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# Rules & Policy Committee

Tuesday, February 21, 2017

8:30 a.m.

Sumner Hall (404 HOB)

## **ACTION PACKET**

Richard Corcoran  
Speaker

Jose Oliva  
Chair

# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

**Location:** Sumner Hall (404 HOB)

### Summary:

#### Rules & Policy Committee

*Tuesday February 21, 2017 08:30 am*

HJR 7001	Favorable With Committee Substitute	Yeas: 17	Nays: 0
	Amendment 649913 Adopted Without Objection		
HB 7003	Favorable With Committee Substitute	Yeas: 18	Nays: 0
	Amendment 847385 Adopted Without Objection		
PCB RPC 17-01	Favorable	Yeas: 18	Nays: 0
PCB RPC 17-02	Favorable	Yeas: 17	Nays: 0
PCB RPC 17-03	Favorable	Yeas: 17	Nays: 0
PCB RPC 17-04	Favorable	Yeas: 17	Nays: 0

Committee meeting was reported out: Tuesday, February 21, 2017 11:03:51AM

# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

**Location:** Sumner Hall (404 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Jose Oliva (Chair)	X		
Lori Berman	X		
Michael Bileca	X		
Jim Boyd	X		
Jason Brodeur	X		
Matt Caldwell	X		
W. Travis Cummings	X		
Jose Diaz	X		
Manny Diaz, Jr.	X		
Shawn Harrison	X		
Evan Jenne	X		
Jeanette Nuñez	X		
Sharon Pritchett	X		
David Richardson	X		
Ray Rodrigues	X		
Chris Sprows	X		
Cynthia Stafford	X		
Barbara Watson	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, February 21, 2017 11:03:51AM

# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

HJR 7001 : State Officers Post-service Personal Representation Prohibitions

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd			X		
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz	X				
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
	<b>Total Yeas: 17</b>	<b>Total Nays: 0</b>			

### HJR 7001 Amendments

#### Amendment 649913

Adopted Without Objection

#### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, February 21, 2017 11:03:51AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 7001 (2017)

Amendment No. 1

ADOPTED  
w/o OBJECTION

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>X</u>	<u>(Y/N)</u>
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Rules & Policy Committee  
 2 Representative Metz offered the following:

**Amendment (with schedule, ballot and title amendments)**

Remove lines 45-54 and insert:

6 (e) A ~~No~~ member of the legislature or a statewide elected  
 7 officer may not ~~shall~~ personally represent another person or  
 8 entity for compensation before any state ~~the~~ government body or  
 9 state agency other than judicial tribunals ~~of which the~~  
 10 ~~individual was an officer or member~~ for a period of six ~~two~~  
 11 years following vacation of office. A ~~No~~ member of the  
 12 legislature may not ~~shall~~ personally represent another person or  
 13 entity for compensation during term of office before any state  
 14 agency other than judicial tribunals. Similar

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Amendment No. 1

17 **S C H E D U L E A M E N D M E N T**

18 Remove lines 93-111 and insert:

19 Article II prohibiting legislators and statewide elected  
20 officers from providing personal representation for compensation  
21 before any state government body or state agency for six years  
22 following vacation of office is applicable only to those  
23 individuals who were members of the legislature or who were  
24 statewide elected officers at any time after November 8, 2016.

25 -----  
26 **B A L L O T A M E N D M E N T**

27 Remove lines 117-126 and insert:

28 ARTICLE XII, SECTION 37

29 STATE OFFICERS POST-SERVICE PERSONAL REPRESENTATION  
30 PROHIBITIONS.-Proposing an amendment to the State Constitution  
31 prohibiting legislators and statewide elected officers from  
32 personally representing another person or entity for  
33 compensation before any state government body or state agency  
34 except judicial tribunals for six years following vacation of  
35 office; providing that the prohibition applies to individuals  
36 who were members of the legislature or who were statewide  
37 elected officers at any time after November 8, 2016.

