Janine Marie  
 Term: 11/04/2016 – 10/31/2019  
 City/County: Winter Garden/Orange  
 Office: Board of Acupuncture, Member  
 Authority: 457.103, F.S. and 20.43(3)(g)1, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 11/14/2016  
 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 1/31/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/25/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Acupuncture Physician at Sunrise Acupuncture

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The seven-member board consists of:  
 •Five members who are licensed Florida acupuncturists; and  
 •Two members who are lay persons who are not and who have never been acupuncturists or members of any closely related profession.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. Members shall be appointed for 4-year terms. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Acupuncturist  
Number 18 - Mrs. Margewicz served on the Hope Charter School Board, 2009-2017.

The Florida Senate  
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Ethics and Elections

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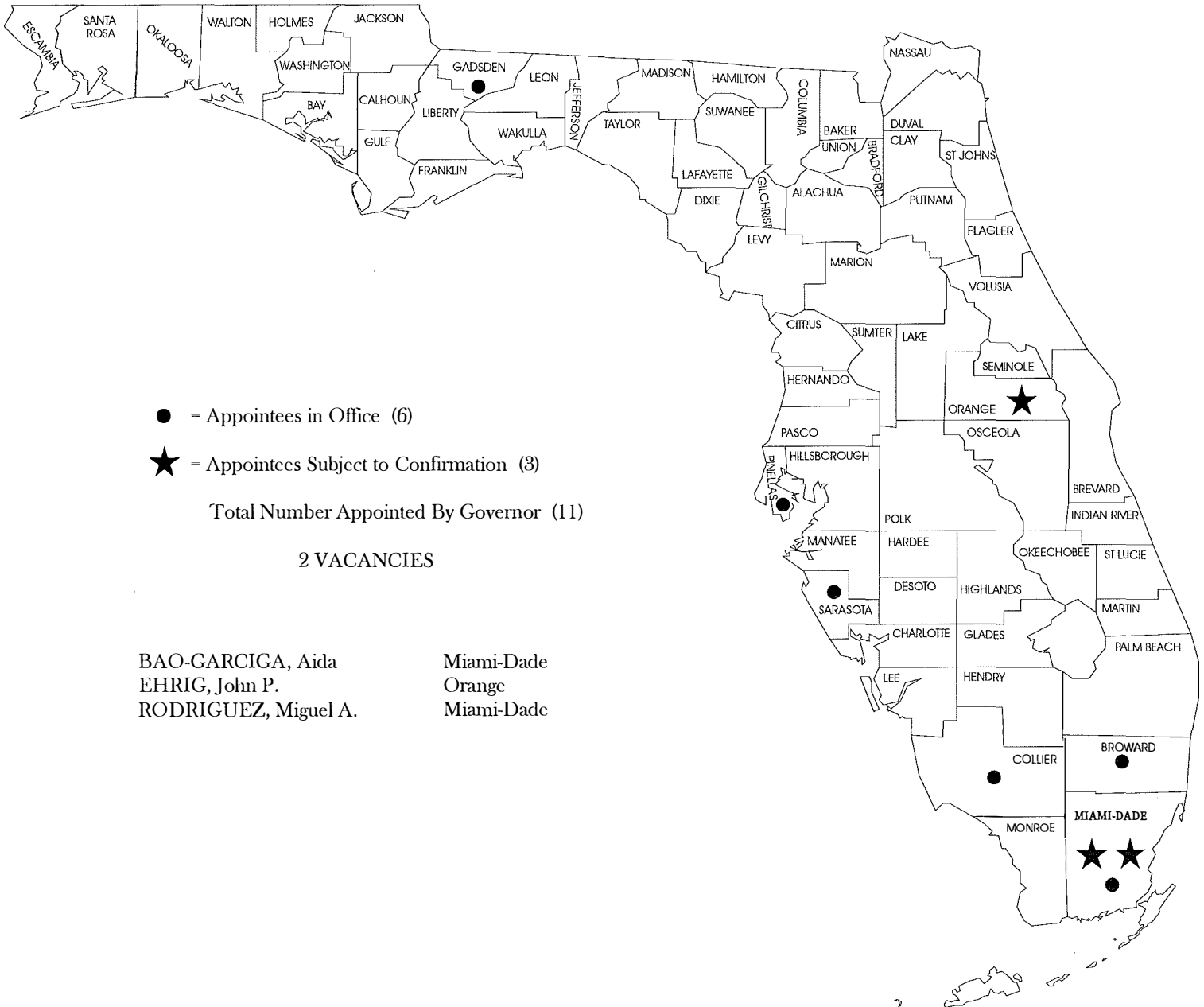
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**TIME:** 4:00—6:00 p.m.

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



# Board of Architecture and Interior Design



● = Appointees in Office (6)  
 ★ = Appointees Subject to Confirmation (3)  
 Total Number Appointed By Governor (11)  
 2 VACANCIES

BAO-GARCIGA, Aida	Miami-Dade
EHRIG, John P.	Orange
RODRIGUEZ, Miguel A.	Miami-Dade

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bao-Garciga, Aida  
 Term: 04/22/2016 – 10/31/2019

Appointed: 04/21/2016  
 Prior Term: 02/09/2016 - 10/31/2019

City/County: Miami/Miami-Dade

Office: Board of Architecture and Interior Design, Member

Authority: 481.205, F.S. & 20.165(4)(a)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 6/13/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/11/17
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:** Chief of Facilities Design, Miami-Dade County Aviation

**Attendance:** Attended 5 of 6 meetings (83%) from February 9, 2016 through January 12, 2017.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The eleven-member board consists of:

- Five registered architects who have been engaged in the practice of architecture for at least 5 years;
- Three registered interior designers who have been offering interior design services for at least 5 years and who are not also registered architects; and
- Three lay persons who are not and have never been architects, interior designers, or members of any closely related profession or occupation.
- At least one member of the board must be 60 years of age or older.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Interior Designer

Number 18 - Mrs. Bao-Garciga has served on the Board of Architecture and Interior Design since 4/2009.

Number 19 - Mrs. Bao-Garciga has been employed by the Miami-Dade County Aviation since 1985 and is currently the Chief of Facilities Design.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

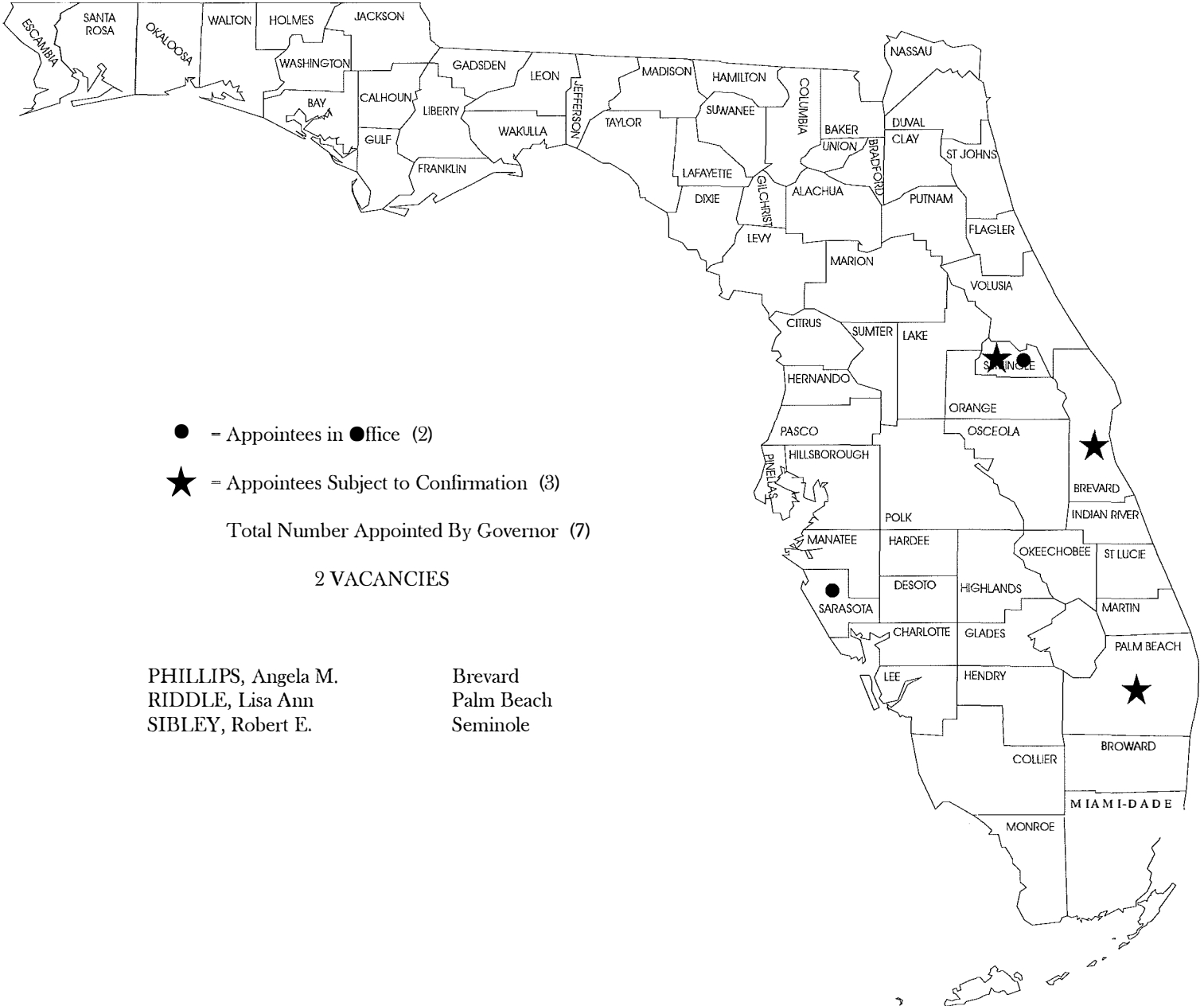
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**PLACE:** Pat Thomas Committee Room, 412 Knott Building

# Regulatory Council of Community Association Managers



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Phillips, Angela M. Appointed: 11/09/2016  
 Term: 11/09/2016 – 10/31/2019 Prior Term: 09/18/2013 - 10/31/2015  
 City/County: Satellite Beach/Brevard  
 Office: Regulatory Council of Community Association Managers, Member  
 Authority: 468.4315  
 Reference(s): Committee on Ethics and Elections

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

**Occupation:** Manager at Dependable Property Mgmt, LLC (CAM Firm)

**Attendance:** Attended 14 of 14 meetings (100%) from September 18, 2013 through February 8, 2017.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

**Requirements:** The seven member council consists of:

- Five members who are licensed community association managers, one of whom may be a community association manager employed by a timeshare managing entity as described in ss. 468.438 and 721.13, who have held an active license for at least five years; and
- Two members who are residents of the state who are not and have never been connected with the business of community association management, and shall not be prohibited from serving because the member is or has been a resident or board member of a community association.

**Additional Requirements:** Terms are for four years. Terms expire on October 31. No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Licensed Community Association Manager  
Number 14 - The Department of Business and Professional Regulation reported a complaint was filed in 2013, alleging Ms. Phillips had violated s. 718.112, F.S. and s. 720.303, F.S. relating to open homeowners' association board meetings. The case was closed on 4/7/2014, because of insufficient evidence.

The Florida Senate  
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Ethics and Elections

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# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Freckleton, Lloyd J. Appointed: 12/08/2016  
 Term: 12/08/2016 – 05/31/2019 Prior Term: 04/23/2012 - 05/31/2015  
 City/County: Flagler Beach/Flagler  
 Office: Board of Trustees of Daytona State College, Member  
 Authority: 1001.61(1)(2), F.S.  
 Reference(s): Committee on Ethics and Elections

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

**Occupation:** Retired

**Attendance:** Attended 47 of 49 meetings (96%) from April 23, 2012 through February 8, 2017.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

**Notes:** Number 6 - Mr. Freckleton served in the U.S. Army from 1968 to 2004 (active duty and reserve).  
Number 8 - Flagler County Resident  
Number 10 - Report 2016-138

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hosseini, Forough B. Appointed: 12/08/2016  
 Term: 12/08/2016 – 05/31/2019 Prior Term: 04/23/2012 - 05/31/2015  
 City/County: Ormond Beach/Volusia  
 Office: Board of Trustees of Daytona State College, Member  
 Authority: 1001.61(1)(2), F.S.  
 Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/30/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 2/13/17
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:** Sr. VP of Information Systems for ICI Homes, INC.

**Attendance:** Attended 45 of 49 meetings (92%) from April 23, 2012 through February 8, 2017.

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

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

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

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

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

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years and may be reappointed. Terms shall expire on May 31 of the year of expiration, or as soon thereafter as the successors shall be qualified to serve. Trustees shall reside in the college's designated counties pursuant to Section 1000.21(3), F.S. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

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

Number 10 - Report 2017-116

Number 18 - Mrs. Hosseini has served on the Daytona State College Board of Trustees since 6/2006.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

