

AGENDA
FLORIDA DEPARTMENT OF REVENUE

Meeting Material Available on the web at:
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MEMBERS

Governor Rick Scott
Attorney General Pam Bondi
Chief Financial Officer Jeff Atwater
Commissioner Adam H. Putnam

September 20, 2016

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9:00 A.M.
LL-03, The Capitol
Tallahassee, Florida

<u>ITEM</u>	<u>SUBJECT</u>	<u>RECOMMENDATION</u>
1.	Respectfully request approval of the minutes of the January 21, 2016, March 29, 2016 and May 10, 2016 meetings. (ATTACHMENT 1)	RECOMMEND APPROVAL
2.	Respectfully submit the Agency 4th Quarter Performance Report for Fiscal Year 2015-2016. (ATTACHMENT 2)	INFORMATION/DISCUSSION
3.	Respectfully request approval of and authority to publish Notice of Proposed Rule in the Florida Administrative Register for a rule relating to property tax oversight. The proposed rule is amended to create and revise various forms to reflect statutory changes enacted in Chapter 2016-128, Laws of Florida, and to repeal an obsolete form. Rule 12D-16.002 – Index to Forms (ATTACHMENT 3)	RECOMMEND APPROVAL
4.	Respectfully submit the Department of Revenue’s Legislative Budget Request for Fiscal Year 2017 – 2018. (ATTACHMENT 4)	RECOMMEND APPROVAL
5.	Respectfully submit the Department of Revenue’s 2017 proposed legislative concepts. (ATTACHMENT 5)	RECOMMEND APPROVAL

ATTACHMENT 1

STATE OF FLORIDA

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IN RE: MEETING OF THE GOVERNOR AND
CABINET

_____ /

VOLUME 1

CABINET MEMBERS: GOVERNOR RICK SCOTT
ATTORNEY GENERAL PAM BONDI
CHIEF FINANCIAL OFFICER JEFF
ATWATER
COMMISSIONER OF AGRICULTURE
ADAM PUTNAM

DATE: THURSDAY, JANUARY 21, 2016

LOCATION: CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY: NANCY S. METZKE, RPR, FPR
COURT REPORTER

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GOVERNOR SCOTT: Good morning. Welcome to the January 21st Cabinet meeting.

To begin our meeting, I'd like to welcome Grace Cerio to lead this morning's invocation. Please remain standing after the invocation for the pledge of allegiance led by Mrs. Cloud's first grade really smart class at the Florida State University school, followed by the singing of the National Anthem by Elizabeth and Ana Pusifer.

Grace, good morning.

(WHEREUPON, THE INVOCATION WAS GIVEN AND THE PLEDGE OF ALLEGIANCE WAS SAID).

* * * *

DISCUSSION OF APPOINTMENTS

1
2
3 GOVERNOR SCOTT: Next we have the discussion
4 of appointments of the Executive Director of the
5 Department of Revenue and the Commissioner of the
6 Office of Insurance Regulation.

7 In accordance to our Cabinet Governance
8 Guidelines, we need to do several things: One
9 update the position descriptions and pay
10 compensation; announce an application timeline; and
11 form an appointment selection committee and/or
12 initiate a nationwide search for a candidate.

13 The last time we had a vacancy we set a
14 timeframe for applications, advertised the position
15 in nationally-recognized industry publications, and
16 set a date to conduct public interviews during a
17 Cabinet meeting. The Agencies submitted the
18 current position description to each of our offices
19 and posted on People First. The Agency received
20 applications and sent them to our offices to review
21 and post on the Cabinet website.

22 Is everybody okay with that, with the same
23 process, first off? Everybody is okay with the
24 process?

25 ATTORNEY GENERAL BONDI: Yes, Governor.

1 GOVERNOR SCOTT: Okay. I recommend that
2 during this meeting we set a timeframe for this
3 process to avoid a vacancy at the Agencies. My
4 office went through the calendar and pulled some
5 dates for us to consider.

6 For the DOR Executive Director, whose
7 resignation is effective April 1, we propose
8 applications open on January 25th through
9 March 11th. Each office can individually interview
10 their selected applicants prior to the March 23
11 Cabinet meeting -- Cabinet Aides meeting. During
12 the March 23 Cabinet Aides meeting, each office
13 will recommend candidates and staff will schedule
14 public interviews for those selected individuals
15 for the Cabinet meeting on March 29th.

16 Is everybody okay with this proposal?

17 ATTORNEY GENERAL BONDI: Yes, Governor.

18 GOVERNOR SCOTT: All right. Is everybody
19 okay? Everybody is all right with it?

20 (AFFIRMATIVE INDICATIONS).

21 GOVERNOR SCOTT: All right. For the OIR
22 Commissioner whose resignation is effective May 2,
23 applications would be opened on January 25th
24 through April 8th. Each office will interview
25 their selected applicants prior to the April 20

1 Cabinet Aides meeting. During the April 20th
2 Cabinet Aides meeting, each office will recommend
3 candidates and the staff will schedule public
4 interviews for those selected individuals for the
5 Cabinet meeting on April 26th.

6 So is everybody okay with those dates?

7 ATTORNEY GENERAL BONDI: Yes, Governor.

8 COMMISSIONER PUTNAM: Public interviews will
9 be conducted by the Cabinet Aides; is that --

10 GOVERNOR SCOTT: No, no, what we'll do is
11 you'll do them on your own. At the Cabinet Aides
12 meeting each of us will have the opportunity to
13 propose somebody, and then we'll do those public
14 interviews at the next Cabinet meeting after that.

15 CFO ATWATER: Governor, I --

16 GOVERNOR SCOTT: Does that make sense?

17 CFO ATWATER: I think it's a good outline. I
18 just would be curious if we'd be able to, I think,
19 possibly move up about -- maybe about two weeks on
20 the interview process, just that that individual
21 will be coming in --

22 GOVERNOR SCOTT: You talking about OIR?

23 CFO ATWATER: On OIR.

24 GOVERNOR SCOTT: Okay.

25 CFO ATWATER: I don't know how long it might

1 take for all of those who would be nationally
2 interested in seeing a posting, but if it's
3 possible, my hope is just that we could get a
4 person on the ground slightly ahead of hurricane
5 season and maybe even have a chance, if it's not --
6 a candidate to have a time with the current
7 commissioner.

8 GOVERNOR SCOTT: So this is OIR, okay. All
9 right. So we've got, just to get our schedule
10 right, we've got the Cabinet -- a Cabinet meeting
11 on March 2 and then we've got a -- our next Cabinet
12 meeting is not until April 26th, so --

13 COMMISSIONER PUTNAM: We've got a March 29th.

14 GOVERNOR SCOTT: Is there a March 29th Cabinet
15 meeting?

16 MS. OLSON: There is, Governor.

17 GOVERNOR SCOTT: Okay. March 29? Okay, so if
18 we have a March -- so if we have a March 29 Cabinet
19 meeting, what day is the Aides?

20 MS. OLSON: The 21st.

21 GOVERNOR SCOTT: 21st, Cabinet Aides, okay.
22 So is everybody okay with moving it up?

23 CFO ATWATER: That's about two months of --

24 GOVERNOR SCOTT: So if we do that, we'd have
25 January 25th -- what did we do the other one? We

1 did the other one through March 11th. Do you think
2 if we did that we'd have enough time? Everybody
3 okay with that? Just do it the same timeframe?

4 CFO ATWATER: I would be, Governor.

5 COMMISSIONER PUTNAM: Does that allow us to
6 hit national trade publication deadlines so that
7 these things can run as part of the national
8 search, or is it all online now? I mean I just
9 want to make sure we've got the window -- the last
10 time we kind of cut it tight on how long the
11 application window was open. I think we need to
12 have it open at least 30 days.

13 GOVERNOR SCOTT: Well, it would be open
14 January 25th through April -- or through March 11.
15 So that's 11 plus 28, so I mean that will be -- it
16 will be, you know, what, 50 days?

17 All right. So we're just going to do the
18 exact -- so we'll do -- all right, so then it will
19 be through April 11th -- I mean March 11th. So
20 January 25th through March 11th, and then we'll do
21 the Cabinet Aides -- then everybody will do their
22 individual interviews, and then at the Cabinet
23 Aides meeting on March 23rd each office will
24 recommend and then we'll have staff -- we'll have
25 the public interviews on March 29th.

1 Is that okay with everybody?

2 ATTORNEY GENERAL BONDI: That's a great idea,
3 CFO, to get this in place before season.

4 GOVERNOR SCOTT: Okay. Commissioner, do you
5 have anything else?

6 COMMISSIONER PUTNAM: No, I'm just thinking.
7 I mean the timeline certainly works for me.
8 Obviously you two get the disproportionate weight
9 on this one, so I think that that timeline allows
10 us to work through the process.

11 GOVERNOR SCOTT: Everybody is okay? All
12 right.

13 CFO ATWATER: Oh, yeah, Governor, might I
14 mention one other item? And I think it's an
15 important point, Commissioner, and we've taken a
16 quick glance at the publications that we would hope
17 this would be -- and we don't think there's going
18 to be a problem with electronically being up by the
19 25th and we should almost have about 45 or 50 days
20 that this should be available.

21 Governor, one of the other items you had
22 mentioned, that it talked about the position
23 description, and it also talked about compensation.
24 I just want to throw this out for a discussion
25 because it might matter in the candidate pool and

1 so I'll just share with you. I don't know there is
2 an insurance market in the country that is as
3 dynamic as Florida, and I can just speak to my
4 time here and this process, that it's been medical
5 malpractice, workers' comp, auto, property to say
6 the least, that have all been significant reforms
7 that are very dynamic and are all being revisited.

8 I don't know that -- I don't know who we find.
9 We've had a leader for 13 years at 134,000, but I
10 don't know who we find at that number, with the
11 dynamic of the Florida market and the challenges
12 that we face.

13 So I just -- I would at least like to throw
14 out that for conversation. There may be different
15 opinions on that, but if we're about to advertise
16 it and someone around the state or this country
17 would be exploring this, would they -- would we
18 have a greater response to what I would believe
19 would be a salary more commiserate with the
20 challenges and the expectations of the role to be
21 somewhere closer to 175 to \$200,000 a year.

22 And it's probably a conversation I wanted to
23 have with us for a long time, so it's not in any
24 way meant to suggest anything about the current
25 incumbent in the position. I just believe it's

1 worth a conversation.

2 GOVERNOR SCOTT: So the -- you know, one
3 way that -- one thing the private sector does is
4 they will just post something and they'll have the
5 individuals say what their salary needs are,
6 because part of what we can decide in who we
7 interview is if somebody walks in and says, I'm
8 only going to come if it's a half a million
9 dollars. You know, that's probably something we'd
10 all pass on. And so we could find out what
11 somebody needs, but I'm okay either way. I'm okay
12 with a higher compensation.

13 ATTORNEY GENERAL BONDI: And Governor -- CFO,
14 do you have the comps of what our neighboring
15 states are paying for similar positions?

16 CFO ATWATER: Let me just see, we had --
17 that's a really good question, and so let me just
18 throw out some of these: Texas, 175;
19 Maryland, 166 -- well, that's not maybe a
20 neighbor -- Tennessee, 158; Virginia, 157;
21 Ohio, 150.

22 ATTORNEY GENERAL BONDI: What about Louisiana,
23 Mississippi?

24 CFO ATWATER: Louisiana, 115.

25 GOVERNOR SCOTT: Louisiana is elected, I

1 think, isn't it? I think Louisiana is elected.

2 CFO ATWATER: Yeah.

3 ATTORNEY GENERAL BONDI: What about South
4 Carolina?

5 CFO ATWATER: South Carolina is 130.

6 ATTORNEY GENERAL BONDI: What was Texas?

7 CFO ATWATER: Texas was 175, which, again, I
8 just -- I think when someone is going to be
9 exploring the dynamic of this type of role, I think
10 that's far more of an accurate reflection of the
11 talent, expectation than 134.

12 GOVERNOR SCOTT: I'm okay with either leaving
13 it open and say that, you know, we're going to
14 review the applicants and see what their needs are
15 or say that it's -- I think your proposal was that
16 we'd say the compensation is in the 175 to 200 but
17 we'll decide at the time.

18 CFO ATWATER: Correct, and I think either
19 way can work. I just would certainly anticipate
20 that people that will be exploring this idea
21 with themselves, with their family, their
22 professional career, I think we might find an
23 enriched talent pool at 175 to 200,000, if we
24 believe that's the appropriate salary commiserate
25 with the role.

1 GOVERNOR SCOTT: It probably makes more sense
2 if we're going to do that to put a number in than
3 to say a range. If we're going to do it that way,
4 we ought to put a number in.

5 CFO ATWATER: Yes, I'm comfortable with --

6 GOVERNOR SCOTT: Or we can say: Tell us what
7 your needs are, and then we can make a decision.

8 ATTORNEY GENERAL BONDI: Or we could cap it at
9 200, but I'm happy with 175 if you are based on
10 Texas.

11 CFO ATWATER: Let me just throw that out for
12 the sake of conversation, and we may have
13 different feelings. I just would like to then
14 place a motion that when we go to advertise we
15 would advertise the position to be compensated at
16 \$175,000 annually. And, again, I have no -- if
17 there's a different opinion on that, I'm fine with
18 that.

19 ATTORNEY GENERAL BONDI: I agree.

20 GOVERNOR SCOTT: All right. Is there a
21 second?

22 ATTORNEY GENERAL BONDI: There's a sec -- can
23 we vote on this since it's not an action item on
24 this?

25 GOVERNOR SCOTT: Yes.

1 ATTORNEY GENERAL BONDI: Yeah, second.

2 COMMISSIONER PUTNAM: Governor, what was your
3 concern about advertising a pay band?

4 GOVERNOR SCOTT: I just think, you know, if --
5 I think it's -- what I would have typically done in
6 the private sector, I'd either put a price, the
7 compensation or -- but if we're going to do it the
8 other way, where you did a band, who's going to say
9 less than 200 then?

10 ATTORNEY GENERAL BONDI: Exactly.

11 COMMISSIONER PUTNAM: It seems like you get --
12 again, when you live and breathe this stuff, it
13 would seem that we're going to get one of two types
14 of people: Somebody who has got tremendous
15 private-sector experience who is ready to answer a
16 call to service and they're willing to accept less
17 than they're accustomed to because they're capping
18 off a career and want the challenge of the public
19 sector in a state like Florida, maybe they want to
20 move to Florida -- like everybody, thanks to the
21 Governor's good work -- or, you know, we're going
22 to get a younger talent that's hungry, you know,
23 sort of what Kevin McCarty was when he began this
24 process. I mean I don't know that we're competing
25 with insurance executives.

1 GOVERNOR SCOTT: No.

2 COMMISSIONER PUTNAM: We're either getting
3 people who are kind of at the end or we're
4 getting people who are promising young industry
5 leaders. And so I guess with that in mind, I don't
6 know if the pay band advertisement helps, but I
7 don't know.

8 CFO ATWATER: I think the pay band concept is
9 what we would have done in the private sector. We
10 don't know which level of experience and level of
11 talent we may have for the role, and we may want to
12 bring them at the high side or bring them in at the
13 lower side. So I'm very comfortable with that,
14 just knowing that we have -- as each Cabinet
15 position comes -- if any other position would come
16 open, presently there is a salary and we've
17 historically just been designating that salary to
18 the world knowing that they may come in and wish to
19 have a conversation with us at the earliest
20 possible date on that, so I can really go either
21 way with that.