38 -----  
39 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 7001 (2017)

Amendment No. 1

42           Remove lines 4-13 and insert:  
43 Article XII of the State Constitution; prohibiting legislators  
44 and statewide elected officers from personally representing  
45 another person or entity for compensation before any state  
46 government body or state agency except judicial tribunals for  
47 six years following vacation of office; providing that the  
48 prohibition applies to individuals who were members of the  
49 legislature or who were statewide elected officers at any time  
50 after November 8, 2016.

# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

### HB 7003 : State Officer Post-service Lobbying Prohibitions

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz	X				
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
	<b>Total Yeas: 18</b>	<b>Total Nays: 0</b>			

### HB 7003 Amendments

#### Amendment 847385

Adopted Without Objection

### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291



# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

### HB 7003 : State Officer Post-service Lobbying Prohibitions

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz	X				
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
	<b>Total Yeas: 18</b>	<b>Total Nays: 0</b>			

### HB 7003 Amendments

#### Amendment 847385

Adopted Without Objection

### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, February 21, 2017 11:03:51AM

Amendment No. 1

*ADOPTED  
w/o OBJECTION*

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>X</u>	<u>Y</u> (N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Rules & Policy Committee  
 2 Representative Metz offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (9) of section 112.313, Florida

Statutes, is amended to read:

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

(9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR  
LEGISLATORS AND LEGISLATIVE EMPLOYEES.-

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

Amendment No. 1

17 2. As used in this paragraph:

18 a. "Employee" means:

19 (I) Any person employed in the executive or legislative  
20 branch of government holding a position in the Senior Management  
21 Service as defined in s. 110.402 or any person holding a  
22 position in the Selected Exempt Service as defined in s. 110.602  
23 or any person having authority over policy or procurement  
24 employed by the Department of the Lottery.

25 (II) The Auditor General, the director of the Office of  
26 Program Policy Analysis and Government Accountability, the  
27 Sergeant at Arms and Secretary of the Senate, and the Sergeant  
28 at Arms and Clerk of the House of Representatives.

29 (III) The executive director and deputy executive director  
30 of the Commission on Ethics.

31 (IV) An executive director, staff director, or deputy  
32 staff director of each joint committee, standing committee, or  
33 select committee of the Legislature; an executive director,  
34 staff director, executive assistant, analyst, or attorney of the  
35 Office of the President of the Senate, the Office of the Speaker  
36 of the House of Representatives, the Senate Majority Party  
37 Office, Senate Minority Party Office, House Majority Party  
38 Office, or House Minority Party Office; or any person, hired on  
39 a contractual basis, having the power normally conferred upon  
40 such persons, by whatever title.

Amendment No. 1

41 (V) The Chancellor and Vice Chancellors of the State  
42 University System; the general counsel to the Board of Governors  
43 of the State University System; and the president, provost, vice  
44 presidents, and deans of each state university.

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

48 b. "Appointed state officer" means any member of an  
49 appointive board, commission, committee, council, or authority  
50 of the executive or legislative branch of state government whose  
51 powers, jurisdiction, and authority are not solely advisory and  
52 include the final determination or adjudication of any personal  
53 or property rights, duties, or obligations, other than those  
54 relative to its internal operations.

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

58  
59 3.a. A ~~No~~ member of the Legislature, ~~appointed state~~  
60 ~~officer,~~ or statewide elected officer may not shall personally  
61 represent another person or entity for compensation before any  
62 state government body or state agency other than judicial  
63 tribunals or in settlement negotiations after the filing of a  
64 lawsuit the government body or agency of which the individual  
65 ~~was an officer or member~~ for a period of 6 ~~2~~ years following

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Amendment No. 1

66 vacation of office. ~~A~~ ~~Ne~~ member of the Legislature may not shall  
67 personally represent another person or entity for compensation  
68 during his or her term of office before any state agency other  
69 than judicial tribunals or in settlement negotiations after the  
70 filing of a lawsuit.