6

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## Ethics and Elections

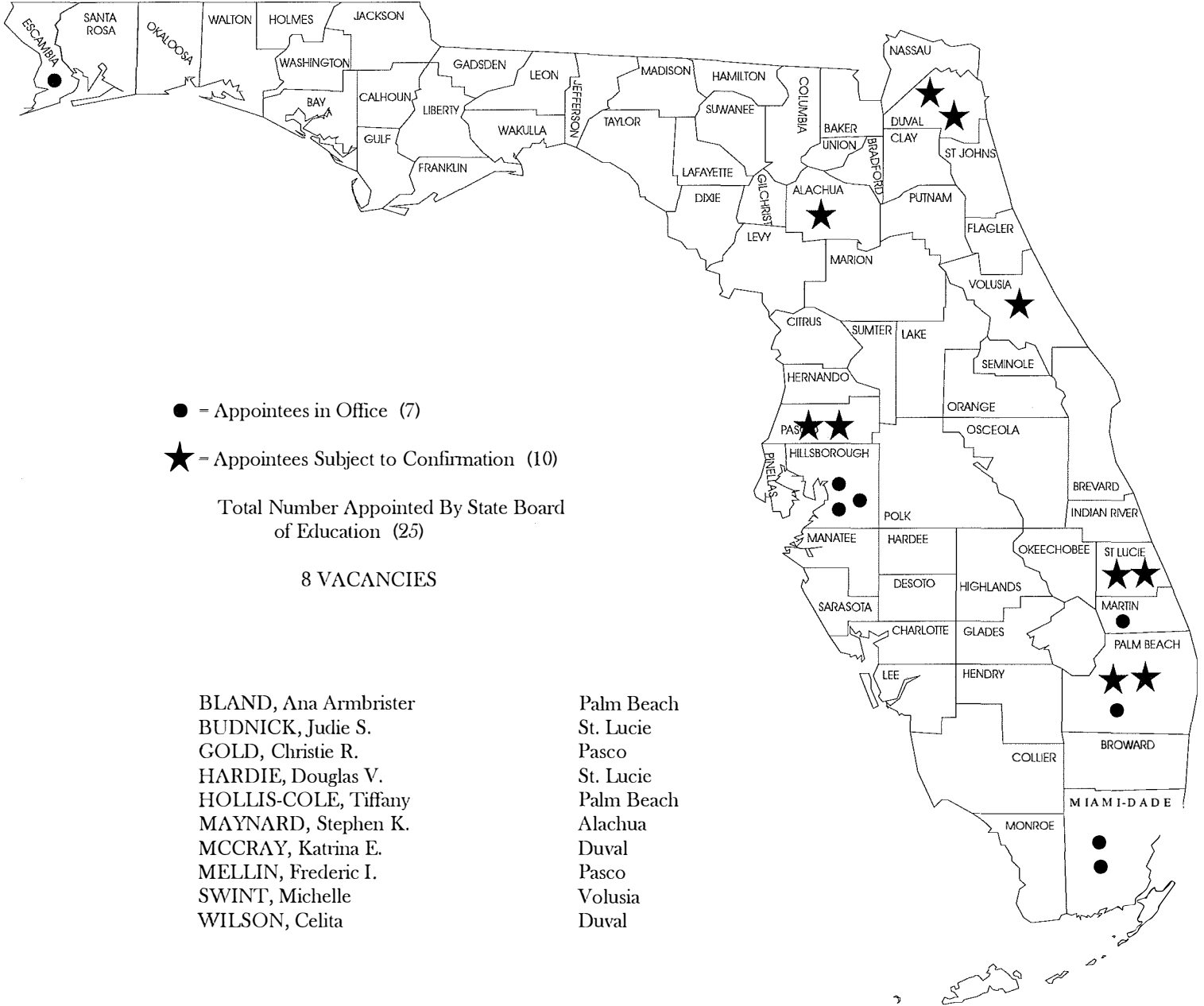
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Education Practices Commission



BLAND, Ana Armbrister  
 BUDNICK, Judie S.  
 GOLD, Christie R.  
 HARDIE, Douglas V.  
 HOLLIS-COLE, Tiffany  
 MAYNARD, Stephen K.  
 MCCRAY, Katrina E.  
 MELLIN, Frederic I.  
 SWINT, Michelle  
 WILSON, Celita

Palm Beach  
 St. Lucie  
 Pasco  
 St. Lucie  
 Palm Beach  
 Alachua  
 Duval  
 Pasco  
 Volusia  
 Duval

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Bland, Ana Armbrister  
 Term: 09/23/2016 – 09/30/2018  
 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: 09/23/2016  
 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 2/20/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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

**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.

**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: Hardie, Douglas V.  
 Term: 08/18/2016 – 08/17/2020  
 City/County: Ft. Pierce/St. Lucie  
 Office: Education Practices Commission, Member  
 Authority: 1012.79(1), F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 09/23/2016  
 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)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 2/9/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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:** Captain - St. Lucie County Sheriff's Office

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

**Requirements:** The commission is composed 25 members persons appointed by the State Board of Education, from nominations made by the Commissioner of Education, with an effort toward achieving equal geographical representation, as follows:

- Ten teacher members who are certified to teach, and who have practiced the profession for at least five years immediately preceding their appointment;
- Five administrators members, with at least one of whom shall represents a private or virtual school. School administrator members must have an endorsement on the educator certificate in the area of school administration or supervision and must have been practicing school administrators for at least five years immediately preceding their appointment;
- Four lay citizens who are parents of public school students and who are unrelated to public school employees;
- Two former charter school governing board or district school board members or former superintendents, assistant superintendents, or deputy superintendents
- Four sworn law enforcement officials (each must have served in the profession for at least five years immediately preceding appointment and have background expertise in child safety).

All members must be residents of the state.

**Additional Requirements:** Members shall serve four-year staggered terms. A member may not serve more than eight years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Hardie served in the U. S. Marine Corps Reserve, 1987-1994.  
Number 8 - Law Enforcement Official  
Number 19 – Since 1989, Mr. Hardie has been employed by the St. Lucie County Sheriff’s Office and is currently a Captain.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hollis-Cole, Tiffany  
 Term: 10/01/2016 – 09/30/2020  
 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: 09/23/2016  
 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 2/9/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/25/17
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 Crossroads Academy Belle Glade

**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.

**Notes:** Number 8 - Teacher  
Number 19 - Ms. Hollis-Cole is a teacher for the Palm Beach County School District, since 2012. Ms. Hollis-Cole was a child welfare dependency worker with the Department of Children and Families, 2001-2002.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Maynard, Stephen K.  
 Term: 08/18/2016 – 08/17/2020  
 City/County: Micanopy/Alachua  
 Office: Education Practices Commission, Member  
 Authority: 1012.79(1), F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 09/23/2016  
 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)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 1/26/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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:** Captain - Alachua County Sheriff's Office

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

**Requirements:** The commission is composed 25 members persons appointed by the State Board of Education, from nominations made by the Commissioner of Education, with an effort toward achieving equal geographical representation, as follows:

- Ten teacher members who are certified to teach, and who have practiced the profession for at least five years immediately preceding their appointment;
- Five administrators members, with at least one of whom shall represents a private or virtual school. School administrator members must have an endorsement on the educator certificate in the area of school administration or supervision and must have been practicing school administrators for at least five years immediately preceding their appointment;
- Four lay citizens who are parents of public school students and who are unrelated to public school employees;
- Two former charter school governing board or district school board members or former superintendents, assistant superintendents, or deputy superintendents
- Four sworn law enforcement officials (each must have served in the profession for at least five years immediately preceding appointment and have background expertise in child safety).

All members must be residents of the state.

**Additional Requirements:** Members shall serve four-year staggered terms. A member may not serve more than eight years. Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Maynard served in the United States Marine Corps, 1992-1998.  
Number 8 - Law Enforcement Official  
Number 19 - Since 12/1996, Mr. Maynard has been an employee of the Alachua County Sheriff's Office and is currently a Captain.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Tuesday, March 7, 2017

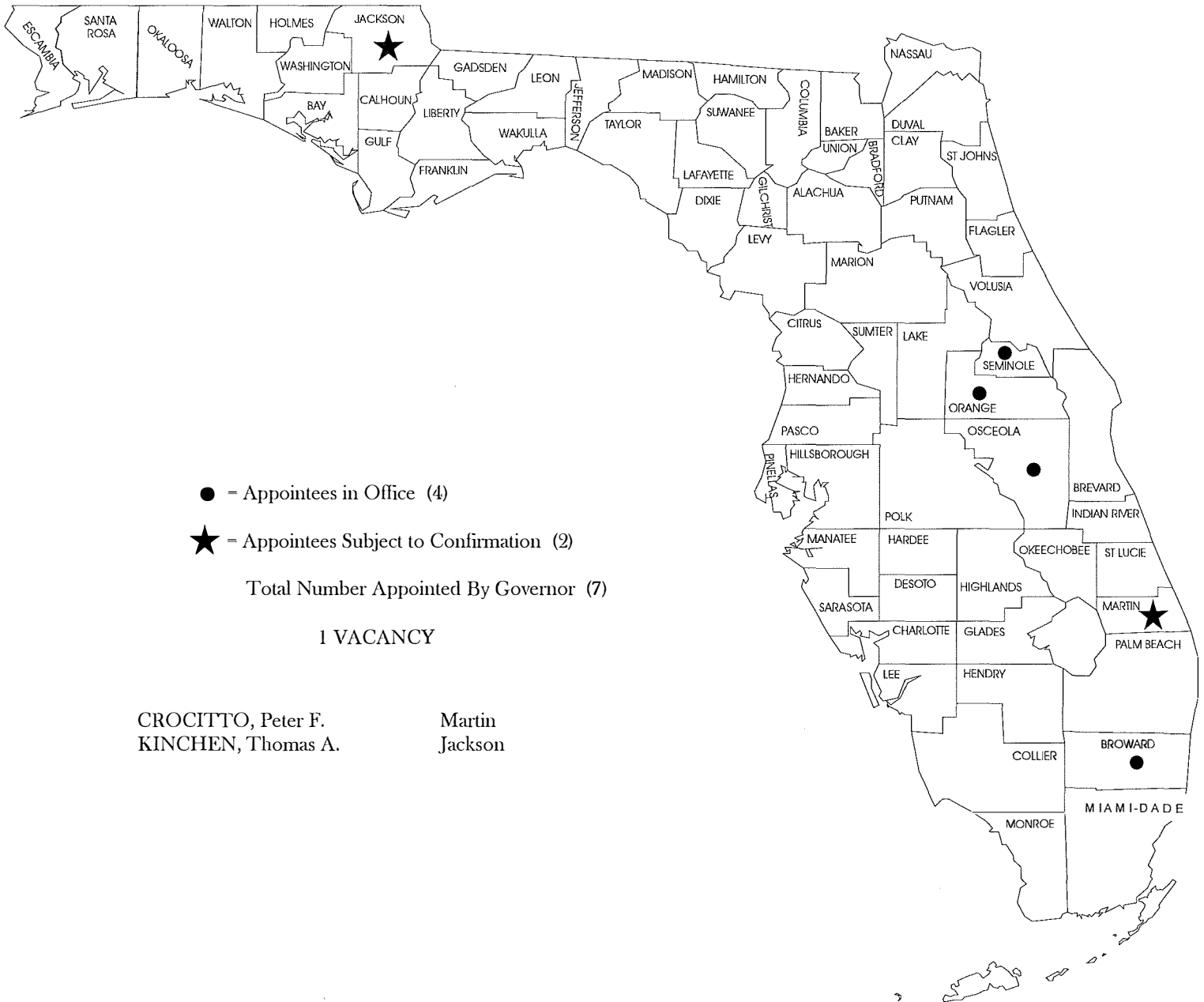
**TIME:** 4:00—6:00 p.m.

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

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# Commission for Independent Education



● = Appointees in Office (4)

★ = Appointees Subject to Confirmation (2)

Total Number Appointed By Governor (7)

1 VACANCY

CROCITTO, Peter F.  
KINCHEN, Thomas A.

Martin  
Jackson



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Crocitto, Peter F., Jr. Appointed: 12/12/2016  
 Term: 12/12/2016 – 06/30/2019 Prior Term: 08/02/2013 - 06/30/2016  
 City/County: Palm City/Martin  
 Office: Commission for Independent Education, Member  
 Authority: 1005.21(2), F.S.  
 Reference(s): Committee on Ethics and Elections

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

**Occupation:** C.O.O. for Southeastern College; Executive Vice Chancellor/C.O.O. for Keiser University

**Attendance:** Attended 21 of 21 meetings (100%) from August 2, 2013 through February 8, 2017.

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

**Requirements:** The commission shall be composed of seven members who are residents of this state.

- Two representatives of independent colleges or universities licensed by the commission.
- Two representatives of independent nondegree granting schools licensed by the commission.
- One member from a public school district or community college who is an administrator of career and technical education.
- One representative of a college that meets the criteria of s. 1005.06(1)(f).
- One lay member who is not affiliated with an independent postsecondary educational institution.

**Additional Requirements:** Terms are for three years. Required to file Form 1 with the Commission on Ethics.

- Notes:** Number 8 - Represents Independent Nondegree Granting Schools  
Number 15 - Mr. Crocitto disclosed that his employers, Keiser University and Southeastern College, have had contractual or other direct dealings with various state government agencies.  
Number 18 - Mr. Crocitto served on the State Board of Non Public Education from 2000 to 2001. In addition, he previously served on the Commission for Independent Education, 2001-2010.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

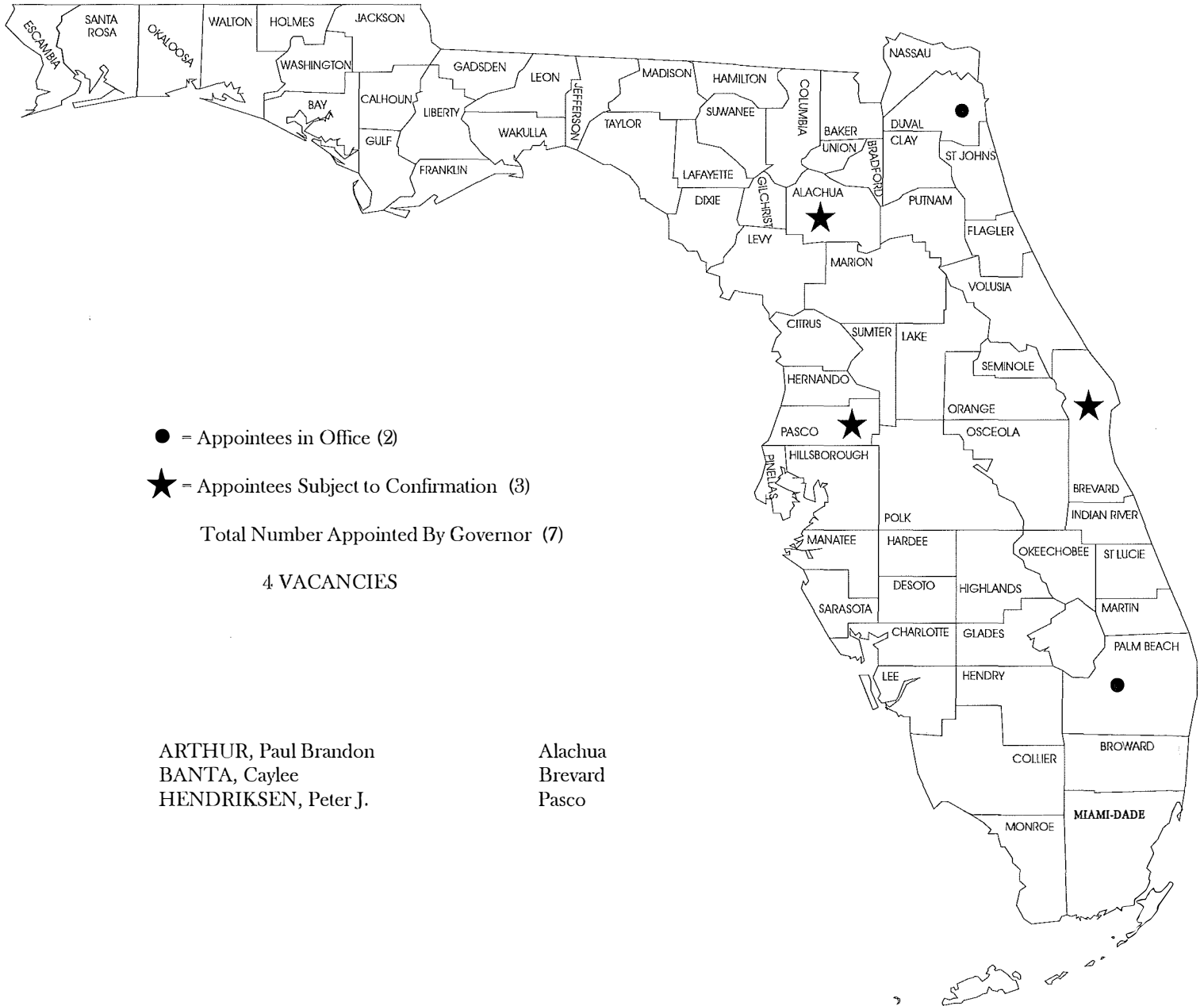
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Board of Occupational Therapy Practice



● = Appointees in Office (2)

★ = Appointees Subject to Confirmation (3)

Total Number Appointed By Governor (7)

4 VACANCIES

ARTHUR, Paul Brandon  
BANTA, Caylee  
HENDRIKSEN, Peter J.