22 I think the 175 to 200, again, if people are
23 comfortable with that, does give a range to look at
24 the talent when it comes and for us to place that
25 before the applicants and that we may have a little

1 bit of flexibility based upon their experiences.

2 COMMISSIONER PUTNAM: Either way.

3 GOVERNOR SCOTT: Yeah, I'm comfortable.

4 CFO ATWATER: All right. Then why don't I do
5 this, Governor, for the first one, why don't I
6 amend the motion that we would communicate that as
7 we're -- as we bring in the candidates and would be
8 looking at their experiences and talents that we
9 would -- it would be our intent to fill the
10 position in the range between 175 to 200,000?

11 GOVERNOR SCOTT: And as part of our individual
12 interview process, we'll find that out.

13 CFO ATWATER: Yes.

14 GOVERNOR SCOTT: So before -- with the goal
15 that when each of us make a proposal, we would make
16 a proposal knowing what the expectation is.

17 CFO ATWATER: Right.

18 COMMISSIONER PUTNAM: So we're guaranteeing a
19 \$40,000 pay increase? If we advertise 175 to 200,
20 we're saying we're starting off assuming that we're
21 going to have to go 40 more to get --

22 ATTORNEY GENERAL BONDI: And what if we just
23 say up to 200,000, up to, just put a cap on it?
24 You're the experts, so I'm going to go with what
25 you say.

1 CFO ATWATER: No, no, I --

2 ATTORNEY GENERAL BONDI: Because what
3 Commissioner Putnam said, what if we find a very
4 young talent, we're likely going to want to give
5 them a raise, especially if they're relocating
6 their family, but is it necessarily a \$40,000
7 increase?

8 CFO ATWATER: I am -- again, I am so
9 comfortable with believing that we should be
10 looking for a talent and a talent seeking this role
11 in the State of Florida would be compensated in the
12 area of 175 or slightly greater; that just as when
13 if some day we're looking for a future player at
14 the SBA or anywhere else, to attract that kind of
15 talent and then not settle for anyone less than the
16 kind of talent -- Governor, I'm good either way. I
17 can --

18 GOVERNOR SCOTT: So let's all -- let's think
19 of it -- something else is going to happen -- I
20 mean we've also got DOR. We've got DO -- see,
21 right now OIR pays 134; DOR pays 129. If you look
22 at -- I don't have these off the top of my head.
23 I think most of our Cabinet is under -- it's under
24 150.

25 ATTORNEY GENERAL BONDI: They're all 150 or

1 less.

2 GOVERNOR SCOTT: Yeah, so I think they're --
3 most of them are below 150. So I mean I think as
4 part of this we might think about, you know, this
5 whole process: Are we getting -- you know, are we
6 getting the best talent when we do any other
7 searches at the price ranges we've been paying?

8 CFO ATWATER: I think that's, again, a
9 question that's worthy of us looking at. To
10 establish a salary or a salary range, to advertise
11 the job, I do believe is going to impact the
12 marketplace's reception to the job. And we do have
13 some unique positions that do compete directly with
14 the private sector, with roles; and to -- the job,
15 which I know we're all aware of, in statute
16 requires certain historical experiences in the
17 field. And to pull someone away, this is not
18 someone who has been a uniquely strong
19 administrator that can use those skill sets to move
20 someplace else. They have to have certain skill
21 sets in this field.

22 And I just think we deserve an extraordinary
23 talent, once more, that -- and that may have grown
24 up in this environment, and this would be a very
25 significant pay increase, but I also wouldn't want

1 to deprive ourselves of some talent that would
2 explore this idea with, I believe in the end is
3 going to be a salary range that would be
4 appropriate.

5 GOVERNOR SCOTT: Let's think about it this
6 way: What's the odds that we're going to vote to
7 pay more than 200? Not very high, right?

8 CFO ATWATER: No. Correct.

9 GOVERNOR SCOTT: Why don't we just do it up to
10 200,000?

11 COMMISSIONER PUTNAM: Or from the current to
12 200.

13 GOVERNOR SCOTT: Yeah, that way you're
14 getting -- because if you get --

15 CFO ATWATER: I'm good, I'm good.

16 COMMISSIONER PUTNAM: I think you're not going
17 to -- I think that gives you the maximum
18 flexibility.

19 CFO ATWATER: It does.

20 GOVERNOR SCOTT: Different types of talent
21 that you --

22 CFO ATWATER: But I think we're announce -- by
23 this, we'd be communicating to the talent out
24 there: I think I'll put my name in the hat;
25 Florida is a place that I could have a chance to be

1 in the most dynamic market and be compensated to
2 make that move.

3 GOVERNOR SCOTT: Okay. CFO, do you want to
4 make a motion?

5 CFO ATWATER: I'll make the motion, Governor,
6 that we would advertise the position at a
7 compensation range between our current salary of,
8 which I believe is at 134, to the 200,000, at the
9 upper end of the salary range.

10 GOVERNOR SCOTT: All right. Is there a
11 second?

12 ATTORNEY GENERAL BONDI: Second.

13 GOVERNOR SCOTT: Okay. Any conversation? Any
14 questions?

15 (NO RESPONSE).

16 GOVERNOR SCOTT: All in favor, aye.

17 (AFFIRMATIVE INDICATIONS).

18 GOVERNOR SCOTT: All right. Let's talk about
19 DOR then. Let's do the same thing.

20 Do you -- I mean did you do anything on DOR?

21 CFO ATWATER: No.

22 GOVERNOR SCOTT: Okay. I think what we ought
23 to do though is we ought to -- well, we've got --
24 now we have to do a ser -- we have to put something
25 in -- the same sort of thing on DOR. So the choice

1 is either we're going to put in -- if we don't --
2 if we don't do anything now, we're going to put in
3 129, if we don't change it, right? So the question
4 is, we can either leave it at 129, or we can do
5 something similar that we can say up to something
6 or a higher number. Does anybody have any
7 recommendations?

8 ATTORNEY GENERAL BONDI: I don't know why we
9 wouldn't do the same if we're doing it for one,
10 have a range, but --

11 COMMISSIONER PUTNAM: The last time that
12 position was open it was open for a year, and it
13 was clearly --

14 ATTORNEY GENERAL BONDI: Exactly.

15 COMMISSIONER PUTNAM: People weren't falling
16 all over themselves to apply, and I think that
17 that's a market signal.

18 ATTORNEY GENERAL BONDI: Uh-huh, agreed.

19 CFO ATWATER: Governor, then maybe just if I
20 might, just for the conversation, I'd make a motion
21 that the salary be advertised from the current rate
22 to the salary of \$150,000 to be considered.

23 COMMISSIONER PUTNAM: I'll second that.

24 GOVERNOR SCOTT: Okay. So FDLE Commissioner
25 Swearingen makes 150, and Terry Rhodes makes 150.

1 I mean, you know, Revenue is not an insignificant
2 issue for us.

3 I'm fine if that's what we want to do. I'm
4 okay. I would probably be more inclined to leave
5 it open and do the up to 200, but I'm fine with the
6 150 if that's what everybody wants to do.

7 ATTORNEY GENERAL BONDI: I'm okay with up to
8 200 depending on who our applicant is, and based on
9 what Commissioner Putnam just said, sitting open
10 for a year.

11 CFO ATWATER: Governor, I'd be happy to amend
12 the motion.

13 GOVERNOR SCOTT: But we have a motion on the
14 table, so if everybody is okay with that, that's
15 fine with me, so --

16 ATTORNEY GENERAL BONDI: Commissioner.

17 COMMISSIONER PUTNAM: My only comment would be
18 I -- the unique technical nature of insurance and
19 Florida's reputation in the insurance world for
20 being in hurricane alley and everything else is why
21 I would be inclined to seek a very specific set of
22 skills and be willing to pay for it, similar to SBA
23 and Bond --

24 ATTORNEY GENERAL BONDI: That's true.

25 COMMISSIONER PUTNAM: -- where it would be

1 apples to apples. I mean Revenue is an incredibly
2 important position, but I think that there is a
3 broader pool to select from than there is for some
4 of these other specialty positions.

5 GOVERNOR SCOTT: That makes sense.

6 ATTORNEY GENERAL BONDI: I agree, and then
7 it's comparable with our other agencies.

8 GOVERNOR SCOTT: Okay. All right. So the
9 motion on the table is between 129 and 150?

10 CFO ATWATER: 150, right.

11 GOVERNOR SCOTT: And, Commissioner, I believe
12 you seconded. So all in favor.

13 (AFFIRMATIVE INDICATIONS).

14 GOVERNOR SCOTT: All right. Anything else on
15 those two?

16 CFO ATWATER: No. Thank you, Governor.

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STATE OF FLORIDA

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VOLUME 2

CABINET MEMBERS: GOVERNOR RICK SCOTT
ATTORNEY GENERAL PAM BONDI
CHIEF FINANCIAL OFFICER
JEFF ATWATER
COMMISSIONER OF AGRICULTURE
ADAM PUTNAM

DATE: TUESDAY, MARCH 29, 2016

LOCATION: CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY: NANCY S. METZKE, RPR, FPR
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2 **INTERVIEW AND APPOINTMENT FOR**
3 **DEPARTMENT OF REVENUE EXECUTIVE DIRECTOR**
4

5 GOVERNOR SCOTT: All right. Everybody is
6 ready?

7 Next we have the interviews and appointment
8 for the Executive Director of the Department of
9 Revenue.

10 As you know, the position was opened and
11 advertised from January 25th through March 11th.
12 During that time, we received 110 applications, and
13 posted those applications online. Last week each
14 of our Cabinet Aides scheduled their selected
15 candidates to come to today's meeting for a public
16 interview. Today we have four candidates to
17 interview: Number 94, Robert McKee; Number 102,
18 James Evers; Number 103, James Overton; and
19 Number 105, Leon Biegalski.

20 I want to thank everybody who applied, and I
21 want to thank the four candidates for being here
22 today.
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ROBERT MCKEE

GOVERNOR SCOTT: So now first I would like to recognize Robert McKee.

Thanks for being here. Do you want to say something before we ask questions? You don't have to. We all have questions I'm sure.

MR. MCKEE: I appreciate that. I wanted to thank you, Governor Scott, Attorney General Bondi, CFO Atwater, and Commissioner Putnam for having me here today. As a Floridian from the age of two, there is no greater honor than being able to stand before you today for your consideration, and I thank you.

GOVERNOR SCOTT: All right. Great.

All right. Let me just start. So when I look at your background, give me the -- tell me how you manage; and, you know, in your different roles you've had, the most number of people you've managed, okay?

MR. MCKEE: The most people I've managed, taking the latter question first, when I returned to the Department in 2007, I headed up the Office of Tax Research and the Office of Resource

1 Management, I also had the Budget Office under me.
2 I believe at that point in time I had over 20
3 direct reports, and so I had about 20 direct
4 reports in that role. That was the largest number
5 of folks that I managed.

6 My management style I think is somewhat -- I'm
7 a very active person, and so to some degree it is
8 in my wake that I pull people along as I move
9 forward. I'm very active. I try to get in front
10 of issues, I do not -- I try to work very hard to
11 not let issues grow.

12 I have a legislative background, meaning that
13 you have to respond very quickly, a quick
14 timeframe. I have to push my own department in my
15 current role to give me an idea of what is current
16 law, what the change in law will do, how the
17 Department will administer it; and then figure out
18 some way to measure it, usually within three or
19 four days' period of time. And then I have to
20 present the result, manage my staff to produce the
21 results, and then present them in a legislative
22 setting within that timeframe.

23 So generally, I tend to pull people along in
24 my current role. I understand in a position like
25 this you also have to create a vision and you have

1 to lead people in the job I'm applying for.

2 And so with that, I understand you have to lay
3 out a path; you have to every day make sure that
4 you're progressing down that path to get them where
5 we are today to where we want to be tomorrow, and
6 you have to work towards that goal. You also have
7 to push the people who need to be pushed, because
8 some folks get settled, they're comfortable within
9 their roles and they're not happy being challenged.
10 And so there are folks you need to bring along and
11 you need to foster their ability to understand that
12 change is inevitable; that where we don't change,
13 we don't grow, and we don't progress.

14 GOVERNOR SCOTT: So, Robert, in your time at
15 DOR, have you had a lot of interaction with the
16 taxpayers and businesses, or has it been mostly
17 dealing with, you know, other issues?

18 MR. MCKEE: In both my role when I was the
19 Deputy Executive Director under Lisa Vickers, and
20 as the Chief Economist, I've had different
21 interactions with taxpayers. When I was the
22 Deputy, I did meet with taxpayers on certain
23 issues; we would have issues with the taxpayers.
24 The representatives would -- we would deal with
25 those issues that had risen to the executive staff

1 level.

2 In my current role as the Chief Economist,
3 when legislation is brought forward, I have a very
4 firm rule that more information makes for better
5 estimates and better outcomes. And so I work very
6 hard to work with members of the business community
7 to make sure I'm understanding the things that I
8 need to understand in order to present estimates to
9 the Revenue Estimating Conference for their
10 consideration to use in the official planning
11 documents of the State.

12 I seek out information. I don't wait for it
13 to come to me, and I work very hard to make sure
14 that in the limited amount of time I have to
15 produce those forecasts that I have engaged with as
16 many experts as I possibly can, because myself or
17 my staff will never know the situation as well as
18 those folks who live it and are seeking a solution
19 before the legislative process.

20 GOVERNOR SCOTT: Okay. That's all I had.

21 Any other questions? Commissioner.

22 COMMISSIONER PUTNAM: You've been around a
23 long time, you know the Agency, you know this
24 process, you've seen Cabinet. Working with Lisa,
25 you've seen the legislature at F & T. So I would

1 have a higher standard for you because you know
2 what you have. So assess for me the strengths and
3 weaknesses of the Department as you see them now
4 and what your first hundred days would look like.

5 MR. MCKEE: I've talked to a lot of folks in
6 preparing to be before you today, and I've heard a
7 common theme: That the Department has lost some of
8 the sense of responsiveness that is necessary and
9 hasn't gone in front of issues at times the way
10 that they needed to prevent things from growing to
11 the point where their folks felt it necessary to
12 engage their statewide leaders or their legislative
13 leaders.

14 So I think one of the issues that I would
15 address immediately is responsiveness, and part of
16 that would be that the Department has been very
17 good in the past, particularly on the guidance of
18 Doctor Jim Zingale, and then Lisa Vickers as she
19 succeeded him. To develop measures on ourselves;
20 to manage by those measures, to look at those.

21 And my sense has been that to some degree
22 those measures have been laid down in recent years.
23 They need to be picked up again, but they also need
24 to be looked -- developed for the executive
25 program, the part of the Department that the

1 Executive Director directly leads.

2 Where I hear we're particularly not responsive
3 is in our ability to answer questions of taxpayers,
4 to give them certainty, and also with respect to
5 our informal protest process. We have some very
6 specific measures, for example, in our refund
7 process.

8 I think there are similar measures we could
9 put on the protest process in order to create
10 accountability, to drive resources to that
11 direction if it's, indeed, where we're slow, and to
12 develop the process to make sure what is causing
13 the bottleneck. I think that's certainly something
14 that I would bring back to you with respect to
15 those measures in the first hundred days.

16 I would also look to strengthen the
17 Taxpayer Advocate Office. That office is given
18 certain statutory powers today to invoke
19 extraordinary measures to provide relief or remedy
20 on behalf of taxpayers.