71 b. An appointed state officer may not personally represent  
72 another person or entity for compensation before the government  
73 body or agency of which the individual was an officer or member  
74 for a period of 2 years following vacation of office. ~~For a~~  
75 ~~period of 2 years following vacation of office, a former member~~  
76 ~~of the Legislature may not act as a lobbyist for compensation~~  
77 ~~before an executive branch agency, agency official, or employee.~~  
78 ~~The terms used in this sub-subparagraph have the same meanings~~  
79 ~~as provided in s. 112.3215.~~

80 4. An agency employee, including an agency employee who  
81 was employed on July 1, 2001, in a Career Service System  
82 position that was transferred to the Selected Exempt Service  
83 System under chapter 2001-43, Laws of Florida, may not  
84 personally represent another person or entity for compensation  
85 before the agency with which he or she was employed for a period  
86 of 2 years following vacation of position, unless employed by  
87 another agency of state government.

88 5. Any person violating this paragraph shall be subject to  
89 the penalties provided in s. 112.317 and a civil penalty of an

Amendment No. 1

90 amount equal to the compensation which the person receives for  
91 the prohibited conduct.

92 6. This paragraph is not applicable to:

93 a. A person employed by the Legislature or other agency  
94 prior to July 1, 1989;

95 b. A person who was employed by the Legislature or other  
96 agency on July 1, 1989, whether or not the person was a defined  
97 employee on July 1, 1989;

98 c. A person who was a defined employee of the State  
99 University System or the Public Service Commission who held such  
100 employment on December 31, 1994;

101 d. A person who has reached normal retirement age as  
102 defined in s. 121.021(29), and who has retired under the  
103 provisions of chapter 121 by July 1, 1991; or

104 e. Any appointed state officer whose term of office began  
105 before January 1, 1995, unless reappointed to that office on or  
106 after January 1, 1995.

107 (b) In addition to the provisions of this part which are  
108 applicable to legislators and legislative employees by virtue of  
109 their being public officers or employees, the conduct of members  
110 of the Legislature and legislative employees shall be governed  
111 by the ethical standards provided in the respective rules of the  
112 Senate or House of Representatives which are not in conflict  
113 herewith.

Amendment No. 1

114 Section 2. The amendment made by this act to s. 112.313,  
115 Florida Statutes, applies only to those individuals who were  
116 members of the Legislature at any time after November 8, 2016,  
117 or who were statewide elected officers at any time after  
118 November 8, 2016.

119 Section 3. This act shall take effect July 1, 2017.

120

121

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

122 Remove everything before the enacting clause and insert:

123

A bill to be entitled

124

125 An act relating to state officer post-service lobbying  
126 restrictions; amending s. 112.313, F.S.; prohibiting  
127 legislators and statewide elected officers from  
128 personally representing another person or entity for  
129 compensation before any state government body or state  
130 agency except judicial tribunals for a specified time  
131 period following vacation of office; deleting a  
132 prohibition on a former legislator from acting as a  
133 lobbyist before an executive branch agency, agency  
134 official, or employee for a specified period following  
135 vacation of office; providing applicability; providing  
136 an effective date.

137

# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

PCB RPC 17-01 : Official Florida Statutes

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz	X				
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
	<b>Total Yeas: 18</b>	<b>Total Nays: 0</b>			

### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291

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# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

PCB RPC 17-02 : Florida Statutes / General

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz			X		
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
1119 Newton Ave. S.  
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# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

PCB RPC 17-03 : Florida Statutes / Non-current Repeals or Expiration

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz			X		
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
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# COMMITTEE MEETING REPORT

## Rules & Policy Committee

2/21/2017 8:30:00AM

Location: Sumner Hall (404 HOB)

PCB RPC 17-04 : Florida Statutes / Rulemaking Repeals

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Michael Bileca	X				
Jim Boyd	X				
Jason Brodeur	X				
Matt Caldwell	X				
W. Travis Cummings	X				
Jose Diaz			X		
Manny Diaz, Jr.	X				
Shawn Harrison	X				
Evan Jenne	X				
Jeanette Nuñez	X				
Sharon Pritchett	X				
David Richardson	X				
Ray Rodrigues	X				
Chris Sprowls	X				
Cynthia Stafford	X				
Barbara Watson	X				
Jose Oliva (Chair)	X				
	<b>Total Yeas: 17</b>	<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, February 21, 2017 11:03:51AM