Alachua  
Brevard  
Pasco

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Banta, Caylee Appointed: 08/15/2016  
 Term: 08/12/2016 – 10/31/2019 Prior Term:  
 City/County: Rockledge/Brevard  
 Office: Board of Occupational Therapy Practice, Member  
 Authority: 468.205, F.S. & 20.43(3)(g)15, 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 10/10/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Doctor of Occupational Therapy, Child and Family Consultants

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The board of seven members who are residents of the state consist of the following:
- Four members who are licensed occupational therapists in good standing in this state who have been engaged in the practice of occupational therapy for at least four years immediately preceding their appointments;
  - One member who is a licensed occupational therapy assistant in good standing in this state who has been engaged in the practice of occupational therapy for at least four years immediately preceding the appointment; and
  - Two members who are consumers who are not connected with the practice of occupational therapy.

**Additional** Terms are for four years.

**Requirements:** Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Occupational Therapist

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

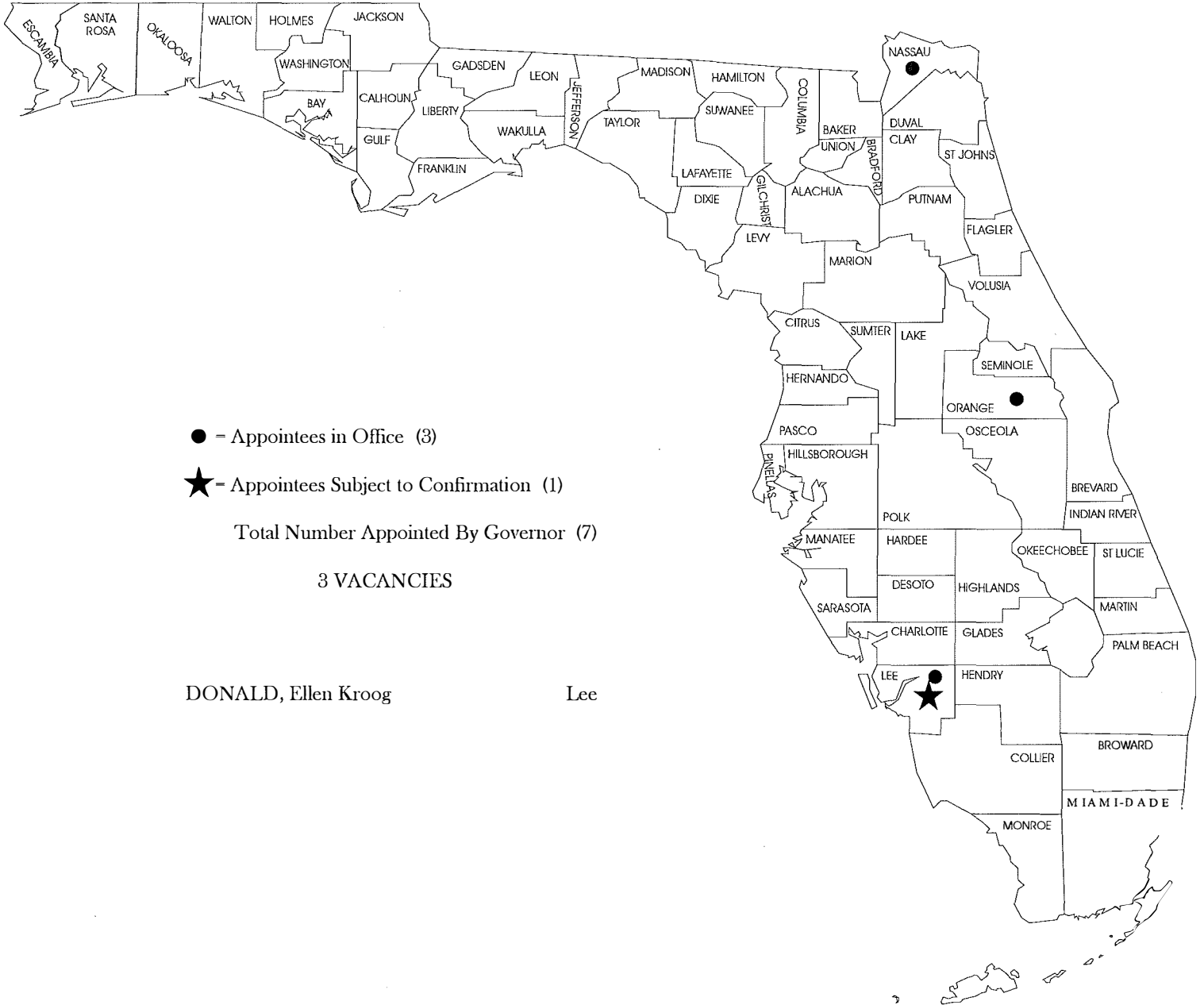
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Board of Physical Therapy Practice



● - Appointees in Office (3)

★ - Appointees Subject to Confirmation (1)

Total Number Appointed By Governor (7)

3 VACANCIES

DONALD, Ellen Kroog

Lee



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Donald, Ellen Kroog  
 Term: 11/01/2016 – 10/31/2020  
 City/County: Ft. Myers/Lee  
 Office: Board of Physical Therapy Practice, Member  
 Authority: 486.023(1), F.S. & 20.43(3)(g)26, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 10/31/2016  
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 12/12/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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:** Assistant Professor at the Florida Gulf Coast University

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The seven-member board consists of:
- Five members who are licensed physical therapists in good standing in this state, who are residents of this state, and who have been engaged in the practice of physical therapy for at least 4 years immediately prior to their appointment. One licensed physical therapist board member may be a full-time faculty member teaching in a physical therapy curriculum in an educational institution in this state; and
  - Two members who shall be residents of this state who have never been licensed health care practitioners.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Physical Therapist

Number 19 - Dr. Donald is an assistant professor at the Florida Gulf Coast University, since 1996.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

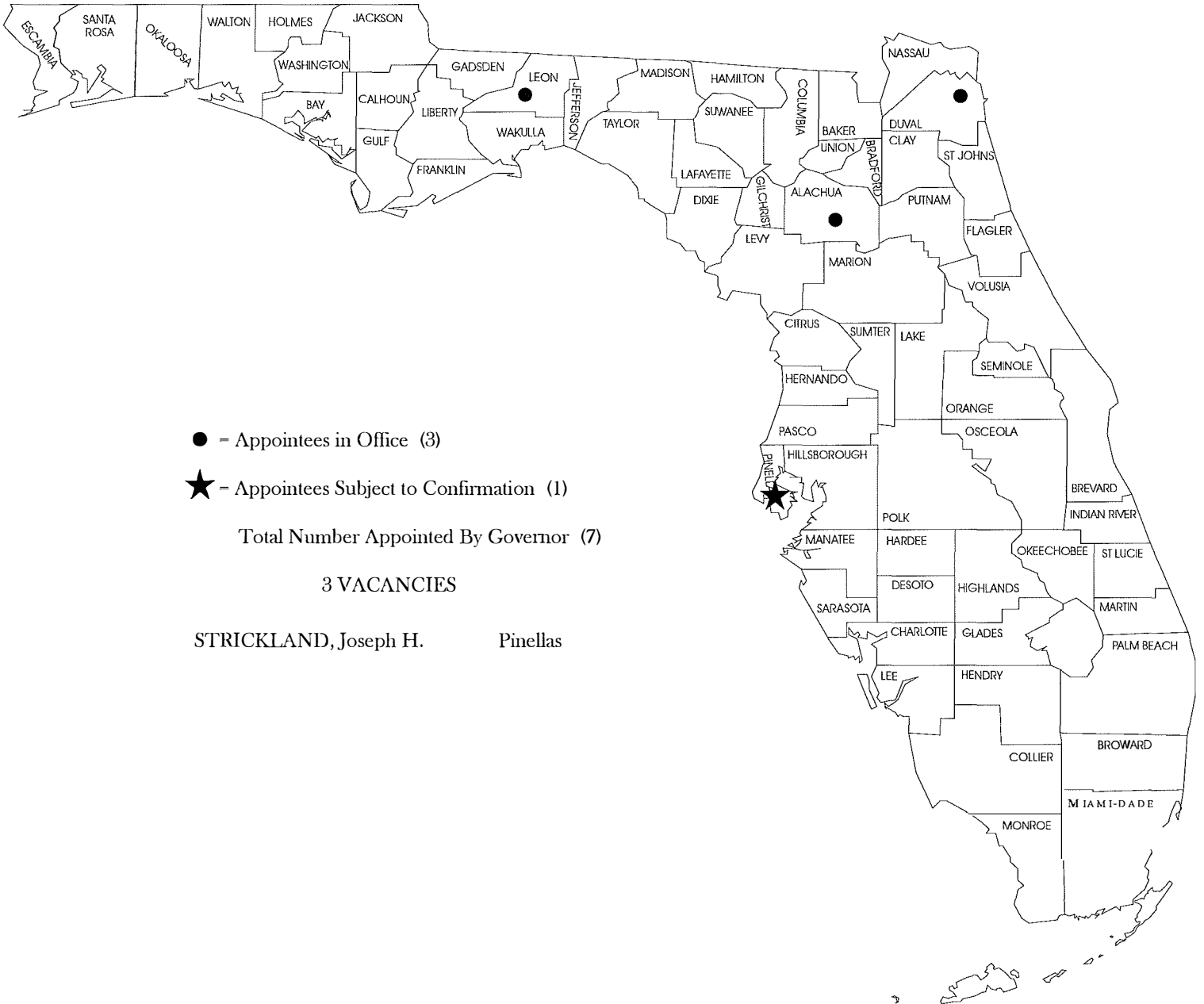
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Board of Podiatric Medicine



● - Appointees in Office (3)  
 ★ - Appointees Subject to Confirmation (1)  
 Total Number Appointed By Governor (7)  
 3 VACANCIES  
 STRICKLAND, Joseph H. Pinellas

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Strickland, Joseph H.  
 Term: 03/14/2016 – 10/31/2019  
 City/County: Clearwater/Pinellas  
 Office: Board of Podiatric Medicine, Member  
 Authority: 461.004(1), F.S. & 20.43(3)(g)5, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 03/14/2016  
 Prior Term: 07/19/2013 - 10/31/2015

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

**Occupation:** Podiatrist (Self Employed)

**Attendance:** Attended 19 of 20 meetings (95%) from July 19, 2013 through January 13, 2017.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The seven member board consists of:
- Five members who are residents of the state who are licensed podiatric physicians and who have been engaged in the practice of podiatric medicine for at least four years;
  - Two members who are residents of the state who are not and have never been licensed as podiatric physicians or members of any closely related profession; and
  - At least one member who is sixty years of age or older.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Podiatrist

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

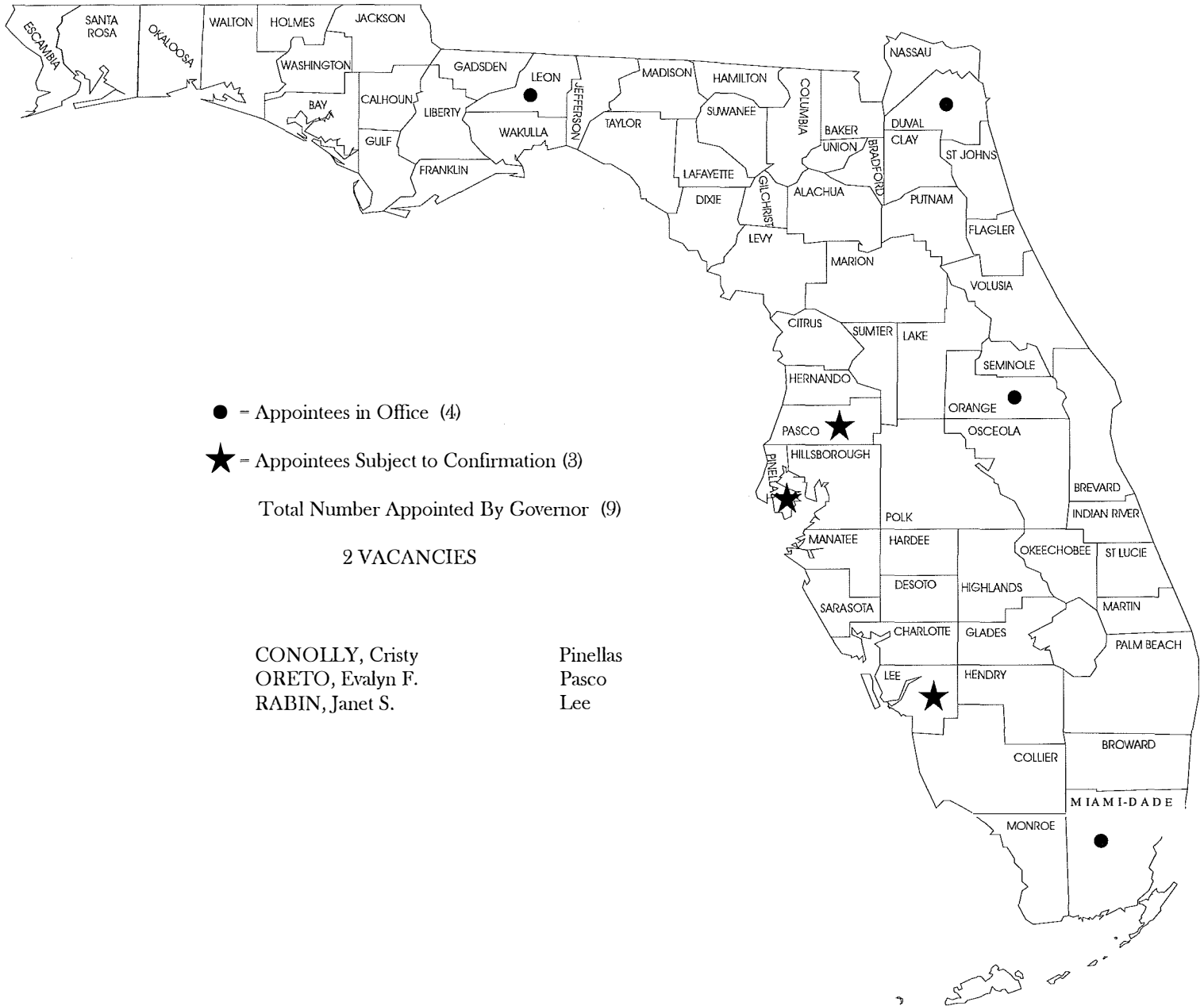
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Florida Real Estate Appraisal Board



- = Appointees in Office (4)
- ★ = Appointees Subject to Confirmation (3)

Total Number Appointed By Governor (9)

2 VACANCIES

CONOLLY, Cristy  
 ORETO, Evalyn F.  
 RABIN, Janet S.