21 But in talking to our Taxpayer Advocate, I've
22 been advised that they've only used those
23 extraordinary powers four times in the last
24 15 years. I would seek to strengthen that office
25 and to give them some power to do things in

1 ordinary situations on behalf of Florida
2 businesses, particularly where they can stop the
3 clock, act as a check on the operating program, and
4 get the business more time in order to respond to
5 the Department. I think that that should be an
6 ordinary part, and I would look to our legislative
7 package to bring that initiative forward.

8 I think there are other areas, particularly in
9 the Taxpayer Bill of Rights, where there's not
10 clarity. There's, for example, a provision that
11 says a taxpayer should have available to them an
12 exemption that they were not aware of if they
13 didn't apply for it at the time; but then there's a
14 reference that says it only applies to sales tax.

15 Is it the policy of the State that that should
16 apply to all the taxes as the Taxpayer Bill of
17 Rights implies, or should it only be in sales tax?
18 I think that's another initiative that I would
19 bring before you to consider, whether that should
20 be a principle that -- the business has the same
21 three-year period to go back and realize, gee, I
22 missed the opportunity to apply for an exemption
23 that the State has to go back and audit; that there
24 should be balance in that -- from that standpoint
25 on behalf of the taxpayer.

1 So that's another proposal that I would bring
2 before you for 100 days.

3 I have not been on the budget side since I was
4 the Deputy Executive Director back in 2008, but I
5 think it's also important that we look for
6 opportunities to privatize, and I would work with
7 my folks to look for those and bring something
8 before you back in our legislative budget request.

9 And those are some of the things that I would
10 do.

11 GOVERNOR SCOTT: Attorney General.

12 ATTORNEY GENERAL BONDI: Are you finished,
13 Commissioner?

14 COMMISSIONER PUTNAM: Yes, ma'am.

15 ATTORNEY GENERAL BONDI: Okay. Robert, we
16 know you have a significant amount of experience
17 working with the DOR, but how working with the
18 Legislature and the Florida League of Cities (sic)
19 has uniquely qualified you to be
20 Executive Director?

21 MR. MCKEE: I have spent the last 15 years
22 working with and for --

23 ATTORNEY GENERAL BONDI: League of Counties.

24 MR. MCKEE: I'm sorry. Yes, Association of
25 Counties, yes.

1 I've spent the last 15 years working with and
2 for elected officials. I understand the deference
3 that needs to be given, the timely response, the
4 idea that, while patience is a virtue, it is always
5 a mistake to try someone's patience; and that as
6 you work with elected officials, a significant
7 customer base of which -- of the Department's are
8 the clerk of courts, the property appraisers, and
9 the tax collectors; that when you work with these
10 elected officials, you have to understand that your
11 timeframe may not be their timeframe. And you have
12 to maintain these relationships, communicate
13 effectively, and create a vision, and move it
14 forward.

15 ATTORNEY GENERAL BONDI: Briefly, and I think
16 you may have answered this, but you received
17 obviously a great endorsement from the Florida
18 Property Appraisers Association. Why do you
19 believe you received that endorsement?

20 MR. MCKEE: I have worked with the property
21 appraisers in my various capacities. I worked with
22 them when I was with the Association of Counties, I
23 worked with them when I was the Deputy Executive
24 Director, and in my role as Chief Economist; and
25 when I was able to serve as part of CFO Atwater's

1 Senate staff, we worked with the appraisers then.

2 I think they understand that I am a person who
3 will listen; I will not come quick to judgment,
4 although recognizing there is a timeframe within
5 which answers need to happen; and that at the end
6 of the day, whatever I determine is reasoned and
7 communicated. And so that's why I believe that
8 I've gotten their support.

9 GOVERNOR SCOTT: CFO.

10 CFO ATWATER: Bob, how about if you would take
11 a minute and talk about a historical time in your
12 life work experience where you have had to take a
13 team, recognize there may have been
14 under-performance or not yet the efficiencies and
15 the effectiveness that you would have looked for?
16 What did you do to turn that around or advance it
17 forward to where you were satisfied? What were the
18 things that had to be part of the element of your
19 plan to make it work?

20 MR. MCKEE: Well, I think the most recent
21 example would be my current office in the
22 Chief Economist's Office. We had lost staff, as
23 many agencies had to during the Great Recession.

24 When I came back to the Department, we'd also
25 had some experience drain, we'd lost a number of

1 experienced individuals; and I had to bring on new
2 staff, train the staff, get them to understand the
3 timeframes, that we were different than other
4 Department employees because we had to respond to
5 the Session needs and the Session timeframe.

6 So we worked to understand how we had to move
7 quickly; how we had to be responsive; how we had to
8 find within us the ability to break down barriers,
9 ask questions, call into various agencies and
10 offices even when we did not have a contact; that
11 we had to be fearless, so to speak, in moving
12 things forward.

13 It's very much so in my current office. I
14 think there were some similar experience with
15 rising into the Deputy Executive Director role,
16 leading the Legislative Services Department after
17 Lisa Vickers had risen to be the
18 Executive Director, and establishing myself within
19 the Department as a leader.

20 GOVERNOR SCOTT: All right. Thank you.

21 MR. MCKEE: Thank you very much, Governor, and
22 Cabinet.

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JAMES EVERS

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3 GOVERNOR SCOTT: Next we have James Evers.

4 Good afternoon.

5 MR. EVERS: How are you? And I do want to
6 thank you for the honor and the privilege of being
7 able to interview, at least for the
8 Executive Director position of the Florida
9 Department of Revenue.

10 GOVERNOR SCOTT: So what changes would you
11 make based on the knowledge you have of DOR?

12 MR. EVERS: Well, if you looked at my resume,
13 I was the Director of the General Tax Program for
14 12 years and in senior management in the Florida
15 Department of Revenue for over 20 years.

16 During that time, I think Florida Department
17 of Revenue's tax program was recognized around the
18 world in governing magazines as being one of the
19 top revenue agencies in the country. And so had an
20 opportunity to host 31 different foreign countries
21 as they viewed the Florida Department of Revenue as
22 one of the best in the country.

23 I think they've kind of lost that edge,
24 you know, that push. If you look back at some of
25 the most significant things that we have done,

1 technology has changed in the Tax Department from
2 top to end. You know, back in the old days, you
3 used to process paper and nine tons of mail, and
4 now it's all electronic.

5 E-auditing, you don't have to go physically
6 into a taxpayer's business to bother them; they can
7 turn it around to you electronically. All of those
8 initiatives were accomplished when I was in there
9 driving some of those metrics and some of those
10 performances.

11 GOVERNOR SCOTT: And so I guess that goes to
12 if you had two or three things you think you're
13 going to do -- if you were the Executive Director,
14 you could do a lot better?

15 MR. EVERS: Well, I think I've been gone for
16 almost close to four years, so I think I'd have to
17 talk to your offices about what your perception is,
18 what's changed in the Department, what's moved in
19 there. And certainly from my experience in the
20 Department, I think I have a good opportunity to go
21 back there and revisit them because I don't know
22 exactly what's changed since I left four and a half
23 years -- or almost four years ago.

24 GOVERNOR SCOTT: All right. Anybody have any
25 questions?

1 ATTORNEY GENERAL BONDI: Go ahead,
2 Commissioner.

3 COMMISSIONER PUTNAM: No, no, go ahead.

4 ATTORNEY GENERAL BONDI: Okay. You went back
5 to school to get your accounting degree, very
6 impressive; and why do you feel passionately about
7 that? Why did you do that?

8 MR. EVERS: Well, when I first went to
9 college, I probably changed my major a
10 hundred times, you know?

11 ATTORNEY GENERAL BONDI: Me, too.

12 MR. EVERS: And I really wanted to get in
13 med school, but back in those days it was really
14 tough. So I had a degree in biology and ran out of
15 money because I was self-funded.

16 So I did go back and went to work for the
17 Department of Revenue, and they allowed me to
18 work -- you know, go to school at night in the
19 night program, and that was accomplished in several
20 years, and then the Department kept promoting me.

21 But anyhow the accounting degree --

22 ATTORNEY GENERAL BONDI: Yes, that's --

23 MR. EVERS: I mean to me it provides the
24 foundation for, you know, managing big-picture
25 systems, modernizing efficiency. I think it gave

1 me some basic level of understanding.

2 ATTORNEY GENERAL BONDI: Thank you.

3 GOVERNOR SCOTT: Commissioner.

4 COMMISSIONER PUTNAM: Yeah, you've mentioned
5 in your comments today and in the interview with my
6 Cabinet staff that DOR seems to have lost its edge,
7 and what does that mean? What specifically needs
8 to be corrected to regain that edge?

9 MR. EVERS: Well, first of all, like I've
10 said, I would have to have an opportunity to go
11 back to see if that's really my perception or if
12 that really -- if they have lost their edge,
13 because when we were there, you know, one of the
14 more remarkable things that we did was -- and it
15 goes back to the accounting degree.

16 Nobody in the Department of Revenue prior --
17 before we integrated our tax system knew what the
18 receivable balance was in the Florida Department
19 of Revenue. Once he started measuring the
20 Florida -- the outstanding receivable balance, we
21 had an opportunity to reduce it almost, you know,
22 from, I want to say \$2 billion to \$600 million, I
23 don't know the exact number.

24 So I think some of the commitment and some of
25 the drive, if you don't have strong leadership at

1 the top, you know, is missing there. Are they
2 going to take the risk? Are they going to go
3 outside, push the envelope, make sure that we're
4 doing the kind of things that are responsive to not
5 only large associations but making it easier for
6 not only employers to comply with Florida tax laws
7 improve the child support program, and the property
8 tax program.

9 I would add that when I had an opportunity to
10 work private for a short period of my time, I did
11 have an opportunity to go talk with all of the
12 property appraisers, because I think Florida has a
13 problem, you know, with homestead exemption fraud.
14 I think the Lieutenant Governor was a property
15 tax appraiser down in Miami-Dade. And one of the
16 things that we were marketing when I was out there
17 trying to sell to potentially property appraisers
18 is the ability to detect homestead exemption fraud
19 from using either the LexisNexis Accurint product
20 or the Thomson Reuters CLEAR product because
21 basically they know where people live and what
22 abuse is going on.

23 GOVERNOR SCOTT: Anything else, Commissioner?

24 COMMISSIONER PUTNAM: Yes.

25 Tell me what you see as being the greatest

1 contingent liability out there for the State.

2 ATTORNEY GENERAL BONDI: I mean you're running
3 a -- you know, DOR is accounts receivable. What's
4 the -- what are the kinds of things that the
5 Executive Director ought to be laying awake at
6 night worrying about?

7 MR. EVERS: Well, first of all, if you've got
8 public assistance fraud, you've got identity theft.
9 The Florida Department of Revenue is in possession
10 of nine million Social Security numbers from all of
11 the Florida wages, not only in the child support
12 program but in the tax program. So certainly
13 keeping that safe and harboring that keeps
14 executives up at night.

15 I've had the opportunity for the last
16 three years to work for the Department of Economic
17 Opportunity, which has given me a different
18 perspective because I went to a different agency
19 and viewed revenue from a different agency's
20 perspective. They face the same challenges. They
21 have identity theft, public assistance fraud going
22 on. It's common in DCF; it's common in Department
23 of Health; it's common with most State agencies.

24 And I think there has to be a concerted effort
25 to improve that overall because too often agencies

1 try to do it themselves because they think they can
2 do it better rather than enlist the support of
3 experts, particularly from outside.

4 COMMISSIONER PUTNAM: Thank you.

5 GOVERNOR SCOTT: CFO.

6 CFO ATWATER: Yeah, thank you.

7 Jim, you've spoken about the reduction of that
8 receivables that was out there, you've spoken about
9 the word leadership. How about walking me through
10 a specific where it was your responsibility to take
11 that team, what were the elements, what were the
12 skill sets that you had to deploy, and how did you
13 do it for that to be successful?

14 MR. EVERS: Well, I think I had several
15 different opportunities. I think everybody in the
16 room has probably heard about the Florida Suntax
17 System. That's a very complex system, and I think
18 the State has tried to put a statewide accounting
19 system in several times. So it takes a dedicated
20 team; it takes the passion; it takes the
21 leadership.

22 And more importantly to me, you've got to
23 determine a strategy of how to implement some of
24 that stuff because too often too many people try to
25 do too much at one time, as opposed to a phased

1 approach where you can bring together the right
2 management team, provide them with not only the
3 backbone and support for making sure they do that
4 concentrated effort.

5 GOVERNOR SCOTT: All right. Thank you very
6 much.

7 MR. EVERS: Thank you for the opportunity.

8 GOVERNOR SCOTT: Next we have James Overton.

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JAMES OVERTON

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GOVERNOR SCOTT: Good afternoon.

MR. OVERTON: And I don't think I'll open this with a statement, I'll just say thank you for consideration and you can ask questions.

GOVERNOR SCOTT: All right. Can you first sort of talk about how many people you've managed and what your management style is?

MR. OVERTON: My management style is kind of participatory. I like to get people interested in what the decision is and how they're going to be impacted by the decision.

The most people I've ever managed, I guess, if you can look at the City of Jacksonville, that's about 7,000 people. I was the City Council President, so we were managing -- I was managing -- helping the mayor manage all those folks. But the largest direct management job I've had is about 130 people in the property appraiser's office in Jacksonville.

GOVERNOR SCOTT: Okay. And now you've never been at DOR, so --

MR. OVERTON: No, I've been a victim of DOR.

GOVERNOR SCOTT: So not ever being there, do

1 you have any perceptions of things that you think
2 you would already change?

3 MR. OVERTON: Well, from the property tax
4 standpoint, I think that the Agency needs to take a
5 more sympathetic view, kind of like what Jim was
6 just saying, of the property appraisers and their
7 job and how they are impacted by what the DOR does.

8 From the public standpoint, I think that the
9 Agency needs to develop a sense of trust in the
10 public; and that is, that the public can trust us
11 to be accurate and fair, and we're not out to get
12 you. We're out to be fair and have you pay your
13 fair share but we're not asking you to kowtow to
14 us, or we're not asking you to -- or we're not
15 intimidating you, for example.

16 GOVERNOR SCOTT: So what -- in your
17 background, you've done a few different things, but
18 in your professional background what prepares you
19 to do DOR, be Executive Director of DOR do you
20 think? The property, I mean --

21 MR. OVERTON: Yeah, being a property appraiser
22 obviously. That's only -- you know, it's a small
23 percentage of the budget. If you counted all of
24 the property appraisers' employees across the
25 state, it would be a big chunk of folks, a couple

1 of thousand I would guess.

2 Specifically what prepares me for this is
3 public service. I've seen a large government in
4 action. You know, the City of Jacksonville is a
5 billion-dollar budget, so I've seen that kind of
6 bureaucracy and how it works. That's the best
7 example of how I would be prepared to take on
8 5,100 employees.

9 But I really do think that one of the things
10 that the Director needs to do is to get out in the
11 field, see the offices, talk to folks, see how it's
12 going. I'd spend the first hundred days, as you'd
13 asked the question earlier, getting out in the
14 field and seeing what was going on and seeing if I
15 couldn't put my ear to the rail and go at it that
16 way.

17 GOVERNOR SCOTT: All right. Attorney General.

18 ATTORNEY GENERAL BONDI: I was going to ask
19 you, as the Duval Property Appraiser, when have you
20 worked with DOR; but I think I'm going to ask you:
21 as the Duval Property Appraiser, when have you been
22 a victim of DOR?