Pinellas  
 Pasco  
 Lee



# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Oreto, Evalyn F.  
 Term: 12/16/2016 – 10/31/2019  
 City/County: Hudson/Pasco  
 Office: Florida Real Estate Appraisal Board, Member  
 Authority: 475.613, F.S. & 20.165(4)(b)1, F.S.  
 Reference(s): Committee on Ethics and Elections

Appointed: 12/20/2016  
 Prior Term: 03/16/2012 - 10/31/2015

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 6/6/16
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 2/13/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Staff Appraiser, Title Source, Inc.

**Attendance:** Attended 36 of 36 meetings (100%) from March 16, 2012 through February 8, 2017.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The nine-member board consists of:
- Four members of the board must be real estate appraisers who have been engaged in the general practice of appraising real property in this state for at least five years immediately preceding appointment. Two of the members must be licensed or certified residential real estate appraisers and two of the members must be certified general real estate appraisers at the time of the appointment;
  - Two members of the board must represent the appraisal management industry;
  - One member who represents organizations that use appraisals for the purpose of eminent domain proceedings, financial transactions, or mortgage insurance; and
  - Two members who are representatives of the general public and shall not be connected in any way with the practice of real estate appraisal.

In appointing the real estate appraisers, while not excluding other appraisers, the Governor shall give preference to real estate appraisers who are not primarily engaged in real estate brokerage or mortgage lending activities. The appraiser members shall be as representative of the entire industry as possible, and membership in a nationally recognized or state-recognized appraisal organization shall not be a prerequisite to membership on the board. To the extent possible, no more than two members of the board shall be primarily affiliated with any one particular national or state appraisal association.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Real Estate Appraiser  
Number 18 - Ms. Oreto served on the New Port Richey City Council from 4/87-4/89.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Johns, James Kenneth  
 Term: 04/22/2016 – 10/01/2018

Appointed: 04/21/2016  
 Prior Term: 01/22/2016 - 10/01/2018

City/County: St. Augustine/St. Johns

Office: Northeast Florida Regional Planning Council, Region 4, Member

Authority: 186.504, 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 6 filed as of 6/21/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/19/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** President of Solid Rock Engineering Consultants, Inc.

**Attendance:** Attended 3 of 5 meetings (60%) from January 22, 2016 through January 19, 2017.

**Attendance Notes:** Mr. Johns explained conflicts prevented him from attending meetings and wishes to continue serving on this board.

**Compensation:** The Florida Statutes make no provision for compensation.

**Requirements:** No less than two-thirds of the representatives serving as voting members on the governing bodies of regional planning councils shall be elected officials of local general-purpose governments chosen by the cities and counties of the region, provided each county shall have at least one vote. The remaining one-third of the voting members on the governing board shall be appointed by the Governor, to include one elected school board member, subject to confirmation by the Senate, and shall reside in the region from each of the following counties:

- Baker;
- Clay;
- Duval;
- Flagler;
- Nassau;
- Putnam; and
- St. Johns.

The elected school board member, appointed by the Governor, will be nominated by the Florida School Board Association.

No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor's appointee.

Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds is composed of locally elected officials.

**Additional Requirements:** The Florida Statutes make no provision for terms.

Each county shall be a member of the Regional Planning Council created within the comprehensive planning district encompassing the county.

Required to file Form 1 with SOE's office.

**Notes:** Number 8 - St. Johns County Resident  
Number 17 - Mr. Johns is a County Commissioner on the St. Johns County Commission, 2015 - Present.  
Number 19 - Mr. Johns was an instructor with the St. Johns County School Board, 8/2010 - 8/2011.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

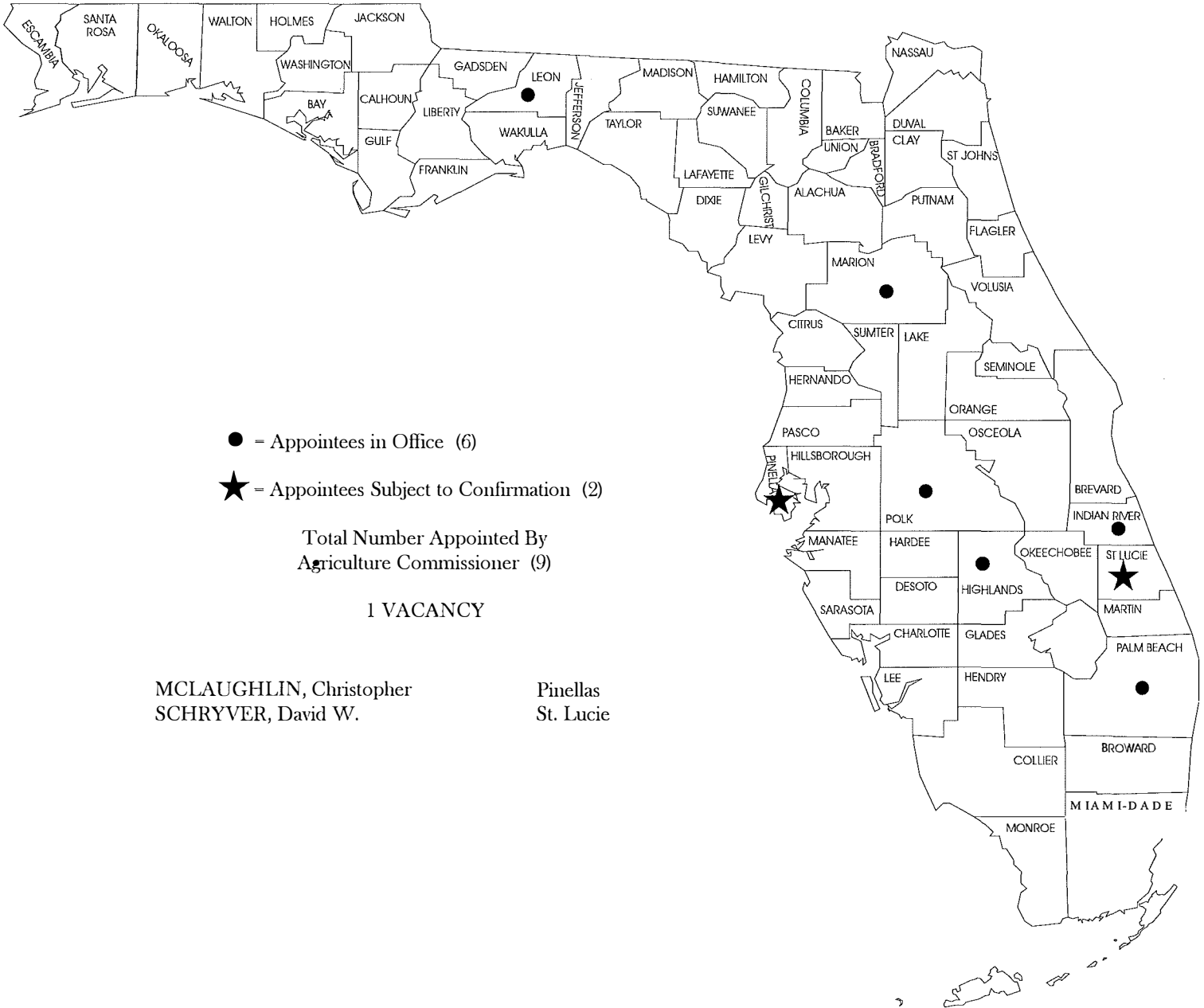
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**MEETING DATE:** Tuesday, March 7, 2017

**TIME:** 4:00—6:00 p.m.

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

# Board of Professional Surveyors and Mappers



- - Appointees in Office (6)
- ★ - Appointees Subject to Confirmation (2)

Total Number Appointed By  
Agriculture Commissioner (9)

1 VACANCY

MCLAUGHLIN, Christopher  
SCHRYVER, David W.

Pinellas  
St. Lucie

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: McLaughlin, Christopher Paul

Appointed: 10/27/2016

Term: 11/01/2016 – 10/31/2020

Prior Term:

City/County: Dunedin/Pinellas

Office: Board of Professional Surveyors and Mappers, Member

Authority: 472.007, F.S. & 20.165(4)(a)14, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 1/26/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	See Below
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** President/Owner of MacSurvey, Inc.

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.



- Requirements:** The nine-member board appointed by the Commissioner of Agriculture consists of:
- Seven of whom shall be registered surveyors and mappers primarily engaged in the practice of surveying and mapping and
  - Two of whom shall be laypersons who are not and have never been surveyors and mappers or members of any closely related profession or occupation.

**Additional** Terms are for four years.

**Requirements:** Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Surveyor/Mapper

Number 9 - Mr. McLaughlin disclosed that he received a \$50 fine for littering in Lake County, 1996.

The FDLE report did not include this charge.

Number 15 - Mr. McLaughlin disclosed that his company has a contractual relationship with the Florida Forest Service, Indian Lake State Forest Ranger Station.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Schryver, David W. Appointed: 10/27/2016  
 Term: 11/01/2016 – 10/31/2020 Prior Term:  
 City/County: Port St. Lucie/St. Lucie  
 Office: Board of Professional Surveyors and Mappers, Member  
 Authority: 472.007, F.S. & 20.165(4)(a)14, 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 2/2/17
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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:** Surveyor for Indian River County

**Compensation:** Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

- Requirements:** The nine-member board appointed by the Commissioner of Agriculture consists of:
- Seven of whom shall be registered surveyors and mappers primarily engaged in the practice of surveying and mapping and
  - Two of whom shall be laypersons who are not and have never been surveyors and mappers or members of any closely related profession or occupation.

**Additional Requirements:** Terms are for four years.

Terms expire on October 31.

No member shall serve more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 8 - Surveyor/Mapper  
Number 19 - Mr. Schryver is a surveyor for Indian River County, since 2011.

The Florida Senate  
**COMMITTEE MEETING PACKET TAB**

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Ethics and Elections

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**MEETING DATE:** Tuesday, March 7, 2017

**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 Environmental Preservation and Conservation  
**MEETING DATE:** Tuesday, February 21, 2017  
**TIME:** 3:30—6:00 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Joe Negron, President

**FROM:** Committee on Environmental Preservation and Conservation

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

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Jones, Gary F.

**Term:** 8/2/2016-3/1/2020

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: Jones, Gary F. Appointed: 08/03/2016  
 Term: 08/02/2016 – 03/01/2020 Prior Term: 11/07/2012 - 03/01/2016  
 City/County: Old Town/Dixie  
 Office: Governing Board of the Suwannee River Water Management District, Member  
 Authority: 373.073 & 373.073(2)(b), F.S.  
 Reference(s): Committee on Ethics and Elections  
 Committee on Environmental Preservation and Conservation-Recommend Confirm-02/21/2017

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 6/23/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	See Below
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/19/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Retired

**Attendance:** Attended 42 of 50 meetings (84%) from November 7, 2012 through January 18, 2017.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

- Notes:**
- Number 8 - Member at Large - Dixie County
  - Number 9 - Mr. Jones disclosed that in 1982 he plead "no contest" to a hunting violation in Dixie County. The FDLE report did not include this charge.
  - Number 17 - Mr. Jones serves on the Florida Farm Service Agency, Dixie County Committee, 2008-Present.
  - Number 19 - Mr. Jones was the Dixie County High School girls' varsity softball coach from 2007-2015. Mr. Jones was a Law Enforcement Officer with the Florida Fish and Wildlife Conservation Commission and previously Florida Marine Patrol from 1973 to 2008.
- Education verified

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

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Tuesday, February 21, 2017  
**TIME:** 3:30—6:00 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Joe Negron, President

**FROM:** Committee on Environmental Preservation and Conservation

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

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Keith, Charles G.

**Term:** 11/4/2016-3/1/2018

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: Keith, Charles G. Appointed: 11/04/2016  
 Term: 11/04/2016 – 03/01/2018 Prior Term:  
 City/County: Lake City/Columbia  
 Office: Governing Board of the Suwannee River Water Management District, Member  
 Authority: 373.073 & 373.073(2)(b), F.S.  
 Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-02/21/2017  
 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 12/8/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/19/17
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:** President of American Pawn Brokers

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

**Notes:** Number 8 - Member at Large  
Number 19 - Mr. Keith served as a Deputy for the Hillsborough County Sheriff's Office, 1975-1977.  
Education Verified

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

**COMMITTEE:** Committee on Environmental Preservation and Conservation  
**MEETING DATE:** Tuesday, February 21, 2017  
**TIME:** 3:30—6:00 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

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**TO:** The Honorable Joe Negron, President

**FROM:** Committee on Environmental Preservation and Conservation

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

**Office:** Governing Board of the Suwannee River Water Management District

**Appointee:** Quincey, Donald "Don"

**Term:** 8/2/2016-3/1/2020

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: Quincey, Donald "Don" Appointed: 08/03/2016  
 Term: 08/02/2016 – 03/01/2020 Prior Term: 08/16/2012 - 03/01/2016  
 City/County: Chiefland/Levy  
 Office: Governing Board of the Suwannee River Water Management District, Member  
 Authority: 373.073 & 373.073(2)(b), F.S.  
 Reference(s): Committee on Environmental Preservation and Conservation-Recommend Confirm-02/21/2017  
 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 6/13/16
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/19/17
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Owner/President - Quincey Cattle Co.

**Attendance:** Attended 46 of 50 meetings (92%) from August 16, 2012 through January 18, 2017.

**Compensation:** Reimbursed for actual travel expenses, subsistence, lodging, and other expenses while on official business, not to exceed the statutory amount allowed under s. 112.061, F.S.

Payment for the use of private or charter aircraft may be no greater than that allowed for commercial air travel for equivalent distances.

- Requirements:** The nine-member board consists of:
- One member who resides in the "Aucilla River Basin" hydrologic unit;
  - One member who resides in the "Coastal Area between Suwannee and Aucilla Rivers" hydrologic units;
  - One member who resides in the "Withlacoochee River Basin-Alapaha River Basin-Suwannee River Basin above the Withlacoochee River" hydrologic unit;
  - One member who resides in the "Suwannee River Basin below the Withlacoochee River excluding the Santa Fe River Basin" hydrologic unit;
  - One member who resides in the "Santa Fe Basin-Waccasassa River and Coastal Area between Withlacoochee and Suwannee River" hydrologic units; and
  - Four at large members, provided that no county shall have more than two members on the governing board.

Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting or financial business.

**Additional Requirements:** Terms are for four years.

Terms begin March 2 of the year in which the appointment is made and terminates March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days.

Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

Required to file Form 1 with SOE's office.

- Notes:** Number 8 - Mr. Quincey resides in the Lower Suwannee River Basin.  
Number 18 - Mr. Quincey has served on the Suwannee River Water Management District since 4/2008.  
Number 19 - Mr. Quincey was a Levy County Sheriff's Deputy from 1975-1977.  
Education Verified

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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

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BILL: SB 914

INTRODUCER: Senator Baxley

SUBJECT: Public Meetings

DATE: March 3, 2017

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

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

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**I. Summary:**

SB 914 revises Florida’s “Government in the Sunshine Law” , or “Sunshine Law,” by codifying judicial interpretation and application of s. 286.011, F.S. Specifically, the bill provides from jurisprudence definitions for the terms: “de facto meeting,” “discussion,” “meeting,” “official act,” and “public business.” The bill also provides guidelines for boards to conduct permissible fact-finding exercises or excursions.

Finally, the bill provides in statute that notice is not required when two or more members of a board are gathered if no official acts are taken and no public business is discussed.

SB 914 is effective upon becoming law.

**II. Present Situation:**

**Open Meetings Laws**

The Florida Constitution provides that the public has a right to access governmental meetings.<sup>1</sup> Each collegial body must provide notice of its meetings to the public and permit the public to attend any meeting at which official acts are taken or at which public business is transacted or discussed.<sup>2</sup> This applies to the meetings of any collegial body of the executive branch of state government, counties, municipalities, school districts or special districts.<sup>3</sup>

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<sup>1</sup> FLA. CONST., art. I, s. 24(b).

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

<sup>3</sup> Fla. CONST., art. I, s. 24(b). Meetings of the Legislature are governed by Article III, section 4(e) of the Florida Constitution, which states: “The rules of procedure of each house shall further provide that all prearranged gatherings, between more than two members of the legislature, or between the governor, the president of the senate, or the speaker of the house of representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments, shall be reasonably open to the public.”

The Florida Statutes also provide that governmental meetings must be open to the public. Section 286.011, F.S., which is also known as the “Government in the Sunshine Law,”<sup>4</sup> or the “Sunshine Law,”<sup>5</sup> requires all meetings of any board or commission of any state or local agency or authority at which official acts are to be taken be open to the public.<sup>6</sup> The board or commission must provide the public reasonable notice of such meetings.<sup>7</sup> A failure to abide by open meetings requirements will invalidate any resolution, rule or formal action adopted at a meeting.<sup>8</sup> The minutes of a board or commission meeting also must be made available to the public.<sup>9</sup> A public officer or member of a governmental entity who violates the Sunshine Law is subject to civil and criminal penalties.<sup>10</sup>

The Legislature may create an exemption to open meetings requirements by passing a general law by a two-thirds vote of each house.<sup>11</sup> An exemption must explicitly lay out the public necessity justifying the exemption, and the exemption must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>12</sup>

### **Who is Subject to the Sunshine Law?**

Article I, s. 24(b) of the Florida Constitution, in pertinent part, provides that meetings of the following bodies must be open and noticed to the public:

[A]ny collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed.

Furthermore, s. 286.011, F.S., provides, in relevant part, that all meetings of the following entities must be open to the public:<sup>13</sup>

[A]ny board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, ... including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings.

The Sunshine Law applies to “[m]embers-elect of boards, commissions, agencies, etc.” as soon as they are elected, even if they have not yet been sworn into office.<sup>14</sup> Any assemblage of members-elect or elected members of a collegial body who “discuss matters on which

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<sup>4</sup> *Times Pub. Co. v. Williams*, 222 So. 2d 470, 472 (Fla. 2d DCA 1969).

<sup>5</sup> *Board of Public Instruction of Broward County v. Doran*, 224 So. 2d 693, 695 (Fla. 1969).

<sup>6</sup> Section 286.011(1)-(2), F.S.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Section 286.011(2), F.S.

<sup>10</sup> Section 286.011(3), F.S.

<sup>11</sup> FLA. CONST., art. I, s. 24(c).

<sup>12</sup> *Id.*

<sup>13</sup> Not all meetings must be noticed to the public according to s. 286.011(1), F.S.; only board or commission meetings must be reasonably noticed.

<sup>14</sup> *Hough v. Stembridge*, 278 So. 2d 288, 289 (Fla. 3d DCA 1973).

foreseeable action may be taken by that board or commission” constitutes a meeting subject to the Sunshine Law.<sup>15</sup>

The Sunshine Law has broad application, even to entities that are not normally considered a government body. Case law provides that a university is subject to the Sunshine Law, even if it is not usually considered a state agency.<sup>16</sup> Therefore, since a university is subject to the Sunshine Law, any committee it delegates its powers to must also hold its meetings publicly.<sup>17</sup>

Florida courts have held that the intent behind the Sunshine Law is to provide public access to the entire decision-making process, because it is the “how and why” public officials decided to act which interests the public, not merely the final decision.<sup>18</sup> Accordingly, if a government collegial body delegates its decision-making powers to another group, then those meetings must be public, even if the group is formed of private citizens.<sup>19</sup>

### **What is a “Meeting” that Should be Held in the Sunshine?**

The Legislature has not defined the term “meeting” within the context of the Sunshine Law. However, the courts have. In *Sarasota Citizens for Responsible Gov't v. City of Sarasota* the Florida Supreme Court stated:

[M]eetings within the meaning of the Sunshine Law include any gathering, formal or informal, of two or more members of the same board or commission where the members deal with some matter on which foreseeable action will be taken by the Board.<sup>20</sup>

The Court has also interpreted the intent of the Sunshine Law in relation to the types of assemblages that constitute a “meeting”:

The obvious intent of the Government in the Sunshine Law, *supra*, was to cover any gathering of some of the members of a public board where those members discuss some matters on which foreseeable action may be taken by the board.<sup>21</sup>

A meeting, within the meaning of the Sunshine Law, can occur even if the members of a collegial body do not speak to each other about a topic where foreseeable action may take place. Courts have ruled that the *opportunity* to make a decision was sufficient to make a gathering of school officials a public meeting.<sup>22</sup> In one case, school board members, two school board candidates, a superintendent and his deputy, and members of the press, toured new school bus routes on a school bus. The school board members sat several rows away from each other as a precaution and none of the members discussed preferences, expressed opinions or voted on the bus trip.<sup>23</sup> Despite taking those precautions, the court opined that the school board “had ultimate decision-making authority,” gathered in a confined space, and had “the opportunity at that time

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<sup>15</sup> *Hough v. Stembridge*, 278 So. 2d 288, 289 (Fla. 3d DCA 1973).

<sup>16</sup> *Wood v. Marston*, 442 So. 2d 934 (Fla. 1983).

<sup>17</sup> *Id.*

<sup>18</sup> *Times Publishing Company v. Williams*, 222 So. 2d 470, 473 (Fla. 2d DCA 1969).

<sup>19</sup> *Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974).

<sup>20</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010).

<sup>21</sup> *Bd. of Pub. Instruction v. Doran*, 224 So. 2d 693 (Fla. 1969).

<sup>22</sup> *Finch v. Seminole County Sch. Bd.*, 995 So. 2d 1068 (Fla. 5<sup>th</sup> DCA 2008).

<sup>23</sup> *Id.*



to make decisions outside of the public scrutiny.” Therefore, the court held that the bus ride was a meeting that violated the Sunshine Law.<sup>24</sup>

A “sunshine meeting” may also occur even if the members of a board do not assemble or share information through an intermediary. In this case, a superintendent met individual school board members in succession to discuss redistricting, but denied acting as a “go-between” or sharing the opinions of one board member with another one.<sup>25</sup> Although board members did not exchange information or otherwise congregate, the court in finding a violation of the Sunshine Law, held:

The scheduling of six sessions of secret discussions, repetitive in content, in rapid-fire seriatim and of such obvious official portent, resulted in de facto meetings by two or more members of the board at which official action was taken.<sup>26</sup>

Any meeting when public officials meet to avoid being seen or heard by the public violates the Sunshine Law, regardless of whether that meeting is formal or informal.<sup>27</sup> The judiciary has advised, “[i]f a public official is unable to know whether by convening two or more officials he is violating the law, he should leave the meeting forthwith.”<sup>28</sup>

Not all meetings of government officials are subject to the Sunshine Law, and the presence of two government officials alone is not sufficient to require a public meeting.<sup>29</sup> In addition to the exemptions listed in statute, staff meetings and fact-finding meetings are exceptions to the Sunshine Law and there is no requirement that these meetings be open and noticed to the public.

Officials may also meet alone with their staff or employees for “fact-finding” purposes in order to execute their duties without violating the Sunshine Law.<sup>30</sup> In addition, case law states that as long as they do not have decision making authority, “fact-finding” committees are not subject to the Sunshine Law.<sup>31</sup> The Florida Supreme Court ruled that “[w]hen a committee has been established for and conducts only information gathering and reporting, the activities of that committee are not subject to § 286.011, Fla. Stat.”<sup>32</sup>

### **What Happens if a Meeting Violates the Sunshine Law?**

Section 286.011(1), F.S., provides that the penalty for violating the Sunshine Law is to undo any business conducted in a meeting that should have been public. Specifically, it states, “no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.”

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<sup>24</sup> *Id.*

<sup>25</sup> *Blackford v. Sch. Bd.*, 375 So. 2d 578, 580 (Fla. 5<sup>th</sup> DCA 1979).

<sup>26</sup> *Id.*

<sup>27</sup> *Miami Beach v. Berns*, 245 So. 2d 38, 41 (Fla. 1971).

<sup>28</sup> *Id.*

<sup>29</sup> *City of Sunrise v. News and Sun-Sentinel Co.*, 542 So. 2d 1354, 1355 (Fla. 4<sup>th</sup> DCA 1989).

<sup>30</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010). See also *Bennett v. Warden*, 333 So. 2d 97 (Fla. Dist. Ct. App. 1976).

<sup>31</sup> *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755 (Fla. 2010).

<sup>32</sup> *Id.* at 757.

Courts have meted out a wide range of punishments to bodies who have violated the Sunshine Law, the most severe of which is to make a final action void. A violation of the Sunshine Law is “an irreparable public injury” and it does not matter if an entity did not intend to engage in such an act.<sup>33</sup> Additionally, courts may also order entities to stop meeting unless they meet in the open.<sup>34</sup>

However, it is worth noting that some courts have been more lenient and permitted entities to “cure” the violations. For example, a court may permit a body to cure Sunshine Law violations by requiring that information be made public and that all the subject matter be “reexamined and rediscussed” in an open meeting.<sup>35</sup>

### III. Effect of Proposed Changes:

SB 914 creates s. 286.011(1)(a), F.S., codifying judicial interpretation and application of the terms: “de facto meeting,” “discussion,” “meeting,” “official act,” and “public business.” Those terms are defined as follows:

- “De facto meeting” means the use of board or commission staff or third parties, acting as intermediaries, to facilitate discussion of public business between board or commission members.
- “Discussion” means a conversation between or among board or commission members regardless of whether through oral, written, electronic or any other form of communication.
- “Meeting” means a gathering, whether formal or informal, of two or more members of the same board or commission, even if they have not yet taken office.
- “Official act” means the adoption of a resolution or rule or other formal action being taken by the board or commission.
- “Public business” means any matter before, or foreseeably expected to come before, the board or commission.

SB 914 also specifies that members of a board may participate in “fact-finding” exercises or excursion to research public business, and may participate in meetings with a member of the Legislature if:

- The board provides reasonable notice;
- A vote, official act, or an agreement regarding a future action does not occur;
- There is no discussion of “public business” that occurs; and
- There are appropriate records, minutes, audio recordings, or video recordings made and retained as a public record.

Finally, the bill provides that, if there is a gathering of two or more board members where no official acts are taken and no public business is discussed, then no public notice or access is required.

SB 914 is effective upon becoming law.

<sup>33</sup> *Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974).

<sup>34</sup> *Wood v. Marston*, 442 So. 2d 934 (Fla. 1983).

<sup>35</sup> *Blackford v. Sch. Bd.*, 375 So. 2d 578, 581 (Fla. 5<sup>th</sup> DCA 1979).

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

Art. I, s.24(c) of the Florida Constitution provides the manner in which exemptions to Florida's Sunshine Laws may be created and requires a two-thirds vote of each house in order for such exemptions to be enacted. Because this bill does not create any new exemptions or codify existing jurisprudentially-created exemptions, neither the substantive requirements nor the two-thirds vote in each house requirement apply to this bill.

## C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

Because SB 914 merely codifies jurisprudence, it is not anticipated that this bill will have a fiscal impact.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends s. 286.011, 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.

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

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By Senator Baxley

12-00162D-17

2017914\_\_

1 A bill to be entitled  
 2 An act relating to public meetings; amending s.  
 3 286.011, F.S.; defining terms; specifying conditions  
 4 under which members of any board or commission of any  
 5 state agency or authority or of any agency or  
 6 authority of any county, municipal corporation, or  
 7 political subdivision may participate in fact-finding  
 8 exercises or excursions; providing for construction;  
 9 providing an effective date.