23 MR. OVERTON: Well, you know, DOR has had a
24 tendency to make rule interpretations that didn't
25 favor the property appraisers, they sort of favored

1 the tax representatives around the state. That's
2 been largely brought into, I think, some control in
3 this last legislative session. Y'all passed a
4 bill, I don't know if you signed it yet, to
5 register and to put those folks under Chapter 475
6 of the Statutes.

7 So that's the -- victimization I guess is a
8 strong word for that.

9 ATTORNEY GENERAL BONDI: I was teasing.

10 MR. OVERTON: Oh, I'm being a little humorous,
11 too.

12 But, you know, my experience with DOR as a
13 taxpayer has been, I had a sales tax audit one
14 time, and I thought they were unreasonable. I mean
15 the fellow who did the audit was brusque, he was
16 not helpful. He wanted to look at three years of
17 back records when I had closed that particular
18 business. He lived in my office for about
19 two months. He looked at every invoice over a
20 three-year period. He found initially \$15,000 he
21 wanted from us, and by the time we finished, it was
22 about \$1,200.

23 So that particular -- that's general tax now,
24 not property tax. That experience, you know, kind
25 of got me interested in: What are these folks in

1 Tallahassee doing and how am I as a business person
2 supposed to interface with them?

3 ATTORNEY GENERAL BONDI: Thank you.

4 GOVERNOR SCOTT: Okay. Commissioner.

5 COMMISSIONER PUTNAM: So tell me what you
6 think they're doing right? What do you think --

7 MR. OVERTON: I like their website.

8 COMMISSIONER PUTNAM: Okay.

9 MR. OVERTON: You know, I think that every
10 Director has had pluses and minuses, from Zingale
11 forward. I mean I think they do a very good job in
12 some of the statistical work they do. I think that
13 -- well, McKee does a great job with economics and
14 budget and revenue projections.

15 I think they're reasonably well organized, I
16 think. I don't know that for a fact. I don't know
17 how flat the organization is, I don't know what
18 kind of levels of management they have. I strongly
19 believe in a flat organization. I strongly believe
20 in educating folks and asking people to make
21 decisions appropriate to their level in the
22 organization, and expecting them to act like adults
23 with those decisions and to own those decisions and
24 to try things. It might work -- try it, it might
25 work. If it doesn't work, we'll try something

1 else, or we'll get rid of that and try something
2 else.

3 I do think in that kind of thinking about
4 that, it's okay to ask people to do things and then
5 expect that they're going to make mistakes
6 occasionally and be willing to accept that as
7 management.

8 Does that answer your question?

9 COMMISSIONER PUTNAM: It does, thank you.

10 GOVERNOR SCOTT: CFO.

11 CFO ATWATER: Jim, you've had a diverse
12 career: You have built a business, you've served
13 in elected office in a couple of different
14 capacities, so I'd like to ask -- you've heard the
15 question. You've had to take teams before from the
16 mundane to the high performance, to the
17 underachievers to excellence. What skill sets have
18 you had to deploy to achieve that?

19 MR. OVERTON: To bring people up, that are
20 underachievers? Well, if you believe in the GE
21 method, you just get rid of some of those folks.
22 But, you know, at the lower end of the scale, you
23 sometimes have to ask people to retire or leave the
24 organization or find something else to do.

25 At the other end, I do -- I strongly believe

1 that you have to engage folks in a dialogue and you
2 don't wait until the performance appraisal at the
3 end of the year to say, hey, Fred, you're doing
4 something wrong and here it is.

5 You constantly have that crucial conversation
6 during the course of the year to make sure that
7 you're on the same page and things are going okay.
8 And you have to tell people that things are going
9 okay and that things may be -- other things are not
10 going so well.

11 So I think of the things I like about
12 participatory management, to use kind of a buzz
13 word, is that you kind of get into people's stuff
14 all the time and -- the best you can, and you don't
15 wait until the end and surprise people with a
16 decision at the end of the day.

17 GOVERNOR SCOTT: All right. Thank you.

18 MR. OVERTON: Thank you, Governor.

19 * * * *

LEON BIEGALSKI

1
2
3 GOVERNOR SCOTT: Last we have Leon Biegalski.

4 So, Leon, can you tell me, why do you want to
5 be Executive Director, and what's your -- give me
6 your background as to why you think you would fit
7 in the role.

8 MR. BIEGALSKI: Thank you, Governor Scott,
9 Attorney General Bondi, CFO Atwater,
10 Commissioner Putnam.

11 I want to start by saying, being at this point
12 in the process is truly an honor.

13 The simple question: Why? It's because I
14 care. I'm a native Floridian. I'm proud of the
15 state. I'm proud of the fact that I've been able
16 to serve the people and the businesses of Florida.

17 My career has taken me on a journey that's
18 given me a good spectrum and experience in taking
19 this step. I've grown from simply using my legal
20 background to managing and organizing to now being
21 in a leadership position at an agency with a large
22 statewide footprint.

23 I want you to know that my personal approach
24 to my professional responsibilities have to do with
25 clarity, communication, compliance. I think those

1 are all things that can be applied to all facets of
2 the Department of Revenue.

3 There are things that -- there are things that
4 once put in place -- and I'm sure I'll get to this
5 point in some other question regarding dealing with
6 customers. My goal is to serve the Agency on your
7 behalf as the Executive Director.

8 Shifting gears back to the question about my
9 experiences. Currently at DBPR I'm responsible for
10 four divisions with close to a thousand employees
11 in 13 regions -- or 13 regional offices around the
12 state, but we've also got several hundred of those
13 people that are out in the field every day, in and
14 out of people's businesses. And part of making
15 sure that they're doing what they need to do comes
16 back to these principles of: Clarity,
17 communication, compliance; and so I'll come back to
18 this customer idea.

19 The taxpayers are customers; people seeking
20 child support payments are customers; people making
21 child support payments are customers; the people
22 that deal with the Department on an everyday basis,
23 they're customers. And that customer-centric
24 approach, recognizing that, sets the tone for how
25 the employees deal with these customers.

1 And that's what we do at DBPR. We've done it
2 effectively. It's what I've done over the course
3 of my entire career.

4 GOVERNOR SCOTT: Has Ken Lawson done anything
5 positive at DBPR that you would bring over? Oh, I
6 didn't see you there.

7 ATTORNEY GENERAL BONDI: He's not in the room,
8 by the way. He's not in the room, by the way.

9 MR. BIEGALSKI: Yeah, I'm going to ignore that
10 he's over there. He has done so many things, and
11 like I said, these are things that I've carried
12 throughout my entire career; but being with him has
13 just helped foster that it works. He comes from
14 that same mindset.

15 GOVERNOR SCOTT: So do you think your legal
16 background would help you, or is it a hindrance?
17 Some people up here have argued earlier today that
18 it might be a hindrance. You probably weren't in
19 the room then.

20 ATTORNEY GENERAL BONDI: Governor, I don't
21 think Commissioner Putnam is too happy with me
22 right now.

23 MR. BIEGALSKI: This is one of those things
24 where, yes, it helps tremendously. In some
25 instances, I don't know how you can do some of

1 these -- some of the positions I've had that didn't
2 require you to be an attorney, but being one
3 certainly helps. It helps make sure that I'm
4 asking -- that I'm asking the right questions when
5 issues are being presented to me because,
6 ultimately, I've got to have those conversations
7 with each of you.

8 GOVERNOR SCOTT: Okay. Attorney General.

9 ATTORNEY GENERAL BONDI: And lawyer to lawyer,
10 can you explain to the two non-lawyers over there
11 exactly how as head of DOR -- we're getting punchy
12 -- exactly as head of DOR how you work directly
13 with my office, in what ways and why that is so
14 very important.

15 MR. BIEGALSKI: Well, I think it goes back to,
16 like I was just saying, about making sure that I'm
17 asking the right questions to convey the right
18 information to you. In particular, you know, we're
19 going to be dealing with child support enforcement
20 issues. The Department contracts with the
21 Attorney General's Office in certain counties to
22 perform those functions.

23 In taking it a little bit out of the lawyer
24 sphere, some of it goes back to what I've mentioned
25 before, and I'm going to sound like a broken

1 record, but talking about clarity and communication
2 and compliance. It's making sure that that
3 communication is clear and making sure that what
4 the Department is conveying to -- whether they be,
5 again, people expecting child support payments or
6 those making those payments, that they're getting
7 the right information from the Agency, and
8 consistent information from both the main office
9 and the local office. But that also has to
10 translate in making sure that we're communicating
11 with your office to make sure that they're getting
12 that same information out.

13 ATTORNEY GENERAL BONDI: And as, you know, I
14 hope you know, it's actually a large part of the
15 state. It's Broward, Hillsborough, Manatee,
16 Sarasota, here, most of the Panhandle where we
17 handle child support and we also handle paternity.
18 So that relationship is extremely important to me
19 and my attorneys as well.

20 Could you also just -- could you describe some
21 of the tax-related issues that you've worked on
22 while at DBPR?

23 MR. BIEGALSKI: Sure. two of the divisions
24 that are within my purview collect -- or collected
25 last year alone in excess of \$2 billion in taxes

1 and fees. I think that's one of the functions that
2 some of the people don't realize that DBPR does,
3 but -- and they're not necessarily the easiest of
4 tax statutes to read.

5 So, again, from the lawyer side, understanding
6 that certainly makes it a lot easier to get through
7 those. And like I said, some of the statutes are a
8 little bit complex, but I think that that gives me
9 good experience and background in understanding the
10 broader tax laws of the State of Florida, and there
11 are similarities.

12 ATTORNEY GENERAL BONDI: Thanks.

13 GOVERNOR SCOTT: Commissioner or CFO?

14 COMMISSIONER PUTNAM: Tell me about your
15 observations of Revenue, what they get right, what
16 their reputation is, and what your first
17 hundred days would look like.

18 MR. BIEGALSKI: I'm going to say this
19 generally because, you know, you hear things here
20 and there, you go online and you read things; and
21 generally a lot of times the things that you read
22 are complaints. You sometimes have to take it with
23 a grain of salt about how true it is.

24 But from what I'm gathering, is that some of
25 it goes back to the message that's going out to the

1 customers is not always clear, or it's conflicting:
2 You get one answer one place, another answer
3 another place. And that's where we want to make
4 sure that we've got consistency in that answer.
5 Because at the end of the day, most people want to
6 be in compliance, and how do you help them get in
7 compliance? You get them the right answer.

8 So those are some of the general observations,
9 and like I said, sometimes I think some of the
10 conflict is that field offices may be giving
11 different information than the main office. And so
12 that communication, that clarity has got to filter
13 all the way down.

14 Going to the first hundred days, it's not in
15 my nature to sit behind a desk, bury myself in
16 paperwork. So what I would be doing is getting out
17 into the field, getting together with employees,
18 customers, other stakeholders to try to get their
19 perspective on just those types of things that you
20 asked, Commissioner.

21 I think once you kind of gauge that to figure
22 out exactly where this communication is -- maybe
23 the communication is great, maybe it's just a
24 couple of people. But once you figure that out,
25 then you can set the tone for getting that open

1 communication and making sure that people
2 understand that they're going to be treated
3 equally, treated fairly.

4 One of the other things though, at that same
5 time, it's my intention to be in contact with each
6 of you to try to determine where you think there
7 might be room for improvement; because ultimately,
8 at the end of the day, I want to be the guy that
9 when you're out and you have a constituent ask you
10 a question you can give them my card and say: Call
11 him, and have confidence to know that it's going to
12 get taken care of and that I'll follow up with you
13 to make sure you know that it got taken care of and
14 how.

15 COMMISSIONER PUTNAM: Tell me about your
16 interaction with stakeholders in your previous
17 roles. You were over at Surveyors and Mappers,
18 obviously in parimutuel. We're not talking about
19 shrinking violets who have an interest in you
20 having to make a decision one way or another.

21 Tell me how those experiences have prepared
22 you to run an agency the size of Revenue.

23 MR. BIEGALSKI: I'll go with parimutuel first.
24 I believe that I've got a good reputation with
25 those stakeholders; and as you've said, they're not

1 shrinking violets, they're some of the more
2 prominent representatives in the state. And,
3 you know, I would be willing to ask you, if you
4 want to take a poll of them, that they'll say that
5 I'm honest with them. You know, sometimes the
6 answer is no, but I'll tell them why and they'll
7 know that I thought it through and that it's -- you
8 know, they're treated equally and fairly, much like
9 I would want to do at Revenue. Sometimes the
10 answer is yes and everybody is happy. In that
11 arena though, usually nobody is happy, parimutuel,
12 so -- we've all seen that.

13 But we'll go back to being at Surveyors and
14 Mappers, and I was with professional boards at DBPR
15 in a previous position. What being an
16 executive director for those boards did was it
17 helped me learn and understand what it's like to
18 get direction from multiple principals at one time
19 and understanding that being responsive to each
20 principal and the body as a whole is a necessity.

21 I don't understand how you can not operate
22 without keeping that constantly, constantly in your
23 thought process. And to me that translates to the
24 same -- the same concept in terms of interacting
25 with all of you.

1 COMMISSIONER PUTNAM: Thank you.

2 GOVERNOR SCOTT: CFO.

3 CFO ATWATER: Yeah, Leon, again, quite
4 distinguished roles that you've played, leadership
5 roles up to today.

6 MR. BIEGALSKI: Thank you.

7 CFO ATWATER: There have been occasions where
8 you had to take a team that was not achieving to
9 your expectations or the expectations of
10 management. What are the skill sets? How did you
11 do it? Give me an example of where you've done
12 this in the past.

13 MR. BIEGALSKI: The example that I'll give you
14 actually, I'm going to say, probably started with
15 me. My first real learning experience of,
16 you know, semi being in charge of an issue that was
17 going on that had some legal challenges to it and,
18 you know, as part of going down the path, my
19 questions to the people that were a little bit more
20 in the weeds on it were: So what are we going to
21 do if we lose here? And the answer was: Well,
22 we're going to do this. Okay, great. And that was
23 my response to my supervisor at the time.

24 Unfortunately, that did happen, and when I
25 said, okay, so we'll do this. And their response

1 was, oh, well, that's just the plan generally, we
2 don't have any details to it. And this was the
3 type of thing that it was happening the next day.

4 That was my first learning experience in terms
5 of making sure that using these things that I've
6 talked about, communication and clarity, that I was
7 getting that across to them so that I'm making sure
8 that they know my expectations.

9 So from there it just -- that helped kind of
10 foster, hey, I've got to tap into all of these --
11 all of these skills, all of these experiences, and
12 do a better job even with these principles that
13 I've talked about to move forward and make sure
14 that it doesn't happen again.

15 CFO ATWATER: Thank you.

16 GOVERNOR SCOTT: All right. Thank you, Leon.

17 MR. BIEGALSKI: Thank you.

18 GOVERNOR SCOTT: Unless anybody has any more?

19 (NO RESPONSE).

20 GOVERNOR SCOTT: All right. Does anybody have
21 any comments?

22 (NO RESPONSE).

23 GOVERNOR SCOTT: All right. I move to appoint
24 Leon Biegalski as Executive Director of the
25 Department of Revenue with a compensation of

1 \$150,000 per year. Is there a second?

2 ATTORNEY GENERAL BONDI: I think we all had
3 our individual picks, and it's frankly hard to come
4 to a consensus, so I --

5 GOVERNOR SCOTT: We have four good choices.

6 ATTORNEY GENERAL BONDI: We have four very
7 good choices. I frankly am pleasantly surprised.
8 I think Leon hit it out of the park, and I'll
9 second it.