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

11 Section 1. Subsection (1) of section 286.011, Florida  
 12 Statutes, is amended, present subsections (2) through (8) of  
 13 that section are renumbered as subsections (3) through (9),  
 14 respectively, and a new subsection (2) is added to that section,  
 15 to read:  
 16 286.011 Public meetings and records; public inspection;  
 17 criminal and civil penalties.-  
 18 (1)(a) As used in this section, the term:  
 19 1. "De facto meeting" means the use of board or commission  
 20 staff or third parties, acting as intermediaries, to facilitate  
 21 discussion of public business between board or commission  
 22 members.  
 23 2. "Discussion" means a conversation between or among board  
 24 or commission members regardless of whether through oral,  
 25 written, electronic, or any other form of communication.  
 26 3. "Meeting" means a gathering, whether formal or informal,  
 27 of two or more members of the same board or commission, even if  
 28  
 29

Page 1 of 3

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

12-00162D-17

2017914\_\_

30 they have not yet taken office.  
 31 4. "Official act" means the adoption of a resolution or  
 32 rule or other formal action being taken by the board or  
 33 commission.  
 34 5. "Public business" means any matter before, or  
 35 foreseeably expected to come before, the board or commission.  
 36 (b) Except as otherwise provided in the State Constitution,  
 37 all meetings or de facto meetings of any board or commission of  
 38 any state agency or authority or of any agency or authority of  
 39 any county, municipal corporation, or political subdivision at  
 40 which official acts are to be taken or public business is to be  
 41 transacted or discussed, are declared to be public meetings open  
 42 to the public, except as otherwise provided in the  
 43 Constitution, including meetings with or attended by any person  
 44 elected to such board or commission, but who has not yet taken  
 45 office, at which official acts are to be taken are declared to  
 46 be public meetings open to the public at all times, and  
 47 (c) Members of the same board or commission may participate  
 48 in fact-finding exercises or excursions to research public  
 49 business, and may participate in meetings with a member of the  
 50 Legislature, if:  
 51 1. The board or commission provides reasonable notice;  
 52 2. A vote, an official act, or an agreement regarding an  
 53 action at a future meeting does not occur;  
 54 3. A discussion of public business, as those terms are  
 55 defined in paragraph (a), does not occur; and  
 56 4. Appropriate records, minutes, audio recordings, or video  
 57 recordings are made and retained as a public record.  
 58 (d) A ~~ne~~ resolution, rule, or formal action is not ~~shall be~~

Page 2 of 3

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

12-00162D-17

2017914\_\_

59 considered binding unless ~~except as~~ taken or made at a public  
60 ~~such~~ meeting. The board or commission must provide reasonable  
61 notice of all such meetings.

62 (2) So long as no official acts are taken and any public  
63 business is not discussed, subsection (1) may not be construed  
64 to require public notice of, and access to, any gathering of two  
65 or more members of the same board or commission.

66 Section 2. This act shall take effect upon becoming a law.

# THE FLORIDA SENATE

**COMMITTEES:**  
Governmental Oversight and Accountability, *Chair*  
Criminal Justice, *Vice Chair*  
Appropriations Subcommittee on Criminal and  
Civil Justice  
Appropriations Subcommittee on Health and  
Human Services  
Transportation

**SELECT COMMITTEE:**  
Joint Select Committee on Collective Bargaining

**JOINT COMMITTEE:**  
Joint Legislative Auditing Committee

**SENATOR DENNIS BAXLEY**  
12th District

February 27, 2017

The Honorable Senator Kathleen Passidomo  
318 Senate Office Building  
Tallahassee, Florida 32399

Dear Chairman Passidomo,

I respectfully request you place Senate Bill 914 Public Meetings on your next available agenda.

This bill allows two or more county commissioners to discuss issues pertaining to business as in fact-finding exercises or excursions to research public business, so long as no official acts are taken and any public business is not discussed, that would require public notice of, and access to, any gathering of two or more members of the same board or commission.

I appreciate your favorable consideration.

Onward & Upward,

*Dennis K. Baxley*

Dennis Baxley  
Senator, District 12

DKB/dd

cc: Cameron Ulrich, Staff Director

320 Senate Office Building, 404 South Monroe St, Tallahassee, Florida 32399-1100 • (850) 487-5012

Email: [baxley.dennis@flsenate.gov](mailto:baxley.dennis@flsenate.gov)

JOE NEGRON  
President of the Senate

ANITERE FLORES  
President Pro Tempore

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/17/17  
Meeting Date

914  
Bill Number (if applicable)

Topic Public meeting

Amendment Barcode (if applicable)

Name Ben Wolcott

Job Title

Address Street

Phone

City State Zip

Email

Speaking:  For  Against  Information

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

Representing Common Cause Florida

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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



# APPEARANCE RECORD

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

3/7/17  
Meeting Date

914  
Bill Number (if applicable)

Topic Public Meetings

Amendment Barcode (if applicable)

Name David Cruz

Job Title Assistant General Counsel

Address P.O. Box 1757  
Street

Phone 701-3476

Tallahassee FL 32302  
City State Zip

Email DCruz@Ficities.com

Speaking:  For  Against  Information

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

Representing Florida League of Cities

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

✓

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-7-17

Meeting Date

914

Bill Number (if applicable)

Topic PUBLIC MEETINGS

Amendment Barcode (if applicable)

Name LAURA YOUMANS

Job Title

Address Street

Phone

City

State

Zip

Email

Speaking: For Against Information

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

Representing FLORIDA ASSOCIATION OF COUNTIES

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.)

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

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BILL: SJR 882

INTRODUCER: Senator Bean

SUBJECT: Election of Secretary of State/Membership of Cabinet

DATE: February 28, 2017

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

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

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### I. Summary:

SJR 882 makes the Secretary of State a statewide elected office as of June 1, 2019, and makes the Secretary a member of the Florida Cabinet. The Governor will appoint a person to serve as the Secretary of State until January 3, 2023. That appointment is subject to confirmation by the Senate. Beginning in 2022, and every four years thereafter, the Secretary of State will be elected concurrently with the other members of the Florida Cabinet.

The joint resolution specifically directs the Legislature to enact implementing legislation by June 1, 2019.

If passed by a three-fifths vote of each house of the Legislature, the proposal will be voted on at the general election in November 2018; sixty percent of those voting on the measure is required for approval.

### II. Present Situation:

A joint resolution is the only authorized method by which the Legislature may propose amendments to the State Constitution. If passed, the proposed amendment would appear on a statewide ballot for voter approval or rejection. It must pass each house by a three-fifths vote of the membership. A joint resolution is also used for redistricting.<sup>1</sup>

Changes to the Florida Constitution can be proposed by a joint resolution of the Legislature, constitutional revision commission, citizens' initiative process, or taxation and budget commission.<sup>2</sup> If the proposed amendment is approved by vote of at least sixty percent of the electors voting on the measure, it will become effective as an amendment on the first Tuesday

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<sup>1</sup> *The Florida Senate, Glossary*, <http://www.flsenate.gov/Reference/Glossary#resolution> (last visited February 11, 2016).

<sup>2</sup> FLA. CONST. art. XI.

after the first Monday in January following the election, or on such other date as may be specified in the amendment.<sup>3</sup>

### **Secretary of State**

The Secretary of State (“Secretary”) is the state’s chief of elections, chief cultural officer and head of the Department of State.<sup>4</sup> The Department consists of the Office of the Secretary and the Divisions of Administrative Services, Corporations, Cultural Affairs, Elections, Historical Resources, and Library and Information Services.

Since 2003, the position of Florida Secretary of State has been an *appointed, non-Cabinet* post.

Prior to that time, the Secretary was an *elected Cabinet* position — one of six serving members in addition to the Governor. The 2003 change was the result of a 1998 amendment to the Florida Constitution that restructured the Cabinet from 6 to 3 officers<sup>5</sup> (plus the governor), as well as making other governmental operations changes<sup>6</sup>; the amendment was one of several proposed by the Constitution Revision Commission (“CRC”).

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

SJR 882 makes the Secretary of State a statewide elected office and member of the Florida Cabinet. If passed by a three-fifths vote of the Legislature, SJR 882 would be placed on the ballot in 2018. If passed by more than 60% of the voters in the 2018 election, the Governor is required to appoint the Secretary for a term beginning June 1, 2019. The Governor’s appointment is subject to confirmation by the Florida Senate. SJR 882 requires the person appointed to serve as Secretary to meet the same qualifications<sup>7</sup> that apply to the other members of the Florida Cabinet. This process maintains the current election cycle for all members of the Florida Cabinet and allows the Secretary to be installed on the Florida Cabinet in an expeditious and reasonable manner and without the costs of having to conduct a statewide special election. Then, beginning with the 2022 general election, the office of Secretary of State will be filled by election concurrently with the other members of the Florida Cabinet every four years. As is the case with all members of the Florida Cabinet, the Secretary will be subject to the eight-year term limits applicable to other members of the Cabinet pursuant to Art. IV, s. 4, of the Florida Constitution.

SJR 882 requires the Legislature to enact implementing legislation that includes any conforming changes to the Florida Statutes made necessary by the reorganization of the Florida Cabinet.

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<sup>3</sup> FLA. CONST. art. XI, s. 5.

<sup>4</sup> See <http://dos.myflorida.com/about-the-department/> (last visited on February 11, 2016).

<sup>5</sup> Florida’s Attorney General, Chief Financial Officer, and the Commissioner of Agriculture.

<sup>6</sup> Constitution Revision Commission Amendment 8 (1998), *Restructuring the State Cabinet* (available at Florida Secretary of State’s web site at: <http://dos.elections.myflorida.com/initiatives/fulltext/pdf/11-4.pdf> (last accessed January 27, 2016).

<sup>7</sup> Each cabinet member must be an elector not less than 30 years of age and must have resided in the state for the preceding 7 years. FLA. CONST. art. IV, s. 5(b).

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

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of a state tax shared with counties and municipalities.

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

None.

**C. Trust Funds Restrictions:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment shall be submitted to the electors. The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments.

According to the Division, the cost to advertise constitutional amendments for the 2016 primary and general election cycle was \$117.56 per word. Using 2016 election cycle rates, the cost to advertise this amendment in newspapers and produce booklets for the *2018 general election could be \$85,758.54*, at a minimum. This cost estimate is contingent on multiple amendments needing advertising, as there is an inverse relationship between the price per word and the length of the advertisements. If no other amendments needed to be advertised, the price per word would be significantly higher. Accurate cost estimates cannot be determined until the total number of amendments to be advertised is known. Total expenses related to constitutional amendment advertising for the 2018 election cycle are likely to be significant, as the 2018 ballot will include amendments placed there by the Constitutional Revision Commission (when the Commission last met in 1998, 13 amendments were placed on the ballot). Amendments can also be placed on the ballot via the initiative petition process, or by a joint resolution of the Florida Legislature, but so far, no amendments have yet made it to the 2018 ballot.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This joint resolution substantially amends Article IV of the Florida Constitution and creates an implementation schedule in Article XII.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.

By Senator Bean

4-00028A-17

2017882\_\_

Senate Joint Resolution

A joint resolution proposing amendments to Sections 3 and 4 of Article IV and the creation of a new section in Article XII of the State Constitution to provide for the election of the Secretary of State and his or her inclusion as a member of the Cabinet.

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

That the following amendments to Sections 3 and 4 of Article IV and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV  
EXECUTIVE

SECTION 3. Succession to office of governor; acting governor.—

(a) Upon vacancy in the office of governor, the lieutenant governor shall become governor. Further succession to the office of governor shall be prescribed by law. A successor shall serve for the remainder of the term.

(b) Upon impeachment of the governor and until completion of trial thereof, or during the governor's physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall be prescribed by law. Incapacity to serve as governor may be determined by the supreme court upon due notice after docketing of a written suggestion thereof by four ~~three~~ cabinet members, and in such case restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the

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legislature, or four ~~three~~ cabinet members. Incapacity to serve as governor may also be established by certificate filed with the custodian of state records by the governor declaring incapacity for physical reasons to serve as governor, and in such case restoration of capacity shall be similarly established.

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, ~~and~~ a commissioner of agriculture, and a secretary of state. In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting or has affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as otherwise provided by general law.

(c) The chief financial officer shall serve as the chief fiscal officer of the state, ~~and~~ shall settle and approve accounts against the state, and shall keep all state funds and

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62 securities.

63 (d) The commissioner of agriculture shall have supervision  
64 of matters pertaining to agriculture except as otherwise  
65 provided by law.

66 (e) The secretary of state shall keep the records of the  
67 official acts of the legislative and executive departments and  
68 perform the functions conferred by this constitution upon the  
69 custodian of state records.

70 (f)(e) The governor as chair, the chief financial officer,  
71 and the attorney general shall constitute the state board of  
72 administration, which shall succeed to all the power, control,  
73 and authority of the state board of administration established  
74 pursuant to Article IX, Section 16 of the Constitution of 1885,  
75 and which shall continue as a body at least for the life of  
76 Article XII, Section 9(c).

77 (g)(f) The governor as chair, the chief financial officer,  
78 the attorney general, ~~and~~ the commissioner of agriculture, and  
79 the secretary of state shall constitute the trustees of the  
80 internal improvement trust fund and the land acquisition trust  
81 fund as provided by law.

82 (h)(g) The governor as chair, the chief financial officer,  
83 the attorney general, ~~and~~ the commissioner of agriculture, and  
84 the secretary of state shall constitute the agency head of the  
85 Department of Law Enforcement.

## ARTICLE XII

## SCHEDULE

Cabinet reorganization.-

86  
87  
88  
89 (a) The amendments to Sections 3 and 4 of Article IV  
90 relating to the inclusion of the secretary of state as a member

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91 of the cabinet shall take effect June 1, 2019. For the term  
92 beginning June 1, 2019, and continuing through January 3, 2023,  
93 the secretary of state shall be appointed by the governor,  
94 subject to confirmation by the senate. The secretary of state  
95 must be an elector of at least 30 years of age who has resided  
96 in the state for the preceding seven years at the time of the  
97 governor's appointment. Beginning with the 2022 statewide  
98 general election and every four years thereafter, the office of  
99 secretary of state shall be filled by election in conformance  
100 with Section 5(a), Article IV.

101 (b) By June 1, 2019, the legislature shall enact  
102 implementing legislation that includes any conforming changes to  
103 the Florida Statutes necessitated by the reorganization of the  
104 cabinet.

105 BE IT FURTHER RESOLVED that the following statement be  
106 placed on the ballot:

## CONSTITUTIONAL AMENDMENT

## ARTICLE IV, SECTIONS 3 AND 4

## ARTICLE XII

## MEMBERSHIP OF CABINET; ELECTION OF SECRETARY OF STATE.-

111 Revises the membership of the Cabinet, effective June 1, 2019,  
112 to include the Secretary of State, whom the Governor shall  
113 appoint, subject to Senate confirmation, for a term ending  
114 January 3, 2023; and thereafter provides for the statewide  
115 election of the secretary, beginning in 2022. The Legislature  
116 shall implement the amendment by law. Currently, the secretary  
117 is appointed by and serves at the pleasure of the Governor and  
118 is not a Cabinet member.

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The Florida Senate

## Committee Agenda Request

**To:** Senator Kathleen Passidomo, Chair  
Committee on Ethics and Elections

**Subject:** Committee Agenda Request

**Date:** February 24, 2017

---

I respectfully request that **Senate Bill #882**, relating to Election of the Secretary of State, be placed on the:

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

A large, stylized handwritten signature in black ink that reads "Aaron Bean".

The name "Aaron Bean" printed in a serif font, positioned below the handwritten signature.

\_\_\_\_\_  
Senator Aaron Bean  
Florida Senate, District 4

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

3-7-17  
Meeting Date

SB882  
Bill Number (if applicable)

Topic Election of Sec of State

Amendment Barcode (if applicable)

Name Sandra Mortham

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

Address 6675 Weeping Willow Way  
Street  
Tallahassee FL 32311  
City State Zip

Phone 850-251-2283

Email smortham@aol.com

Speaking:  For  Against  Information

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

Representing self

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

**The Florida Senate**  
**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

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BILL: SB 954

INTRODUCER: Senator Passidomo

SUBJECT: Canvassing of Vote-by-mail Ballots

DATE: February 21, 2017

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

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

---

## I. Summary:

Senate Bill 954 creates a statutory affidavit “cure” process to remedy and count a vote-by-mail ballot where the ballot signature submitted by the voter does not match the signature on file in the registration book/precinct register. This new process is similar to the process for curing a vote-by-mail ballot with *no signature*, adopted by the State in 2013.

In order to count a *mismatched*-signature ballot, the bill requires the voter to submit:

- A signed affidavit attesting to his or her eligibility along with the fact that he or she requested and returned a vote-by-mail ballot, and acknowledging that committing voter fraud or voting multiple ballots is a 3<sup>rd</sup> degree felony; and,
- The same type of current and valid picture identification required at the polls.

The bill more effectively implements an *ad hoc* procedure that a federal district court judge recently mandated for counting mismatched-signature ballots during the 2016 election cycle. That same court stayed proceedings on a permanent injunction until May of 2017, ostensibly to give the legislature an opportunity to address this issue during the upcoming legislative session.

The bill takes effect upon becoming a law.

## II. Present Situation:

In 2013, at the urging of the State’s supervisors of elections, the Legislature changed the law to allow a voter who returned a vote-by-mail ballot *without a signature* on the Voter’s Certificate (on the back of the mailing envelope) to correct, or “cure,” the defect by submitting a sworn affidavit along with corroborating identification.<sup>1</sup>

---

<sup>1</sup> Ch. 2013-57, § 15, LAWS OF FLA. (codified at § 101.68, F.S.) Previously, the practice had been that a ballot was deemed “cast” when a voter took the final step that enabled the ballot to be counted.

For the 2014 election cycle, county canvassing boards cured *missing* vote-by-mail ballot signatures by confirming the validity of the voter identification submitted and comparing the voter's signature on the cure affidavit with the registration signature on file in the registration books or precinct register. If the voter ID was valid and the signatures matched, the canvassing board counted the ballot; otherwise, the board rejected the ballot and notified the voter of the reason, *post-election*.<sup>2</sup> The notification included a card for the voter to update his or her signature for the next election. **NOTE: A matching voter signature was an essential component of the cure process for determining the validity of the ballot.**<sup>3</sup>

In 2016, shortly before the general election, U.S. District Judge Mark Walker ruled that the State's failure to provide a process for curing vote-by-mail ballots with *mismatched* signatures was unconstitutional in light of the State's statutory procedure for correcting *missing* signatures.<sup>4</sup> The federal court issued a temporary injunction directing the State to offer the **same process** for curing both types of signature deficiencies, notwithstanding that Florida law *requires a matching signature on the cure affidavit* in order for a ballot to count.<sup>5</sup>

As a result, the only mismatched-signature ballots that canvassing boards should have remedied under the judge's order were those where the voter returned an affidavit with a *matching* signature, perhaps because the voter:

- Hurriedly wrote his or her signature on the original Voter's Certificate or signed on an uneven surface, but was more precise in signing the cure affidavit; or,
- Recalled using a different signature in the past, and signed the cure affidavit with that prior signature.<sup>6</sup>

The judge's order did not provide relief to voters who submitted the *same* mismatched signature on both the Voter's Certificate *and* cure affidavit, perhaps resulting from:

- The voter forgetting that he or she had registered using a different signature; or,
- The voter's signature deteriorating or changing *over time* as the result of the natural aging process or a specific health-related event (i.e., stroke, blindness, paralysis, and dementia).

<sup>2</sup> There was and is NO statutory requirement that the supervisors notify voters who submit missing ballot signatures; the idea was that 3<sup>rd</sup> parties (political parties, other groups) who follow vote-by-mail ballot returns on a daily basis would handle that responsibility.

<sup>3</sup> "The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate **or on the absentee ballot affidavit as provided in subsection (4)** [the cure affidavit] with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot." (emphasis added) Section 101.68(1)(c)1., F.S. (2014).

<sup>4</sup> *Fla. Dem Party v. Detzner*, Case No. 4:16cv607-MW/CAS (N.D. Fla., Oct. 16, 2016). The court opined, "It is illogical, irrational, and patently bizarre for the State of Florida to withhold the opportunity to cure from mismatched-signature voters while providing that same opportunity to no-signature voters. And in doing so, the State of Florida has categorically disenfranchised thousands of voters arguably for no reason other than they have poor handwriting or their handwriting has changed over time." *Id.* at 22.

<sup>5</sup> The State chose not to defend the statute on substantive grounds, leaving the judge only the one-sided Petitioner's brief/argument and Florida statutory law as sources of information from which to construct the opinion.

<sup>6</sup> A person may use several different signatures at various stages of life, especially at a younger age when the person is seeking to establish their own identity.

The federal court stayed the case on a *permanent* injunction until Friday, May 5, 2017 — the last day of the regular session — and scheduled a status conference for the week of May 15, 2017.<sup>7</sup>

### III. Effect of Proposed Changes:

SB 954 creates a process for a voter to cure a vote-by-mail ballot with a *non-matching* signature by submitting a signed “cure” affidavit along with a valid picture ID, similar to the process the Legislature authorized in 2013 for fixing vote-by-mail ballots that contained *no signature* — a process which is maintained and expanded upon in the current bill.

The cure process for both types of defective ballots begins when a Supervisor of Elections receives a vote-by-mail ballot that contains *no signature* or that contains a signature that *does not match* the voter’s signature in the registration book/precinct register. The supervisor must immediately notify the voter<sup>8</sup> and provide an opportunity to cure the defect by submission of a signed cure affidavit and proper ID no later than 5:00 p.m. on the day before the election — the current deadline for correcting a ballot with no signature.<sup>9</sup>

The decision tree in **Section VII, Related Issues** graphically details the process for canvassing vote-by-mail ballots with missing or mismatched signatures. Key takeaways from the diagram are discussed below.

#### Mismatched-Signature Ballots

A voter can cure a mismatched signature on a vote-by mail ballot by submitting:

- A **signed affidavit** attesting to his or her eligibility to vote and the fact that he or she requested and returned a vote-by-mail ballot; **AND**,
- **If the signature on the cure affidavit DOES NOT MATCH the voter’s signature on file**, the same type of current and valid picture identification required at the polls — now categorized as “Tier 1” ID (i.e., Fla. driver’s license, passport)<sup>10</sup>; **OR**,
- **If the signature on the cure affidavit DOES MATCH the voter’s signature on file**, either TIER 1 ID (picture ID like at the polls<sup>11</sup>) or one of the lesser forms of ID

<sup>7</sup> *Fla. Dem. Party, et al. v. Detzner*, No.4:16cv607-MW/CAS (N.D. Fla., Dec. 12, 2016) (Order staying case).

<sup>8</sup> Current law does NOT specifically task the supervisor with this responsibility, as the 2013 authorizing legislation envisioned notification by campaigns, parties, and interested third-party groups that track vote-by-mail ballots on a daily basis. This position is no longer viable given the judge’s temporary injunction in *Fla. Dem. Party* case directing the supervisors to provide such notice, notwithstanding that the directive may have sprung from a misunderstanding of current Florida law. See *Fla. Dem. Party v. Detzner*, Case No. 4:16cv607-MW/CAS at p. 28-29 (N.D. Fla., Oct. 16, 2016) (citing a notice provision historically applied only *post-election*).

<sup>9</sup> The affidavit and instructions are available on the Division of Elections and all supervisors’ websites, along with all relevant contact information and mailing addresses. Section 101.68(4)(e), F.S. (re-designated as subparagraph (d) in the bill).

<sup>10</sup> Tier 1 identification includes the following current and valid photo IDs: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; a Florida license to carry a concealed weapon or firearm; or, an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality. The bill also *specifically* designates a Florida driver’s license and state-issued ID as permissible forms of photo identification, a clarification of the original 2013 legislation that incorporates the current practice and informal legal interpretation.

<sup>11</sup> See *supra* fn. 11 (detailing Tier 1 forms of identification).

currently authorized in law for curing *missing* signatures with the voter's name and current residence address —categorized in the bill as “TIER 2” (i.e., current utility bill).<sup>12</sup>

### Missing-Signature Ballots<sup>13</sup>

A voter can cure a missing signature on a vote-by mail ballot by submitting:

- A ***signed affidavit*** attesting to his or her eligibility to vote and the fact that he or she requested and returned a vote-by-mail ballot; **AND**,
- *If the signature on the cure affidavit **DOES NOT MATCH** the voter's signature on file*, the same type of current and valid picture identification required at the polls — now categorized as “TIER 1” ID (picture ID like at the polls<sup>14</sup>); **OR**,
- *If the signature on the cure affidavit **DOES MATCH** the voter's signature on file*, either TIER 1 ID (picture ID like at the polls<sup>15</sup>) or one of the lesser forms of identification currently authorized in law with the voter's name and current residence address — categorized in the bill as “TIER 2” (i.e., current utility bill).<sup>16</sup>

Additional minor edits made by the bill include:

- Modifying the cure affidavit instructions to request a preference for TIER 1 identification, if available. (If the signature on the cure affidavit does not match the signature on file, the voter must have submitted a current and valid TIER 1 photo ID for the ballot to count.)
- Amending the *post-election* notification process to require that a Supervisor of Elections send a voter registration card to any voter whose ballot *counted* notwithstanding a non-matching signature — for purposes of updating the signature for the next election.
- Making technical, conforming, and structural changes to the statute.

The bill takes effect upon becoming a law.

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<sup>12</sup> Tier 2 identification includes a: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

<sup>13</sup> With the exception of providing an *additional* opportunity for a voter to cure a defective ballot upon submission of a cure affidavit with a *mismatched* voter signature — which would not count under current law — the process for cure remains the same.

<sup>14</sup> See supra fn. 11 (detailing Tier 1 forms of identification).

<sup>15</sup> *Id.*

<sup>16</sup> See supra fn. 13 (detailing Tier 2 forms of identification).

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

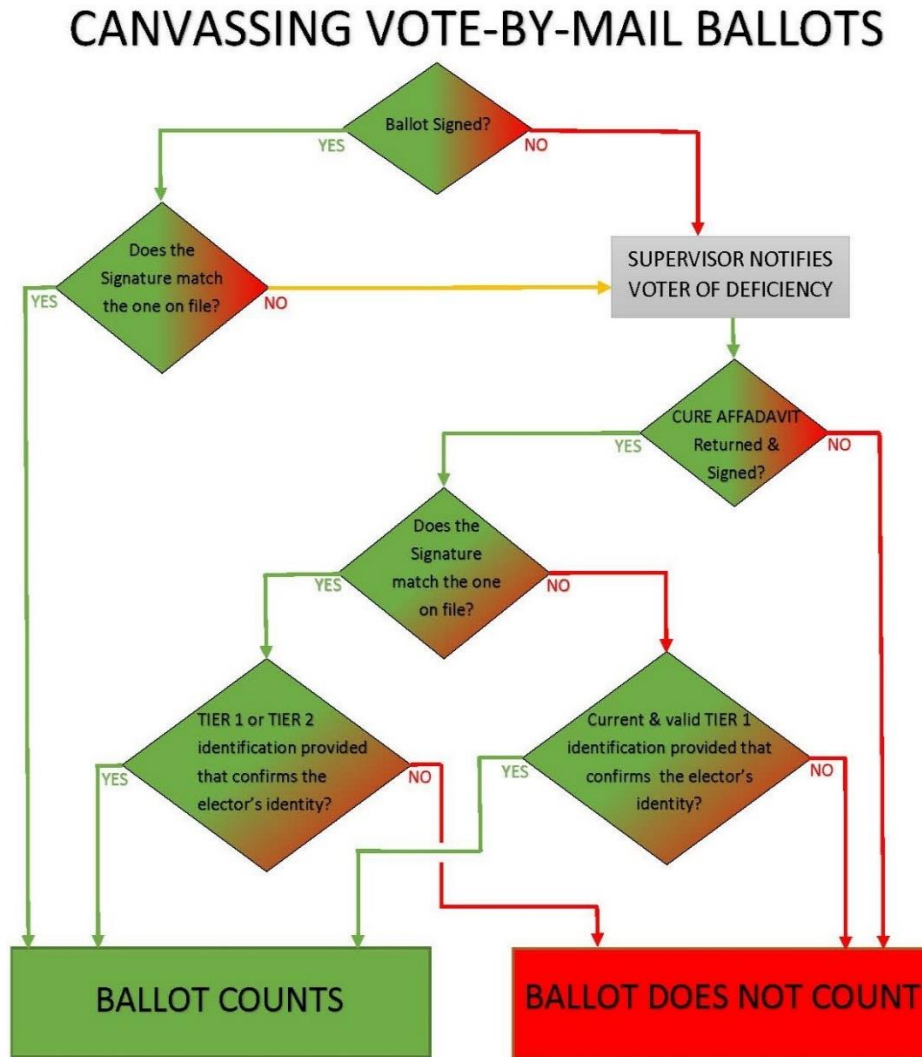
Supervisors of Elections may incur some additional costs to notify voters who submit vote-by-mail ballots with missing or mismatched signatures and do not have an e-mail address on file. Such costs are expected to be minimal.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The following decision tree outlines the canvassing board process for determining the validity of vote-by-mail ballots with missing and/or mismatched signatures:



**VIII. Statutes Affected:**

This bill substantially amends sections 101.68 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.