10 GOVERNOR SCOTT: All in favor.

11 CFO ATWATER: Governor, can I -- you mentioned
12 comments first. I do want to just say the same
13 thing. This was really impressive. We have four
14 really talented --

15 ATTORNEY GENERAL BONDI: Great.

16 CFO ATWATER: -- really talented leaders, and
17 so I'm very impressed. So I'm trying to see how
18 this is -- this process why it's playing out, not
19 to slow us down, but I certainly consider Leon a
20 top candidate for the job and feel stronger even
21 more so after hearing his presentation to the
22 question and answer.

23 I still might have a candidate that I might
24 feel more strongly about but I don't know if this
25 is -- I don't know. I guess that's the point here.

1 If you're making that motion and Leon gets that
2 majority vote, then I take it that that's how we're
3 moving forward. I don't know if we were going to
4 have a dialogue of four down to two, two
5 conversation, but I'm willing to follow the process
6 however you want to take it, Governor.

7 ATTORNEY GENERAL BONDI: And, Governor, I mean
8 I wouldn't mind having a dialogue because, again,
9 there are four of us. And Commissioner Putnam, you
10 know, I --

11 COMMISSIONER PUTNAM: Sure.

12 ATTORNEY GENERAL BONDI: There are four of us,
13 and frankly, I liked Leon's answer about he
14 realizes, you know, that there will be four of us
15 he will be working with.

16 GOVERNOR SCOTT: You know, one thing I liked
17 is --

18 ATTORNEY GENERAL BONDI: -- strong feelings --

19 GOVERNOR SCOTT: Why I like, Leon, is that
20 he's -- he's had success, he has run a lot of --
21 he's managed a lot of people. So I think Ken
22 Lawson has done a good job at DBPR and put together
23 a good team of people. You know, I can tell you
24 that as I travel the state -- you know, we all meet
25 people. I don't hear a lot of complaints from DBPR

1 from around the state.

2 I think probably Ken can tell you, but I think
3 it was probably my first year in office I had
4 somebody complain down in Miami about the Miami
5 office; and within a day, you know, Ken, I think
6 you had gone down and met with the person. And I
7 think that's the reputation they have.

8 So I think Leon respects the process, because
9 I think the process is, you know, that he
10 doesn't -- he works for -- you know, we all -- he
11 works with every one of us, and so I think he's got
12 the right background to be able to do the job.
13 Yeah, I think we have good candidates, I mean --

14 COMMISSIONER PUTNAM: We have exceptional
15 candidates. Leon was on my list coming into this
16 process as someone who had played a leadership
17 role, managed people, and more than just in a
18 general counsel capacity, but overseeing people in
19 parimutuel wagering.

20 And, you know, the thing about these jobs is
21 they're hot, I mean these are hot jobs and very
22 much under scrutiny with four principals to report
23 to; and so I think that it is important that he
24 have that. You know, the absence of a finance or
25 accounting background for Revenue was the only

1 hesitation that I had.

2 ATTORNEY GENERAL BONDI: You're anti-lawyer,
3 aren't you?

4 COMMISSIONER PUTNAM: Huh?

5 ATTORNEY GENERAL BONDI: I'm kidding.

6 COMMISSIONER PUTNAM: Well --

7 ATTORNEY GENERAL BONDI: I'm joking.

8 GOVERNOR SCOTT: I think it was a yes.

9 COMMISSIONER PUTNAM: But fundamentally,
10 you know, this is a management -- this is a
11 leadership role; and so, you know, while that was a
12 concern that I had coming into this process, as he
13 stacked up against other candidates, I'm
14 comfortable with his track record, his leadership
15 abilities, and the way that he performed in the
16 interview; so I would be prepared to support your
17 motion. I'm just supporting it sooner than I
18 thought we were, but --

19 CFO ATWATER: Then, Governor, why don't we do
20 this -- I can count, and I --

21 COMMISSIONER PUTNAM: That's why you're the
22 CFO.

23 CFO ATWATER: I would want -- I think we had
24 four good candidates, I think we've all said that;
25 and I'm proud of every one of them that stepped up,

1 and I'm proud of the job they did here in front of
2 us.

3 I'd like Leon to know that if he's stepping in
4 to work for four of us this is a unanimous, you
5 know, conclusion; and I'm high on his candidacy and
6 I'm willing to support that motion as well.

7 GOVERNOR SCOTT: Congratulations, Leon.

8 (APPLAUSE).

9 GOVERNOR SCOTT: I did want to say that -- I
10 want to thank everybody that went through the
11 process; I want to thank everybody that applied; I
12 want to thank the four individuals that came today
13 because every one of them could have done this job.
14 And everybody brought different backgrounds to
15 this, but we had -- this process worked. We had
16 good candidates; and thanks, everybody, for being
17 here and doing this.

18 But congratulations, Leon.

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STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND
CABINET

CABINET MEMBERS: GOVERNOR RICK SCOTT
ATTORNEY GENERAL PAM BONDI
CHIEF FINANCIAL OFFICER JEFF
ATWATER
COMMISSIONER OF AGRICULTURE
ADAM PUTNAM

DATE: TUESDAY, MAY 10, 2016

LOCATION: CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY: NANCY S. METZKE, RPR, FPR
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DEPARTMENT OF REVENUE

1
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3 GOVERNOR SCOTT: Next I would like to
4 recognize Leon Biegalski with the Department of
5 Revenue.

6 EXECUTIVE DIRECTOR BIEGALSKI: Governor Scott,
7 Attorney General Bondi, CFO Atwater, and
8 Commissioner Putnam, I want to start off by saying
9 thank you again, and I do really appreciate the
10 opportunity to be here.

11 I'm actually going to try to not beat this up
12 like the last time I was here. The microphone just
13 decided to be in my way.

14 We've got three agenda items for you today:
15 The first being that we respectfully request
16 approval of the minutes from the March 2nd, 2016,
17 Cabinet meeting.

18 GOVERNOR SCOTT: Is there a motion?

19 ATTORNEY GENERAL BONDI: So move.

20 GOVERNOR SCOTT: Is there a second?

21 CFO ATWATER: Second.

22 GOVERNOR SCOTT: Comments or objections?

23 (NO RESPONSE).

24 GOVERNOR SCOTT: Hearing none, the motion
25 carries.

1 EXECUTIVE DIRECTOR BIEGALSKI: Our second item
2 is the Department respectfully submits the
3 third quarter performance report for the fiscal
4 year 2015/2016. The Department is meeting or
5 exceeding all of our measures.

6 GOVERNOR SCOTT: Is there a motion to accept?

7 COMMISSIONER PUTNAM: So moved, and I have a
8 question.

9 GOVERNOR SCOTT: Do you want to go ahead and
10 do the second? Do you want to second it, CFO?

11 CFO ATWATER: Yes.

12 GOVERNOR SCOTT: Okay. Let's go ahead and go
13 to -- Commissioner, you have a question?

14 COMMISSIONER PUTNAM: Have you had an
15 opportunity to review the criteria that you
16 inherited and for which you are being judged, and
17 do you have any adjustments that you would
18 recommend?

19 EXECUTIVE DIRECTOR BIEGALSKI: I have, but not
20 at this time.

21 COMMISSIONER PUTNAM: Okay.

22 EXECUTIVE DIRECTOR BIEGALSKI: I think it was
23 also very enlightening watching
24 Commissioner Breakspear's annual review and the
25 effort that they put forth into the subjective

1 criteria.

2 COMMISSIONER PUTNAM: Thank you.

3 GOVERNOR SCOTT: Okay. So I think,
4 Commissioner, would we want him to come back at
5 the next meeting to go through, and then we can
6 have a conversation if he has any suggested
7 changes?

8 COMMISSIONER PUTNAM: Yes. My motion would be
9 to accept his third quarter report as it is, and
10 it's excellence performance; and then if he has
11 recommendations on any adjustments based on,
12 you know, putting your fingerprints on the Agency,
13 we would welcome that at the next meeting should
14 you have any. Maybe you don't; but if you do, I
15 think you should have the opportunity to make those
16 recommendations. It's your ship.

17 EXECUTIVE DIRECTOR BIEGALSKI: Understood, I
18 appreciate that. And from what is here -- and
19 granted, you know, five -- a little over
20 five weeks, I'm still on the learning curve in
21 terms of understanding what goes into each of the
22 measures.

23 But definitely will be looking into that to
24 determine whether or not these are the most
25 appropriate and/or whether or not there are

1 additional that maybe should be included.

2 COMMISSIONER PUTNAM: Thank you.

3 GOVERNOR SCOTT: All right. So no comments or
4 objections, the motion carries.

5 EXECUTIVE DIRECTOR BIEGALSKI: Thank you. And
6 our --

7 GOVERNOR SCOTT: The CFO seconded it.

8 CFO ATWATER: Yeah.

9 EXECUTIVE DIRECTOR BIEGALSKI: And our third
10 item is that the Department respectfully requests
11 approval to file for final adoption amendments to
12 Rule Chapter 12D-9 and Rule 12D-16.002 related to
13 property tax oversight.

14 The proposed rules reflect minor statutory
15 changes made to the Value Adjustment Board
16 procedures that were enacted in Sections 1 and 2 of
17 Chapter 2015-115 of the Laws of Florida; and also
18 Section 8 of Chapter 2013-109 of the Laws of
19 Florida.

20 GOVERNOR SCOTT: Okay. Is there a motion?

21 CFO ATWATER: So moved.

22 GOVERNOR SCOTT: Is there a second?

23 COMMISSIONER PUTNAM: Second.

24 GOVERNOR SCOTT: Any comments or objections?

25 (NO RESPONSE).

1 GOVERNOR SCOTT: Hearing none, the motion
2 carries.

3 Thanks, Leon.

4 COMMISSIONER PUTNAM: Before you leave,
5 Governor, I just want to say thank you for taking
6 the time to spend some time with me and my office
7 walking through the ambiguities of the last
8 25 years as it relates to the sales tax on
9 fingerprints; and since it's been an acceptable
10 last 25, I assume it will continue to be acceptably
11 ambiguous until there's clarification by the
12 Legislature next session.

13 EXECUTIVE DIRECTOR BIEGALSKI: Understood.

14 COMMISSIONER PUTNAM: Thank you.

15 EXECUTIVE DIRECTOR BIEGALSKI: And thank you.

16 GOVERNOR SCOTT: Thanks, Commissioner, for
17 doing that.

18 COMMISSIONER PUTNAM: Thank you.

19 GOVERNOR SCOTT: Thanks, Leon.

20 EXECUTIVE DIRECTOR BIEGALSKI: Thank you.

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ATTACHMENT 2



Department of Revenue
4th Quarter FY 2015-2016
Objective Performance Measures
(April 1 – June 30, 2016)

State Fiscal Year (SFY 7/1 – 6/30)
Federal Fiscal Year (FFY 10/1 – 9/30)

	Objective	Weight	Range	Result	Score	Weighted Score
1	Average number of days from receipt of payment to deposit	10%	5 = Less than 1 4 = 1-2 days 3 = 3-4 days 2 = 5-6 days 1 = 7 days or more	<1day	5	.50
2	Percent of revenue distributions made timely	15%	5 = 98 -100% 4 = 95 - 97% 3 = 92 - 94% 2 = 90 - 92% 1 = 87-89%	100%	5	.75
3	Median number of days to process a refund	5%	5 = Less than 30 days 4 = 30-39 days 3 = 40-49 days 2 = 50-59 days 1 = 60 days or more	34 days	4	.20
4	Percent of IV-D cases with an order of support (FFY)	10%	5 = 90-100% 4 = 80-89% 3 = 70-79% 2 = 60-69% 1 = 50-59%	82.9%	4	.40
5	Percent of current support collected (FFY)	5%	5 = 80-100% 4 = 60-79% 3 = 40-59% 2 = 20-39% 1 = Less than 19%	63.4%	4	.20
6	Percent of support collected and distributed during the year that was due within the federal fiscal year (FFY)	10%	5 = 90-100% 4 = 80-89% 3 = 70-79% 2 = 60-69% 1 = 50-59%	83.2%	4	.40
7	Percent of State Disbursement Unit collections disbursed within two business days of receipt (SFY)	10%	5 = 100% 4 = 99% 3 = 98% 2 = 97% 1 = 96%	99.7%	4	.40
8	Statewide Level of Assessment for real property	10%	5 = 90% and up 1 = 89.9% and below	94.8%	5	.50
9	Percent of training participants satisfied with services provided	5%	5 = 100% 4 = 99% 3 = 96-98% 2 = 93-95% 1 = 90-92%	96.7%	3	.15
Total		80%				3.50



Department of Revenue
4th Quarter FY 2015-2016
Objective Performance Measures
(April 1 – June 30, 2016)

State Fiscal Year (SFY 7/1 – 6/30)
Federal Fiscal Year (FFY 10/1 – 9/30)

Highlights



General Tax Administration

Improved system performance by archiving over 336.1 million records

One of the key strategic initiatives the General Tax Administration and Information Services Programs completed during the 2015-2016 fiscal year was the implementation of a data archiving solution as a means of improving the efficiency and effectiveness of the System for Unified Taxation (SUNTAX) system. The Department successfully archived over 336 million records resulting in reclaimed primary data storage space. A phased archiving approach was utilized for removing inactive or infrequently accessed data that retained value, while providing the ability to preserve, search, and retrieve the data during a specified retention period for regulatory, compliance and audit requirements.

The Department's data archiving initiative not only improved system performance it enhanced the end user experience and improved backup and recovery times. Ongoing data archiving activities will ensure SUNTAX system stability and will simplify future upgrades.



Child Support Program

Improved performance on key federal child support measures

The Child Support Program improved on all four performance measures in the last state fiscal year. The percent of cases with a support improved from 82.5% to 82.9% when compared to June 30, 2015. While this may seem like a small increase, the Program received over 114,000 new requests for services and 90% of those requests needed an initial support order established. The percent of current support collected when due increased to 63.4% from 62.2%. The percent of support collected in the year due rose from 81.7% to 83.2%.

Resource Allocation Model Project

In May, the Child Support Program created a Resource Allocation Model for the majority of work delivered through our automated system to team members. The development of the model was a significant undertaking. The project team reviewed over 260 tasks; established a standard number of minutes to complete each task; determined the median volume of expected tasks for every office location in the state; and finally developed and applied a calculation to establish the number of FTE needed to complete the work based upon task and office location. This provides managers insight into how to better allocate their resources and find efficiencies in individual work performance. For example, if their office uses 4.5 FTE to complete a certain type of task, but the model indicates that 3 – 3.5 FTE are needed, they can review why their site has a higher FTE utilization than the model. The next step of the project is to create a process to continuously update the model as new tasks are created or steps to complete tasks are changed, resulting in a change in the number of minutes to complete the task. We are also planning to expand the model to include payment process adjustment requests.



Department of Revenue
4th Quarter FY 2015-2016
Objective Performance Measures
(April 1 – June 30, 2016)

State Fiscal Year (SFY 7/1 – 6/30)
Federal Fiscal Year (FFY 10/1 – 9/30)

Unclaimed Property

The Child Support Program and the Department of Financial Services (DFS) implemented a new process to initiate claims for unclaimed property to collect past-due child support. The new process allows the Program to claim the property and after notice to the parent and an opportunity to contest, the Program can intercept the property. This new process is in addition to the existing intercept process where DFS notifies us when a parent who owes past-due support claims their property. The new process has resulted in an additional \$445,038 in collections since implementation in August 2015. We appreciate and thank the Department of Financial Services for their efforts in helping families receive their child support.

eServices Improvements

The Program has developed and implemented an administrative portal that allows authorized Child Support team members access to view a Child Support eServices customer's account the way they see it. This allows Customer Service Representatives and team members view-only access to effectively "co-browse" with the customer while they are working with them and troubleshoot inquiries and provide quality assurance of eServices functionality. Other enhancements to eServices have also been made this quarter, most notably to improve the way case actions and statuses are presented to the customer on eServices, in order to help their understanding of the current activity on their case. This effort involved reviewing and updating 19 actions and 276 statuses.

ATTACHMENT 3



FLORIDA

Executive
Director
Leon M. Biegalski

September 20, 2016

MEMORANDUM

TO: The Honorable Rick Scott, Governor
Attention: Kristin Olson, Deputy Chief of Staff
Amanda Carey, Cabinet Aide

The Honorable Jeff Atwater, Chief Financial Officer
Attention: Robert Tornillo, Director of Cabinet Affairs
Stephanie Leeds, Deputy Director of Cabinet Affairs
Kimberly Renspie, Cabinet and Legislative Analyst

The Honorable Pam Bondi, Attorney General
Attention: Kent Perez, Associate Deputy Attorney General
Rob Johnson, Director of Legislative and Cabinet Affairs
Erin Sumpter, Deputy Director of Cabinet Affairs
Andrew Fay, Special Counsel

The Honorable Adam Putnam, Commissioner of Agriculture and Consumer
Services
Attention: Brooke McKnight, Director of Cabinet Affairs
Jessica Field, Deputy Cabinet Affairs Director

THROUGH: Leon Biegalski, Executive Director

FROM: Debbie Longman, Director, Legislative and Cabinet Services

SUBJECT: Request for Governor and Cabinet Approval to Publish Notice of Proposed Rule
Amending Rule 12D-16.002, F.A.C., Index to Forms

Statement of Sections 120.54(3)(b) and 120.541, F.S., Impact: No impact.

The Department has reviewed this proposed amended rule and repealed form for compliance with sections 120.54(3)(b) and 120.541, F.S. This proposed rule will not have an adverse impact on small businesses, small counties, or small cities and will not have an increased regulatory cost in excess of \$200,000 within one year. Additionally, it will not have an adverse impact or increased regulatory costs in excess of \$1,000,000 within five years.

Child Support – *Ann Coffin, Director* • General Tax Administration – *Maria Johnson, Director*
Property Tax Oversight – *Dr. Maurice Gogarty, Director* • Information Services – *Damu Kuttikrishnan, Director*

<http://dor.myflorida.com/dor/>
Florida Department of Revenue
Tallahassee, Florida 32399-0100

September 20, 2016

Page 2

What is the Department requesting? Section 120.54(3)(a), F.S., requires the Department to obtain Cabinet approval to hold public hearings for the development of proposed rules. The Department therefore requests approval to publish a Notice of Proposed Rule in the *Florida Administrative Register* for Rule 12D-16.002 Index to Forms.

Why are the proposed rule amendments necessary? The proposed amended rule amends current forms, creates two forms, and repeals an obsolete form. This rule package is necessary remove an obsolete form and to incorporate changes to various value adjustment board (VAB) forms. The amendment reflects statutory changes made by:

- Chapter 2013-77, Laws of Florida, repealed s. 196.175, F.S.
- Chapter 2016-128, Laws of Florida (all sections)

What do the proposed amendments to these rules do?

Adopts changes to forms:

- DR-481: Value Adjustment Board – Notice of Hearing.
- DR-485V: Decision of the Value Adjustment Board – Value Petition.
- DR-485WCN: Value Adjustment Board – Clerk’s Notice.
- DR-485WI: Value Adjustment Board – Withdrawal of Petition.
- DR-485XC: Decision of the Value Adjustment Board – Exemption, Classification, Assessment Difference Transfer, Change of Ownership or Control, or Qualifying Improvement Petition.
- DR-486: Petition to Value Adjustment Board – Request for Hearing.
- DR-486DP: Petition to the Value Adjustment Board – Tax Deferral or Penalties - Request for Hearing.
- DR-486PORT: Petition to the Value Adjustment Board – Transfer of Homestead Assessment Difference – Request for Hearing.

Creates the following new forms:

- DR-486A: Written Authorization for Representation Before the Value Adjustment Board
- DR-486POA: Power of Attorney for Representation Before the Value Adjustment Board

Repeals a form that is now statutorily excluded:

- DR-455: Renewable Energy Source Device Exemption Application.

Were comments received from external parties? Yes. A Notice of Rule Development was published on June 6, 2016 and a workshop was held on June 21, 2016, for the two new forms and the eight revised forms. Several interested parties attended and presented comments and written comments were also received. Several of the suggested changes have been incorporated into the forms. A Notice of Rule Development had previously been published for the obsolete form but there were no requests for a workshop and none was held.

Attachments

- Summary of the proposed rule
- Rule text
- Incorporated materials

STATE OF FLORIDA
DEPARTMENT OF REVENUE
PROPERTY TAX OVERSIGHT PROGRAM
CHAPTER 12D-16, FLORIDA ADMINISTRATIVE CODE
ADMINISTRATION OF FORMS
PROPOSED AMENDMENTS TO RULE 12D-16.002

SUMMARY OF PROPOSED RULE

The proposed amendments to this rule amend Forms DR-481, Value Adjustment Board - Notice of Hearing; DR-486, Petition to Value Adjustment Board – Request for Hearing; DR-486DP, Petition to the Value Adjustment Board – Tax Deferral or Penalties – Request for Hearing; DR-486PORT, Petition to the Value Adjustment Board-Transfer of Homestead Assessment Difference - Request for Hearing; DR-485V, Decision of the Value Adjustment Board – Value Petition; DR-485WCN, Value Adjustment Board – Clerk’s Notice; DR-485WI, Value Adjustment Board – Withdrawal of Petition; DR-485XC, Decision of the Value Adjustment Board – Exemption, Classification, or Assessment Difference Transfer Petition. The proposed amendments to this rule create Forms DR-486A, Written Authorization for Representation Before the Value Adjustment Board, and DR-486POA, Power of Attorney for Representation Before the Value Adjustment Board. The proposed amendments to this rule repeal Form DR-455, Renewable Energy Source Device Exemption Application.

FACTS AND CIRCUMSTANCES JUSTIFYING PROPOSED RULE

The purpose of the proposed amendments to Rule 12D-16.002, F.A.C., is to revise various value adjustment board (VAB) forms to incorporate statutory changes enacted in Chapter 2016-128, L.O.F.; amend the VAB forms to integrate other minor changes, like updating incorrect statutory references; and repeal an obsolete form, DR-455, Renewable Energy Source Device Exemption Application, that taxpayers used to apply for an exemption. The effect of these statutory changes will result in the removal of any parts of the forms which implement stricken statutory language (e.g., petitioner checking the appropriate box on the petition form to request a copy of the property record card), the addition of minor changes in terminology (e.g., replacing the term “agent” with “representative”), and the update of the forms to include new language (e.g., written authorization requirements to access a taxpayer’s confidential information). The effect of repealing DR-455 is removing a form that is now statutorily excluded. Currently property appraisers do not assess for renewable energy source devices per s. 193.624, F.S.

The effect of this proposed amended rule is that taxpayers, property appraisers, tax collectors, and clerks of court will have updated and more efficient forms for paying and collecting property taxes and non-ad valorem assessments.

FEDERAL COMPARISON STATEMENT

The provisions contained in this proposed amended rule do not conflict with comparable federal laws, policies, or standards.

SUMMARY OF RULE DEVELOPMENT WORKSHOPS

A Notice of Proposed Rule Development for proposed amendments to Rule 12D-16.002 was published in the Florida Administrative Register (F.A.R.) on June 6, 2016 (Vol. 42, No. 109, p.

2403). A rule development workshop was held on June 21, 2016. Interested parties and county officials were invited to attend in person and through a teleconference system. Attendees presented several comments at the workshop. The major changes were:

- Remove the box for good cause hearing on Form DR-481, Notice of Hearing.
- Add the definition of good cause on Form DR-481, as defined in s. 194.032, F.S.
- Add a statutory citation to the decision forms to include all types of petitions where the petitioner has the right to file a lawsuit in circuit court.

A Notice of Proposed Rule Development for the repeal of obsolete Form DR-455 was published in the Florida Administrative Register on September 22, 2015. No request for a workshop was received and no workshop was held.

NOTICE OF PROPOSED RULE

FLORIDA DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:

12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12D-16.002, F.A.C., is to revise various value adjustment board (VAB) forms to incorporate statutory changes enacted in Chapter 2016-128, L.O.F.; amend the VAB forms to integrate other minor changes, like updating incorrect statutory references; and repeal an obsolete form, DR-455, Renewable Energy Source Device Exemption Application, that taxpayers used to apply for an exemption. The effect of these statutory changes will result in the removal of any parts of the forms which implement stricken statutory language (e.g., petitioner checking the appropriate box on the petition form to request a copy of the property record card), the addition of minor changes in terminology (e.g., replacing the term “agent” with “representative”), and the update of the forms to include new language (e.g., written authorization requirements to access taxpayer’s confidential information). The following forms will be amended: Form DR-481, Value Adjustment Board - Notice of Hearing; DR-486, Petition to Value Adjustment Board – Request for Hearing; DR-486DP, Petition to the Value Adjustment Board – Tax Deferral or Penalties – Request for Hearing; DR-486PORT, Petition to the Value Adjustment Board-Transfer of Homestead Assessment Difference - Request for Hearing; Form DR-485V, Decision of the Value Adjustment Board – Value Petition; Form DR-485WCN, Value Adjustment Board – Clerk’s Notice; Form DR-485WI, Value Adjustment Board – Withdrawal of Petition; Form DR-485XC, Decision of the Value Adjustment Board – Exemption, Classification, or Assessment

Difference Transfer Petition. The statutory changes also will result in the promulgation of the following new forms: Form DR-486A, Written Authorization for Representation Before the Value Adjustment Board; and Form DR-486POA, Power of Attorney for Representation Before the Value Adjustment Board. The effect of repealing DR-455 is removing a form that is now statutorily excluded. Currently property appraisers do not assess for renewable energy source devices per s. 193.624, F.S.

Rule text and proposed draft forms are on the Department's website at:

<http://dor.myflorida.com/dor/property/legislation/rules/>.

SUMMARY: The proposed amendments to Rule 12D-16.002, Index to Forms, incorporate changes to various VAB forms to bring them into compliance with current administrative procedures and remove an obsolete form, DR-455.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND

LEGISLATIVE RATIFICATION: The Department has determined that this rule will not have an adverse impact on small business or likely increase, directly or indirectly, regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A Statement of Estimated Regulatory Cost (SERC) has not been prepared by the Department. The Department has determined that this proposed rule is not expected to require legislative ratification based on the SERC or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for an SERC was triggered under Section 120.541(1), F.S.; and, 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S. Any person who wishes to provide information regarding a SERC, or to

provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: [195.027\(1\)](#), [213.06\(1\) FS](#).

LAW IMPLEMENTED: [92.525](#), [95.18](#), [136.03](#), [192.001\(18\)](#), [192.0105](#), [193.052](#), [193.077](#), [193.085](#), [193.092](#), [193.114](#), [193.122](#), [193.155](#), [193.1554](#), [193.1555](#), [193.1556](#), [193.461](#), [193.501](#), [193.503](#), [193.625](#), [193.703](#), [194.011](#), [194.032](#), [194.034](#), [194.035](#), [194.037](#), [195.002](#), [195.022](#), [195.087](#), [196.011](#), [196.015](#), [196.031](#), [196.075](#), [196.095](#), [196.101](#), [196.121](#), [196.141](#), [196.151](#), [196.173](#), [196.183](#), [196.193](#), [196.1961](#), [196.1983](#), [196.1995](#), [196.202](#), [196.24](#), [196.26](#), [197.182](#), [197.222](#), [197.2423](#), [197.2425](#), [197.3632](#), [197.3635](#), [197.414](#), [197.432](#), [197.472](#), [197.502](#), [197.512](#), [197.552](#), [200.065](#), [200.069](#), [213.05](#), [218.12](#), [218.125](#), [218.66](#), [218.67](#) FS.

A HEARING WILL BE HELD AT THE DATE, TIME, AND PLACE SHOWN BELOW:

DATE AND TIME: October 13, 2016, 10:00 a.m.

PLACE: Capital Circle Office Complex, Building 2, Room 1220, 2450 Shumard Oak Blvd, Tallahassee, Florida.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in any rulemaking proceeding before the Property Tax Oversight Program is asked to advise the Department at least 48 hours before the proceeding by contacting Mike Cotton at (850)617-8870. Persons with hearing or speech impairments may contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Cotton, Property Tax Oversight Program, Department of Revenue, P.O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8870 or CottonM@dor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms adopted by the Department of Revenue. A copy of these forms may be obtained from the Department's website at <http://dor.myflorida.com/dor/property/>, or by writing to: Property Tax Oversight Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and incorporates by reference in this rule, the following forms and instructions:

	Form Number	Form Title	Effective Date
(2)		through (17)(b) No Changes	
(e)	DR-455	Renewable Energy Source Device Exemption Application (r. 6/92)	12/94
(18)		through (21)(d) No change.	
(22)	DR-481	Value Adjustment Board – Notice of Hearing (r. xx/xx n. 11/12) https://www.flrules.org/Gateway/reference.asp?No=Ref	xx/xx 3/10
(23)(a)		through (25)(b) No Change.	
(c)	DR-485V	Decision of The Value Adjustment Board – Value Petition (r. xx/xx 11/12) https://www.flrules.org/Gateway/reference.asp?No=Ref-01775 https://www.flrules.org/Gateway/reference.asp?No=Ref	xx/xx 11/12
(d)	DR-485WCN	Value Adjustment Board – Clerk's Notice (r. xx/xx 11/12) https://www.flrules.org/Gateway/reference.asp?No=Ref-01776	xx/xx 11/12

- <https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (e) DR-485WI Value Adjustment Board – Withdrawal of Petition (r. xx/xx n. 12/09) xx/xx 3/10
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (f) DR-485XC Decision of the Value Adjustment Board – Exemption, Classification, xx/xx 11/12
~~or~~ Assessment Difference Transfer, Change of Ownership or Control,
or Qualifying Improvement Petition (r. xx/xx 11/12)
~~<https://www.flrules.org/Gateway/reference.asp?No=Ref> 01777~~
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (26)(a) DR-486 Petition to The Value Adjustment Board – Request for Hearing x/xx 6/16
(r. xx/xx 6/16)
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref> 06929~~
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (b) DR-486A Written Authorization for Representation Before the Value Adjustment xx/xx
Board (n. xx/xx)
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (c)(b) DR-486DP Petition to The Value Adjustment Board – Tax Deferral or Penalties –
Request for Hearing (r. xx/xx 6/16) xx/xx 6/16
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref> 06928~~
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (d) DR-486POA Power of Attorney for Representation Before the Value Adjustment xx/xx
Board (n. xx/xx)
<https://www.flrules.org/Gateway/reference.asp?No=Ref>
- (e)(e) DR-486PORT Petition to The Value Adjustment Board – Transfer of Homestead

http://www.flrules.org/Gateway/reference.asp?No=Ref_06930

<https://www.flrules.org/Gateway/reference.asp?No=Ref>

~~(f)(d)~~ DR-486XCO No change.