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

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By Senator Passidomo

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1 A bill to be entitled  
 2 An act relating to the canvassing of vote-by-mail  
 3 ballots; amending s. 101.68, F.S.; deleting an  
 4 obsolete date; modifying and clarifying provisions  
 5 governing the canvassing of vote-by-mail ballots;  
 6 authorizing use of the vote-by-mail ballot cure  
 7 affidavit if an elector's signature does not match the  
 8 signature in the registration books or precinct  
 9 register; requiring the supervisor of elections to  
 10 immediately notify an elector upon receipt of a vote-  
 11 by-mail ballot with a missing or mismatched signature;  
 12 revising terminology; revising the cure affidavit  
 13 instructions with respect to acceptable forms of  
 14 identification; specifying that a Florida driver  
 15 license or Florida identification card are acceptable  
 16 forms of identification for purposes of curing a vote-  
 17 by-mail ballot; expanding the scope of post-election  
 18 signature update requests to include electors who  
 19 cured a vote-by-mail ballot with a mismatched  
 20 signature; providing an effective date.

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

23  
 24 Section 1. Section 101.68, Florida Statutes, is amended to  
 25 read:

26 101.68 Canvassing of vote-by-mail ballot.—

27 (1) The supervisor of the county where the absent elector  
 28 resides shall receive the voted ballot, at which time the  
 29 supervisor shall compare the signature of the elector on the

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30 voter's certificate with the signature of the elector in the  
 31 registration books or the precinct register to determine whether  
 32 the elector is duly registered in the county and may record on  
 33 the elector's registration certificate that the elector has  
 34 voted. ~~However, effective July 1, 2005,~~ An elector who dies  
 35 after casting a vote-by-mail ballot but on or before election  
 36 day shall remain listed in the registration books until the  
 37 results have been certified for the election in which the ballot  
 38 was cast. The supervisor shall safely keep the ballot unopened  
 39 in his or her office until the county canvassing board canvasses  
 40 the vote. Except as provided in subsection (4), after a vote-by-  
 41 mail ballot is received by the supervisor, the ballot is deemed  
 42 to have been cast, and changes or additions may not be made to  
 43 the voter's certificate.

44 (2) (a) The county canvassing board may begin the canvassing  
 45 of vote-by-mail ballots at 7 a.m. on the 15th day before the  
 46 election, but not later than noon on the day following the  
 47 election. In addition, for any county using electronic  
 48 tabulating equipment, the processing of vote-by-mail ballots  
 49 through such tabulating equipment may begin at 7 a.m. on the  
 50 15th day before the election. However, notwithstanding any such  
 51 authorization to begin canvassing or otherwise processing vote-  
 52 by-mail ballots early, no result shall be released until after  
 53 the closing of the polls in that county on election day. Any  
 54 supervisor of elections, deputy supervisor of elections,  
 55 canvassing board member, election board member, or election  
 56 employee who releases the results of a canvassing or processing  
 57 of vote-by-mail ballots prior to the closing of the polls in  
 58 that county on election day commits a felony of the third

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59 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
60 775.084.

61 (b) To ensure that all vote-by-mail ballots to be counted  
62 by the canvassing board are accounted for, the canvassing board  
63 shall compare the number of ballots in its possession with the  
64 number of requests for ballots received to be counted according  
65 to the supervisor's file or list.

66 (c)1. The canvassing board ~~must~~ shall, if the supervisor  
67 has not already done so, compare the signature of the elector on  
68 the voter's certificate or on the vote-by-mail ballot cure  
69 affidavit as provided in subsection (4) with the signature of  
70 the elector in the registration books or the precinct register  
71 to see that the elector is duly registered in the county and to  
72 determine the legality of that vote-by-mail ballot. A vote-by-  
73 mail ballot may only be counted if:

74 a. The signature on the voter's certificate or the cure  
75 affidavit matches the elector's signature in the registration  
76 books or precinct register; however, in the case of a cure  
77 affidavit, the supporting identification listed in subsection  
78 (4) must also confirm the identity of the elector; or

79 b. The cure affidavit contains a signature that does not  
80 match the elector's signature in the registration books or  
81 precinct register, but the elector has submitted a current and  
82 valid Tier 1 identification pursuant to subsection (4) which  
83 confirms the identity of the elector.

84 2. The ballot of an elector who casts a vote-by-mail ballot  
85 shall be counted even if the elector dies on or before election  
86 day, as long as, ~~before~~ prior to the death of the voter, the  
87 ballot was postmarked by the United States Postal Service, date-

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88 stamped with a verifiable tracking number by a common carrier,  
89 or already in the possession of the supervisor of elections. A  
90 ~~vote-by-mail ballot is considered illegal if the voter's~~  
91 ~~certificate or vote-by-mail ballot affidavit does not include~~  
92 ~~the signature of the elector, as shown by the registration~~  
93 ~~records or the precinct register. However,~~

94 3. A vote-by-mail ballot is not considered illegal if the  
95 signature of the elector does not cross the seal of the mailing  
96 envelope. ~~If the canvassing board determines that any ballot is~~  
97 ~~illegal, a member of the board shall, without opening the~~  
98 ~~envelope, mark across the face of the envelope: "rejected as~~  
99 ~~illegal." The vote by mail ballot affidavit, if applicable, the~~  
100 ~~envelope, and the ballot contained therein shall be preserved in~~  
101 ~~the manner that official ballots voted are preserved.~~

102 4.2. If any elector or candidate present believes that a  
103 vote-by-mail ballot is illegal due to a defect apparent on the  
104 voter's certificate or the cure ~~vote-by-mail ballot~~ affidavit,  
105 he or she may, at any time before the ballot is removed from the  
106 envelope, file with the canvassing board a protest against the  
107 canvass of that ballot, specifying the precinct, the ballot, and  
108 the reason he or she believes the ballot to be illegal. A  
109 challenge based upon a defect in the voter's certificate or cure  
110 ~~vote-by-mail ballot~~ affidavit may not be accepted after the  
111 ballot has been removed from the mailing envelope.

112 5. If the canvassing board determines that a ballot is  
113 illegal, a member of the board must, without opening the  
114 envelope, mark across the face of the envelope: "rejected as  
115 illegal." The cure affidavit, if applicable, the envelope, and  
116 the ballot therein shall be preserved in the manner that

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117 official ballots are preserved.

118 (d) The canvassing board shall record the ballot upon the  
119 proper record, unless the ballot has been previously recorded by  
120 the supervisor. The mailing envelopes shall be opened and the  
121 secrecy envelopes shall be mixed so as to make it impossible to  
122 determine which secrecy envelope came out of which signed  
123 mailing envelope; however, in any county in which an electronic  
124 or electromechanical voting system is used, the ballots may be  
125 sorted by ballot styles and the mailing envelopes may be opened  
126 and the secrecy envelopes mixed separately for each ballot  
127 style. The votes on vote-by-mail ballots shall be included in  
128 the total vote of the county.

129 (3) The supervisor or the chair of the county canvassing  
130 board shall, after the board convenes, have custody of the vote-  
131 by-mail ballots until a final proclamation is made as to the  
132 total vote received by each candidate.

133 ~~(4) (a) The supervisor of elections shall, on behalf of the~~  
134 ~~county canvassing board, notify each elector whose ballot was~~  
135 ~~rejected as illegal and provide the specific reason the ballot~~  
136 ~~was rejected. The supervisor shall mail a voter registration~~  
137 ~~application to the elector to be completed indicating the~~  
138 ~~elector's current signature if the elector's ballot was rejected~~  
139 ~~due to a difference between the elector's signature on the~~  
140 ~~voter's certificate or vote-by-mail ballot affidavit and the~~  
141 ~~elector's signature in the registration books or precinct~~  
142 ~~register. This section does not prohibit the supervisor from~~  
143 ~~providing additional methods for updating an elector's~~  
144 ~~signature.~~

145 ~~(b) Until 5 p.m. on the day before an election, The~~

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146 supervisor shall, on behalf of the county canvassing board,  
147 immediately notify ~~allow~~ an elector who has returned a vote-by-  
148 mail ballot that does not include the elector's signature or  
149 contains a signature that does not match the elector's signature  
150 in the registration books or precinct register. The supervisor  
151 shall allow such an elector to complete and submit an affidavit  
152 in order to cure the ~~unsigned~~ vote-by-mail ballot until 5 p.m.  
153 on the day before the election.

154 ~~(b)(c)~~ The elector ~~shall provide identification to the~~  
155 ~~supervisor and must complete a~~ cure ~~vote-by-mail ballot~~  
156 affidavit in substantially the following form:

157

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

158 I, . . . , am a qualified voter in this election and  
159 registered voter of . . . County, Florida. I do solemnly swear or  
160 affirm that I requested and returned the vote-by-mail ballot and  
161 that I have not and will not vote more than one ballot in this  
162 election. I understand that if I commit or attempt any fraud in  
163 connection with voting, vote a fraudulent ballot, or vote more  
164 than once in an election, I may be convicted of a felony of the  
165 third degree and fined up to \$5,000 and imprisoned for up to 5  
166 years. I understand that my failure to sign this affidavit means  
167 that my vote-by-mail ballot will be invalidated.

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169 . . . (Voter's Signature) . . .

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171 . . . (Address) . . .

172

173 ~~(c)(d)~~ Instructions must accompany the cure ~~vote-by-mail~~  
174 ~~ballot~~ affidavit in substantially the following form:

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

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READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote-by-mail ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 5 p.m. on the ~~2nd~~ day before the election.

2. You must sign your name on the line above (Voter's Signature).

3. You must make a copy of one of the following forms of identification:

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; a Florida license to carry a concealed weapon or firearm; or an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or

b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1 FORM OF IDENTIFICATION, identification that shows your name and current residence address: current utility bill, bank statement,

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government check, paycheck, or government document (excluding voter identification card).

4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.

5. Alternatively, you may fax or e-mail your completed affidavit and a copy of your identification to the supervisor of elections. If e-mailing, please provide these documents as attachments.

(d) ~~(e)~~ The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address, e-mail address, and fax number on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses, e-mail addresses, and fax numbers of all supervisors of elections or provide a conspicuous link to such addresses.

(e) ~~(f)~~ The supervisor shall attach each affidavit received to the appropriate vote-by-mail ballot mailing envelope.

(f) After all election results on the ballot have been certified, the supervisor shall, on behalf of the county canvassing board, notify each elector whose ballot has been rejected as illegal and provide the specific reason the ballot was rejected. In addition, the supervisor shall mail a voter registration application to the elector to be completed

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233 indicating the elector's current signature if the signature on  
234 the voter's certificate or cure affidavit did not match the  
235 elector's signature in the registration books or precinct  
236 register. This section does not prohibit the supervisor from  
237 providing additional methods for updating an elector's  
238 signature.

239 Section 2. This act shall take effect upon becoming a law.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/7/17  
Meeting Date

954  
Bill Number (if applicable)

Topic Vote by mail

Amendment Barcode (if applicable)

Name Ben Wilcox

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

Address 1719 Old Fort Dr.  
Street

Phone 850-544-4448

Tallahassee Fl. 32301  
City State Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

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

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

3/7/17

Meeting Date

954

Bill Number (if applicable)

Topic Vote By MAIL BALLOTS

Amendment Barcode (if applicable)

Name RON LABASKY

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

Address 225 S. ADAMS ST

Phone 222-7718

Street

TALL

City

FL

State

32302

Zip

Email \_\_\_\_\_

Speaking:  For  Against  Information

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

Representing FLA STATE ASSOC OF SUPERVISORS OF ELECTORS

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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



THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

3/7/17  
Meeting Date

SB 954  
Bill Number (if applicable)

Topic Vote by Mail Ballots

Amendment Barcode (if applicable)

Name Jane Jordan

Job Title volunteer

Address 2932 Parrish Dr  
Street

Phone 850-591-2729

Tallahassee FL 32309  
City State Zip

Email samsamgd84@gmail.com

Speaking:  For  Against  Information

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

Representing League of Women Voters

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.

# CourtSmart Tag Report

Room: KN 412 Case No.:  
Caption: Senate Committee on Ethics and Elections

Type:  
Judge:

Started: 3/7/2017 4:02:50 PM  
Ends: 3/7/2017 4:42:16 PM Length: 00:39:27

4:02:51 PM Meeting Called to Order  
4:02:56 PM Roll Call  
4:03:03 PM Quorum present  
4:03:31 PM Tab 15 SB 914 by Sen Baxley  
4:03:40 PM Sen Baxley explains  
4:06:51 PM Chair calls for questions  
4:07:04 PM Sen Bean question  
4:07:27 PM Sen Baxley responds  
4:08:26 PM Chair calls for more quesitons  
4:09:42 PM Sen Rodriquez question  
4:10:16 PM Sen Baxley responds  
4:12:34 PM Sen Torres question  
4:13:36 PM Sen Baxley responds  
4:14:21 PM Sen Lee question  
4:15:30 PM Sen Baxley responds  
4:16:34 PM Staff response (Jay Ferrin, Staff Director, GO Comm.)  
4:18:01 PM Ben Wilcox, Common Cause of Florida, speaks in opposition  
4:19:16 PM Sen Lee question  
4:20:16 PM Mr. Wilcox responds  
4:20:24 PM Sen Rodriquez question  
4:21:36 PM David Cruz, FI League of Cities, speaks in support  
4:22:11 PM Laura Youmans, FI Assoc. of Counties, speaks in support  
4:25:41 PM Sen Passidomo question  
4:27:23 PM Debate on the bill  
4:27:30 PM Sen Lee comments  
4:28:26 PM Sen Rodriquez comments  
4:28:43 PM Sen Baxley closes on SB 914  
4:29:26 PM Roll Call SB 914  
4:29:33 PM SB 914 passes favorably  
4:29:48 PM Tab 16 SJR 882 by Sen Bean  
4:29:57 PM Sen Bean explains  
4:32:31 PM Sen Torres question  
4:33:37 PM Sen Bean responds  
4:33:56 PM Sandra Mortham, former elected Secretary of State, speaking in support  
4:34:48 PM Debate on the bill  
4:35:44 PM Sen Bean closes  
4:35:57 PM Roll Call SJR 882  
4:36:05 PM SJR 882 passes favorably  
4:36:23 PM Sen Grimsley takes Chair for Sen Passidomo to present bill  
4:36:24 PM Tab 17 SB 954 by Sen Passidomo  
4:36:31 PM Sen Passidomo explains  
4:38:18 PM Jane Jordan, League of Women Voters, waives in support  
4:38:39 PM Ron Labasky, FL Assoc. of Supervisor of Elections waives in support  
4:38:50 PM Ben Wilcox, waives in support  
4:39:13 PM Sen Passidmo waives to close on her bill  
4:39:22 PM Roll call  
4:39:27 PM SB 954 passes favorably  
4:39:41 PM Tabs 1-14 Executive Appointments  
4:40:18 PM Motion by Sen Bean to recommend Confirm Tabs 1-14  
4:40:19 PM Final vote: Recommend Favorable Confirmation on Tabs 1-14  
4:40:39 PM Meeting adjourned