~~(g)(e)~~ DR-487 No change.

~~(h)(f)~~ DR-487V No change.

(27)(a) through (61)(b) No change.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS. History–New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07, 3-30-10, 11-1-12, 9-10-15, 4-5-16., 6-14-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE IS: Mike Cotton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE IS: The Governor and Cabinet of Florida.

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: [*to be added when the Governor and Cabinet approve publication*]

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2016 and September 22, 2015.



**VALUE ADJUSTMENT BOARD
NOTICE OF HEARING**

DR-481
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

Section 194.032, Florida Statutes

County		Petition #		Petition type	
Petitioner name			VAB contact		
Address		Address			
Parcel number, account number, or legal address		Phone			
		Email			

A hearing has been scheduled for

your petition

the continuation of your hearing after remand

other _____

YOUR HEARING INFORMATION

Hearing date		Hearing address and room
Time (if block of time, beginning and end times)		
Time reserved		

Bring _____ copies of your evidence, in addition to what you have provided to the property appraiser. Evidence becomes part of the record and will not be returned.

Please arrive 15 minutes before the scheduled hearing time or start of block of time with any witnesses. If you or your witnesses are unable to attend, or you need help finding the hearing room, contact the VAB clerk as soon as possible.

You have the right to reschedule your hearing one time for good cause as defined in section 194.032(2)(a), F.S. As defined in that section, "good cause" means circumstances beyond the control of the person seeking to reschedule the hearing which reasonably prevent the party from having adequate representation at the hearing.

You have the right to exchange evidence with the property appraiser. To initiate the exchange, you must submit your evidence directly to the property appraiser at least 15 days before the hearing and make a written request for the property appraiser's evidence. If you want to participate in the evidence exchange, your evidence is due by _____ at _____. At the hearing, you have the right to have witnesses sworn.

Signature, deputy clerk

Date

For a list of potential magistrates	Phone	Web
For a copy of the value adjustment board uniform rules of procedure	Phone	Web

If you are disabled and need accommodations to participate in the hearing, you are entitled to assistance with no cost to you. Please contact the value adjustment board at the number above within 2 days of receiving this notice. If you are hearing or voice impaired, call _____.



DECISION OF THE VALUE ADJUSTMENT BOARD VALUE PETITION

DR-485V
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

_____ County

The actions below were taken on your petition.

These actions are a recommendation only, not final These actions are a final decision of the VAB
 If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # _____	Parcel ID _____
Petitioner name _____ The petitioner is: <input type="checkbox"/> taxpayer of record <input type="checkbox"/> taxpayer's representative <input type="checkbox"/> other, explain: _____	Property address _____

Decision Summary Denied your petition Granted your petition Granted your petition in part

Value Lines 1 and 4 must be completed	Value from TRIM Notice	Before Board Action <small>Value presented by property appraiser Rule 12D-9.025(10), F.A.C.</small>	After Board Action
1. Just value, required			
2. Assessed or classified use value,* if applicable			
3. Exempt value,* enter "0" if none			
4. Taxable value,* required			

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reasons for Decision

Fill-in fields will expand, or add pages as needed.

Findings of Fact

Conclusions of Law

Recommended Decision of Special Magistrate Finding and conclusions above are recommendations.

Signature, special magistrate	Print name	Date
Signature, VAB clerk or special representative	Print name	Date

If this is a recommended decision, the board will consider the recommended decision on _____ at _____
 Address _____
 If the line above is blank, the board does not yet know the date, time, and place when the recommended decision will be considered. To find the information, please call _____ or visit our website at _____.

Final Decision of the Value Adjustment Board

Signature, chair, value adjustment board	Print name	Date of decision
Signature, VAB clerk or representative	Print name	Date mailed to parties



VALUE ADJUSTMENT BOARD CLERK'S NOTICE

DR-485WCN
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

_____ County

To	From _____ Clerk, Value Adjustment Board
Petition #	Address
Representative #	Phone
	Email

This notice will inform the parties of the following action taken on the petition.
<input type="checkbox"/> You have 10 days to complete the petition and return it to the value adjustment board. (Rule 12D-9.015(9), F.A.C.)
<input type="checkbox"/> The petition will not be set for hearing because it was not completed and filed as specified in the previous clerk's notice. (Rule 12D-9.015(9), F.A.C.)
<input type="checkbox"/> The board found good cause for your failure to file your petition on time. The clerk will schedule a hearing by separate notice (Rule 12D-9.015(11), F.A.C.)
<input type="checkbox"/> The board did not find good cause for your failure to file your petition on time. Your petition will not be scheduled for hearing. (Rule 12D-9.015(11), F.A.C.)
<input type="checkbox"/> Your petition was returned. There was no filing fee included with the petition.
<input type="checkbox"/> We received duplicate petitions for this property. The VAB is trying to resolve this issue. Please contact the clerk when you receive this notice.
<input type="checkbox"/> The property appraiser has produced a revised assessment after remand (attached). If you do not agree with the revised assessment, you have the right to present additional evidence at a continuation hearing. You must notify the VAB clerk and request a continuation hearing within 25 days of the date of this notice. (Rule 12D-9.029, F.A.C.)
<input type="checkbox"/> The board found good cause to reschedule your hearing. Your new hearing date will be sent to you.
<input type="checkbox"/> The board did not find good cause to reschedule your hearing. Your hearing will be held on _____ at _____.
<input type="checkbox"/> Other, specify

Certificate of Service	
I certify a true copy was served by US mail or the method requested on the petitioner's form on:	<input type="checkbox"/> petitioner _____ <input type="checkbox"/> other _____
<input type="checkbox"/> A copy was provided to the property appraiser.	
_____ Signature, deputy clerk	_____ Date



DECISION OF THE VALUE ADJUSTMENT BOARD
EXEMPTION, CLASSIFICATION, ASSESSMENT DIFFERENCE
TRANSFER, CHANGE OF OWNERSHIP OR CONTROL
OR QUALIFYING IMPROVEMENT PETITION

DR-485XC
 R. xx/xx
 Rule 12D-16.002
 F.A.C.
 Eff. xx/xx

The actions below were taken on your petition in _____ County.
 These actions are a recommendation only, not final. These actions are a final decision of the VAB.
 If you are not satisfied after you are notified of the final decision of the VAB, you have the right to file a lawsuit in circuit court to further contest your assessment. (See sections 193.155(8)(l), 194.036, 194.171(2), 196.151, and 197.2425, Florida Statutes.)

Petition # _____	Parcel ID _____
Petitioner name _____ The petitioner is: <input type="checkbox"/> taxpayer of record <input type="checkbox"/> representative <input type="checkbox"/> other, explain: _____	Property address _____

Decision Summary <input type="checkbox"/> Denied your petition <input type="checkbox"/> Granted your petition <input type="checkbox"/> Granted your petition in part			
Lines 1 and 4 must be completed	Value from TRIM Notice	Value before Board Action <small>Value presented by property appraiser Rule 12D-9.025(10), F.A.C.</small>	Value after Board Action
1. Just value, required			
2. Assessed or classified use value,* if applicable			
3. Exempt value,* enter "0" if none			
4. Taxable value,* required			

*All values entered should be county taxable values. School and other taxing authority values may differ. (Section 196.031(7), F.S.)

Reason for Petition			
<input type="checkbox"/> Homestead	<input type="checkbox"/> Widow/er	<input type="checkbox"/> Blind	<input type="checkbox"/> Totally and permanently disabled veteran
<input type="checkbox"/> Low-income senior	<input type="checkbox"/> Disabled	<input type="checkbox"/> Disabled veteran	<input type="checkbox"/> Use classification, specify _____
<input type="checkbox"/> Parent/grandparent assessment reduction	<input type="checkbox"/> Deployed military	<input type="checkbox"/> Use exemption, specify _____	<input type="checkbox"/> Qualifying improvement
<input type="checkbox"/> Transfer of homestead assessment difference	<input type="checkbox"/> Change of ownership or control	<input type="checkbox"/> Other, specify _____	

Reasons for Decision	Fill-in fields will expand, or add pages as needed.
Findings of Fact	
Conclusions of Law	

<input type="checkbox"/> Recommended Decision of Special Magistrate The finding and conclusions above are recommendations.		
Signature, special magistrate _____	Print name _____	Date _____
Signature, VAB clerk or special representative _____	Print name _____	Date _____
If this is a recommended decision, the board will consider the recommended decision on _____ at _____ <input type="checkbox"/> AM <input type="checkbox"/> PM. Address _____		
If the line above is blank, please call _____ or visit our website at _____.		

<input type="checkbox"/> Final Decision of the Value Adjustment Board		
Signature, chair, value adjustment board _____	Print name _____	Date of decision _____
Signature, VAB clerk or representative _____	Print name _____	Date mailed to parties _____



PETITION TO THE VALUE ADJUSTMENT BOARD REQUEST FOR HEARING

Section 194.011, Florida Statutes

DR-486
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

You have the right to an informal conference with the property appraiser. This conference is not required and does not change your filing due date. You can present facts that support your claim and the property appraiser can present facts that support the correctness of the assessment. To request a conference, contact your county property appraiser.

For portability of homestead assessment difference, use Form DR-486PORT. For deferral or penalties, use DR-486DP.

COMPLETED BY CLERK OF THE VALUE ADJUSTMENT BOARD (VAB)			
Petition #	County	Tax year 20__	Date received
COMPLETED BY THE PETITIONER			
PART 1. Taxpayer Information			
Taxpayer name		Representative	
Mailing address for notices		Parcel ID and physical address or TPP account #	
Phone		Email	
The standard way to receive information is by US mail. If possible, I prefer to receive information by <input type="checkbox"/> email <input type="checkbox"/> fax.			
<input type="checkbox"/> I am filing this petition after the petition deadline. I have attached a statement of the reasons I filed late and any documents that support my statement.			
<input type="checkbox"/> I will not attend the hearing but would like my evidence considered. (In this instance only, you must submit duplicate copies of your evidence to the value adjustment board clerk. Florida law allows the property appraiser to cross examine or object to your evidence. The VAB or special magistrate ruling will occur under the same statutory guidelines as if you were present.)			
Type of Property <input type="checkbox"/> Res. 1-4 units <input type="checkbox"/> Industrial and miscellaneous <input type="checkbox"/> High-water recharge <input type="checkbox"/> Historic, commercial or nonprofit <input type="checkbox"/> Commercial <input type="checkbox"/> Res. 5+ units <input type="checkbox"/> Agricultural or classified use <input type="checkbox"/> Vacant lots and acreage <input type="checkbox"/> Business machinery, equipment			
PART 2. Reason for Petition		Check one. If more than one, file a separate petition.	
<input type="checkbox"/> Real property value		<input type="checkbox"/> Denial of exemption Select or enter type:	
<input type="checkbox"/> Denial of classification		<input type="checkbox"/> Denial for late filing of exemption or classification (Include a date-stamped copy of application.)	
<input type="checkbox"/> Parent/grandparent reduction		<input type="checkbox"/> Qualifying improvement (s. 193.1555(5), F.S.) or change of ownership or control (s. 193.155(3), 193.1554(5), or 193.1555(5), F.S.)	
<input type="checkbox"/> Property was not substantially complete on January 1			
<input type="checkbox"/> Tangible personal property value (You must have timely filed a return required by s.193.052. (s.194.034, F.S.))			
<input type="checkbox"/> Check here if this is a joint petition. Attach a list of parcels or accounts with the property appraiser's determination that they are substantially similar. (s. 194.011(3)(e), (f), and (g), F.S.)			
<input type="checkbox"/> Enter the time (in minutes) you think you need to present your case. Most hearings take 15 minutes. The VAB is not bound by the requested time. For single joint petitions for multiple parcels or accounts, provide the time needed for the entire group.			
<input type="checkbox"/> My witnesses or I will not be available to attend on specific dates. I have attached a list of dates.			
You have the right to exchange evidence with the property appraiser. To initiate the exchange, you must submit your evidence directly to the property appraiser at least 15 days before the hearing and make a written request for the property appraiser's evidence. At the hearing, you have the right to have witnesses sworn.			
You have the right, regardless of whether you initiate the evidence exchange, to receive from the property appraiser a copy of your property record card containing information relevant to the computation of your current assessment, with confidential information redacted. When the property appraiser receives the petition, he or she will either send the property record card to you or notify you how to obtain it online.			

Your petition will not be complete until you pay the filing fee. When the VAB has reviewed and accepted it, they will assign a number, send you a confirmation, and give a copy to the property appraiser. Unless the person filing the petition is completing part 4, the taxpayer must sign the petition in part 3. Alternatively, the taxpayer's written authorization or power of attorney must accompany the petition at the time of filing with the signature of the person filing the petition in part 5 (s. 194.011(3), F.S.). **Please complete one of the signatures below.**



PETITION TO THE VALUE ADJUSTMENT BOARD TAX DEFERRAL OR PENALTIES REQUEST FOR HEARING

DR-486DP
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

COMPLETED BY CLERK OF THE VALUE ADJUSTMENT BOARD (VAB)

Petition #	County	Tax year 20__	Date received
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COMPLETED BY THE PETITIONER

PART 1. Taxpayer Information

Taxpayer name	Representative
Mailing address for notices	Parcel ID and physical address or TPP account #
Phone	Email

The standard way to receive information is by US mail. If possible, I prefer email fax.

I am filing this petition after the petition deadline. I have attached a statement of the reasons I filed late and any documents that support my statement.

I will not attend the hearing but would like my evidence considered. You must submit duplicate copies of your evidence to the value adjustment board clerk. Florida law allows the tax collector to cross examine or object to your evidence. The ruling will occur under the same statutory guidelines as if you were present.

PART 2. Type of Deferral or Penalty Appeal

- Disapproval of homestead tax deferral
 - Disapproval of affordable rental tax deferral
 - Disapproval of recreational and commercial working waterfront tax deferral
 - Penalties imposed under section 197.301, F.S., homestead, affordable rental housing property, or recreational and commercial working waterfront
- You must submit a copy of the original application for tax deferral filed with the tax collector and related documents.
- Enter the time (in minutes) you will need to present your case. Most hearings take 15 minutes. The VAB is not bound by the requested time. For single joint petitions for multiple parcels, enter the time needed for the entire group.
- There are specific dates my witnesses or I will not be available to attend. I have attached a list of dates.
- At the hearing, you have the right to have witnesses sworn.

Your petition will not be complete until you pay the filing fee. When the VAB has reviewed and accepted it, they will assign a number, send you a confirmation, and give a copy to the tax collector. Unless the person filing the petition is completing part 4, the taxpayer must sign the petition in part 3. Alternatively, the taxpayer's written authorization or power of attorney must accompany the petition at the time of filing with the signature of the person filing the petition in part 5 (s. 194.011(3), F.S.). **Please complete one of the signatures below.**



PETITION TO THE VALUE ADJUSTMENT BOARD TRANSFER OF HOMESTEAD ASSESSMENT DIFFERENCE REQUEST FOR HEARING

DR-486PORT
R. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

This petition does not authorize the consideration or adjustment of the just, assessed, or taxable value of the previous homestead.

You have the right to an informal conference with the property appraiser. This conference is not required and does not change your filing due date. You can present facts that support your claim and the property appraiser can present facts that support the correctness of the assessment. To request a conference, contact your county property appraiser.

COMPLETED BY THE CLERK OF THE VALUE ADJUSTMENT BOARD (VAB)			
Petition #	County	Tax year 20__	Date received
COMPLETED BY THE PETITIONER			
PART 1. Taxpayer Information			
Taxpayer name		Representative	
Mailing address for notices		Email	
		Phone	
<p>The standard way to receive information is by US mail. If possible, I prefer to receive information by <input type="checkbox"/> email <input type="checkbox"/> fax.</p> <p><input type="checkbox"/> I am filing this petition after the petition deadline. I have attached a statement of the reasons I filed late and any documents that support my statement.</p> <p><input type="checkbox"/> I will not attend the hearing but would like my evidence considered. In this instance only, you must submit duplicate copies of your evidence to the value adjustment board clerk. Florida law allows the property appraiser to cross examine or object to your evidence. The VAB or special magistrate ruling will occur under the same statutory guidelines as if you were present.</p>			
	PREVIOUS HOMESTEAD	NEW HOMESTEAD	
Parcel ID			
Physical address			
County			
PART 2. Reason for Petition Check all that apply.			
<p><input type="checkbox"/> I was denied the transfer of the assessment difference from my previous homestead to my new homestead.</p> <p><input type="checkbox"/> I disagree with the assessment difference calculated by the property appraiser for transfer to my new homestead. I believe the amount that should be transferred is: \$ _____</p> <p><input type="checkbox"/> I filed late with the property appraiser for the transfer of my homestead assessment difference. Late-filed homestead assessment difference petitions must include a copy of the application filed with, and date-stamped by, the property appraiser.</p> <p><input type="checkbox"/> My previous homestead is in a different county. I am appealing action of the property appraiser in that county.</p> <p><input type="checkbox"/> Enter the time (in minutes) you will need to present your case. Most hearings take 15 minutes. The VAB is not bound by the requested time.</p> <p><input type="checkbox"/> There are specific dates my witnesses or I will not be available to attend. I have attached a list of dates.</p> <p>You have the right to exchange evidence with the property appraiser. To initiate the exchange, you must submit your evidence directly to the property appraiser at least 15 days before the hearing and make a written request for the property appraiser's evidence. At the hearing, you have the right to have witnesses sworn.</p> <p>You have the right, regardless of whether you initiate the evidence exchange, to receive from the property appraiser a copy of your property record card containing information relevant to the computation of your current assessment, with confidential information redacted. When the property appraiser receives the petition, he or she will either send the property record card to you or notify you how to obtain it online.</p>			

Your petition will not be complete until you pay the filing fee. When the VAB has reviewed and accepted it, they will assign a number, send you a confirmation, and give a copy to the property appraiser. Unless the person filing the petition is completing part 4, the taxpayer must sign the petition in part 3. Alternatively, the taxpayer's written authorization or power of attorney must accompany the petition at the time of filing with the signature of the person filing the petition in part 5 (s. 194.011(3), F.S.). **Please complete one of the signatures below.**

PART 3. Taxpayer Signature

Complete part 3 if you are representing yourself or if you are authorizing a representative listed in part 5 to represent you without attaching a completed power of attorney or authorization for representation to this form.

Written authorization from the taxpayer is required for access to confidential information from the property appraiser or tax collector.

I authorize the person I appoint in part 5 to have access to any confidential information related to this petition.

Under penalties of perjury, I declare that I am the owner of the property described in this petition and that I have read this petition and the facts stated in it are true.

Signature, taxpayer

Print name

Date

PART 4. Employee, Attorney, or Licensed Professional Signature

Complete part 4 if you are the taxpayer's or an affiliated entity's employee or you are one of the following licensed representatives.

I am (check any box that applies):

An employee of _____ (taxpayer or an affiliated entity).

A Florida Bar licensed attorney (Florida Bar number _____).

A Florida real estate appraiser licensed under chapter 475, Florida Statutes (license number _____).

A Florida real estate broker licensed under chapter 475, Florida Statutes (license number _____).

A Florida certified public accountant licensed under chapter 473, Florida Statutes (license number _____).

I understand that written authorization from the taxpayer is required for access to confidential information from the property appraiser or tax collector.

Under penalties of perjury, I certify that I have authorization to file this petition on the taxpayer's behalf, and I declare that I am the owner's authorized representative for purposes of filing this petition and of becoming an agent for service of process under s. 194.011(3)(h), Florida Statutes, and that I have read this petition and the facts stated in it are true.

Signature, representative

Print name

Date

PART 5. Unlicensed Representative Signature

Complete part 5 if you are an authorized representative not listed in part 4 above.

I am a compensated representative not acting as one of the licensed representatives or employees listed in part 4 above AND (check one)

Attached is a power of attorney that conforms to the requirements of Part II of Chapter 709, F.S., executed with the taxpayer's authorized signature OR the taxpayer's authorized signature is in part 3 of this form.

I am an uncompensated representative filing this petition AND (check one)

the taxpayer's authorization is attached OR the taxpayer's authorized signature is in part 3 of this form.

I understand that written authorization from the taxpayer is required for access to confidential information from the property appraiser or tax collector.

Under penalties of perjury, I declare that I am the owner's authorized representative for purposes of filing this petition and of becoming an agent for service of process under s. 194.011(3)(h), Florida Statutes, and that I have read this petition and the facts stated in it are true.

Signature, representative

Print name

Date



POWER OF ATTORNEY FOR REPRESENTATION BEFORE THE VALUE ADJUSTMENT BOARD

Section 194.034(1)(b), Florida Statutes

DR-486POA
N. xx/xx
Rule 12D-16.002
F.A.C.
Eff. xx/xx

You may use this form to grant power of attorney for representation in value adjustment board proceedings.
This form or other sufficient power of attorney accompanies the petition at the time of filing.

COMPLETED BY PETITIONER

I, _____ (name), appoint _____ (name) as my attorney-in-fact to present evidence and testimony and act on my behalf in any lawful way before the _____ County Value Adjustment Board.

This power of attorney is effective immediately and is valid only for one assessment year.

This power of attorney is limited to the 20____ assessment year concerning the parcel(s) or account(s) below.

I authorize the person I appointed above to have access to confidential information related to the following parcel(s) or account(s).

Parcel ID/Account #		Parcel ID/Account #	
Parcel ID/Account #		Parcel ID/Account #	
Parcel ID/Account #		Parcel ID/Account #	
Parcel ID/Account #		Parcel ID/Account #	

This power of attorney is further limited as follows:

Signature of taxpayer/owner

Print name

Date

State of Florida

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ (name), who signed in the presence of these witnesses:

Witness signature

Witness signature

Personally known OR produced identification

Signature of Notary Public

Type of identification produced _____

Print, type, or stamp commissioned name of Notary Public

ATTACHMENT 4



DEPARTMENT OF REVENUE FY 2017-2018 LEGISLATIVE BUDGET REQUEST

The Department of Revenue's (Department) Fiscal Year (FY) 2017-2018 Legislative Budget Request totals \$551,868,087. Of this amount, \$550,386,870 is recurring. This represents a .2% increase in total recurring funding for all funds over the FY 2016-2017 recurring appropriation.

PROPERTY TAX OVERSIGHT

(1) The Department requests \$60,000 in nonrecurring General Revenue to replace two vehicles (2003 4-wheel drive Chevy Blazers) that will be in excess of 150,000 miles at the time of replacement in FY 2017-2018. The Property Tax Oversight Program was appropriated funds to purchase 7 vehicles for use by the Agricultural Appraisers in FY 2002-2003. The vehicles have since accrued significant mileage and require costly repairs. The Department was appropriated funds to replace 2 of the 7 vehicles in FY 2016-2017.

(2) The Department requests \$87,308 in nonrecurring General Revenue to meet the Department's statutory obligation for providing aerial photography to counties with a population of 25,000 or less. Section 195.022, F.S., requires the Department, upon request of any property appraiser or at least once every 3 years, to prescribe and furnish aerial photographs to the property appraisers as necessary to ensure that all real property within the state is properly listed on the roll. All photographs and maps furnished to counties with a population of 25,000 or less are paid for by the Department, as provided by statute. The Department requests \$87,308 in nonrecurring funding for FY 2017-2018, which will be used to provide aerial photographs to one county with a population of 25,000 or less. The county scheduled to receive photographs during FY 2017-2018 is Glades.

GENERAL TAX ADMINISTRATION

(3) The Department requests an increase of \$1,200,000 in the Emergency Distributions category, Local Half Cent Sales Tax Clearing Trust Fund, to make statutorily authorized emergency distributions pursuant to section 218.65, F.S. The emergency and supplemental distributions are available to select counties that meet certain fiscal-related eligibility requirements or have an inmate population of greater than seven percent of the total county population, respectively. The Department is responsible for transferring these distributions to county governments as defined in section 218.65, F.S. The Office of Economic and Demographic Research (EDR) estimates the small county distributions will be \$23,200,000 for FY 2017-2018, which is \$1,200,000 over current appropriations. EDR estimates are as of January 19, 2016.

CHILD SUPPORT

(4) The Department requests \$1,333,909 in nonrecurring Federal Grants Trust Fund spending authority to implement a U.S. Department of Commerce, National Institute of Standards and Technology grant. The grant will utilize new identity proofing and authentication processes for online services that will allow customers to voluntarily access multiple Child Support services with one login. The solution resulting from the grant must provide for a federated, verified digital identity that enables multi-factor authentication and an effective identity proofing process meeting the risk needs of the service. The grant was recently awarded pending an effective date. The Department will use the grant to implement the new authentication for Child Support eServices, SMI SMART ePay, and Web Chat.

ATTACHMENT 5

DEPARTMENT OF REVENUE 2017 LEGISLATIVE CONCEPTS

REDUCING THE BURDEN ON TAXPAYERS

SALES AND USE TAX REGISTRATION FEE ELIMINATION

Statutory Reference: Sections 212.0596 and 212.18, Florida Statutes

Current Situation: Florida law imposes a \$5 fee on each business location that registers with the Department to collect, report and remit sales and use tax; however, the \$5 registration fee is waived for applications submitted through the Department's online registration process.

Proposed Change: This proposal would eliminate the \$5 application fee charged for all businesses registering to collect, report and remit sales and use tax.

FUEL AND POLLUTANTS LICENSE FEE ELIMINATION

Statutory Reference: Sections 206.02, 206.021, 206.022, 206.406, 206.9943 and 206.9952, Florida Statutes

Current Situation: Florida law imposes a \$30 license tax on persons applying for an annual fuel or pollutants license and a \$5 annual fee to obtain a license as a natural gas fuel retailer.

Proposed Change: This proposal would eliminate the \$30 annual license tax required for a fuel or pollutants license as well as the \$5 annual fee to obtain a natural gas fuel license.

PERCHLOROETHYLENE REGISTRATION FEE ELIMINATION

Statutory Reference: Section 376.75, Florida Statutes

Current Situation: Any person producing, importing or selling perchloroethylene (perc) is required to register with the Department and pay a \$30 fee. Additionally, they must also register for a pollutants license that requires a \$30 license tax. The Department has allowed perc registrants to designate their perc registration on the pollutants registration and has not required a separate application and fee for perc.

Proposed Change: This proposal would repeal the \$30 perc registration fee.

REDUCING THE BURDEN ON TAXPAYERS

DRYCLEANING TAX REGISTRATION FEE ELIMINATION

Statutory Reference: Section 376.70, Florida Statutes

Current Situation: Drycleaning facilities are required to register with the Department and pay a \$30 fee. If a facility registers electronically, the Department waives the \$30 fee as authorized by statute. The majority of these registrations are done electronically and no fee is charged. The Department annually receives 20 or less paper registrations.

Proposed Change: This proposal would eliminate the \$30 registration fee for all registrations.

FUEL TAX REFUND FEE ELIMINATION

Statutory Reference: Section 206.41, Florida Statutes

Current Situation: Florida law allows certain taxpayers to obtain quarterly refunds of a portion of the tax paid on fuel purchases. These qualified taxpayers must purchase the fuel for use in agriculture, commercial fishing, school buses, mass public transportation, or another authorized purpose. The Department is required to deduct a \$2 fee from each of these quarterly tax refunds.

Proposed Change: This proposal would eliminate the \$2 processing fee deducted from the quarterly fuel tax refunds made to these qualified taxpayers.

ELIMINATION OF REPORTING REQUIREMENTS

Statutory Reference: Sections 198.30 and 733.2121, Florida Statutes

Current Situation: Section 198.30, F.S., requires circuit court judges to report the names of decedents and other information on estates in probate to both the Department of Revenue and the Agency for Health Care Administration (AHCA). In addition, personal representatives are required to provide certain information to the Department and AHCA pursuant to s. 733.2121(3), F.S. Due to estate and intangible tax law changes, the Department no longer needs the information circuit court judges provide and, in most circumstances, does not need the information supplied by personal representatives.

Proposed Change: This proposal would amend s. 198.30, F.S., to eliminate the requirement to provide information to the Department of Revenue. Additionally, section 733.2121, F.S., would be amended to require a notice of creditors to be served on the Department only when the Department is a creditor of the estate.

REDUCING THE BURDEN ON TAXPAYERS

ELIMINATION OF VENDING MACHINE NOTICE REQUIREMENT

Statutory Reference: Sections 212.0515, Florida Statutes

Current Situation: Sales tax is due on the sale of food, beverages and most items purchased through vending machines in Florida. Vending machine owners are required to register with the Department and each vending machine must display a notice stating that machines without a posted notice may be reported using a toll-free number and that someone reporting noncompliance may be eligible for a reward. Florida law imposes a \$250 penalty on each vending machine that does not display the notice. The notice requirement has not increased tax compliance and most calls received on the toll-free number are to report machine malfunctions and problems with the vending machine items.

Proposed Change: This proposal would eliminate the required notice and relieve the burden placed on compliant vending machine operators.

REEMPLOYMENT TAX PENALTY WAIVER

Statutory Reference: Section 443.163, Florida Statutes

Current Situation: Florida law requires certain employers to file their Employers Quarterly Report electronically. When employers fail to file electronically as required, current law imposes a penalty. There is no provision for a waiver of penalty should the penalty imposition be found to be inequitable.

Proposed Change: This proposal would allow the penalty imposed for failure to file electronically to be waived if the penalty is found to be inequitable.

EXTENSION OF ANNUAL AND INSTALLMENT DUE DATES

Statutory Reference: Sections 443.131 and 443.141, Florida Statutes

Current Situation: Due dates for reemployment tax installment payments and annual filings are provided for by statute and do not allow for additional time when the due dates fall on a Saturday, Sunday or holiday. Quarterly filing due dates are provided for by rule and have provisions allowing later due dates when the date falls on a weekend or holiday.

Proposed Change: This proposal would add provisions allowing for later due dates for annual filings and installment payments when the date falls on a Saturday, Sunday or state holiday or any other day when the United States Postal Service is closed.

OPERATIONAL IMPROVEMENT

NINTH-CENT AND LOCAL OPTION DATES

Statutory Reference: Sections 336.021 and 336.025, Florida Statutes

Current Situation: Chapter 336, F.S., provides clear direction on the administration of rate changes for ninth-cent and local option fuel taxes imposed after July 1, 2002. For taxes imposed prior to July 2002, the statutes do not clearly identify adoption dates for ordinances or the length of time the adopted ordinance will remain in effect. This lack of clarity has been problematic for local officials who are unclear when to adopt rate changes and for the Department to have adequate time to update any rate changes in distribution programs.

Proposed Change: This proposal would provide specific guidelines for the notification, adoption and expiration of local ordinances imposed prior to July 2002. For those tax levies, any re-imposition would be required to be levied before July 1 to allow the Department time to make any necessary changes to distribution programs.