

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 5, 2015

LOCATION:

CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY:

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- APPROVAL OF MINUTES
By Governor Rick Scott
- APPOINTMENT - INTERIM SECRETARY
By Governor Rick Scott
- APPOINTMENT - INTERIM EXECUTIVE DIRECTOR
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By Governor Rick Scott
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By Executive Director Ash Williams
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By Executive Director Mike Prendergast
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By Commissioner Drew Breakspear
- DEPARTMENT OF REVENUE
By Executive Director Marshall Stranburg
- AGENCY MEASURES - OIR
By Commissioner Kevin McCarty
- AGENCY MEASURES - DOR
By Commissioner Drew Breakspear

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GOVERNOR SCOTT: Good morning. Please have a seat. I would like to welcome everyone to the May 5th Cabinet meeting.

Before we get started, the first thing I want to do is to thank our Attorney General. Our Attorney General and her team worked diligently, and they filed a lawsuit last week against the Obama Administration for their attempts to coerce our state into ending ObamaCare -- into ObamaCare expansion by ending an existing low income pool program and telling us to expand Medicaid instead.

Not only has she done a great job on this, but on top of that, her relationships around the states have had an impact. Both the new Governor, who is a friend of hers, who was the Attorney General there, in the state of Kansas have already announced they are going to file amicus briefs.

But Attorney General, you and your team have been done a great job. It's wrong for the Federal Government to try to coerce us by ending a low-income pool for low-income families to try to coerce us to expand Obama care, so thank you very much for doing that.

So now to start the meeting, I would like to

1 welcome Emma McGibany, an 8th grader from Holy
2 Comforter Episcopal School to lead the invocation. If
3 you'll please remain standing at the end of the
4 invocation for the Pledge of Allegiance, which is
5 going to be led by our National Guard. We will have a
6 second Pledge of Allegiance later, because we have a
7 4th grade class that is going to come here and do the
8 pledge with us.

9 (Thereupon, the invocation was given.)

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MARCH 24, 2015 and MARCH 31, 2015 MINUTES

GOVERNOR SCOTT: Next on the agenda is the review from the March 24 and March 31 Cabinet meetings.

Is there a motion on the item?

ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

CHIEF FINANCIAL OFFICER ATWATER: Second.

GOVERNOR SCOTT: Moved and seconded. Show the minutes approved without objection.

Appointments

GOVERNOR SCOTT: As of midnight Friday, May 1st, the Florida Senate failed to act on the confirmation of several appointments we have made this past year. Since inaction created a vacancy in two positions that require Cabinet confirmation. Those agencies are DEP and FDLE.

Under Florida law, Secretary Jon Steverson at DEP and Executive Director Rick Swearingen at FDLE can continue on in their roles for only 45 days, ending on June 15, which is before our next regularly scheduled Cabinet meeting of June 23rd. Because our timeline for action falls between the regular Cabinet meetings, I have named Rick Swearingen as Interim Executive Director for FDLE and Jon Steverson as Interim Secretary for DEP.

We will begin an official search process for these two positions now, and take a vote on who will permanently fill these positions at a later Cabinet meeting. Under a new process, I've asked my office to begin a national search for these positions. I would like to invite other Cabinet officers to submit the names and resumes of qualified individuals for these

1 positions. We will then provide an update on
2 qualified candidates at the next Cabinet meeting on
3 June 23, which is already scheduled to be a time for
4 FDLE Executive Director, Rick Swearingen to provide us
5 with a six-month update on accomplishments at the
6 Agency under his tenure.

7 In order to avoid any immediate interruption in
8 leadership at DEP and FDLE, I move that we have Rick
9 Swearingen serve as an Interim Executive Director at
10 FDLE and Jon Steverson to serve as Interim Secretary
11 DEP.

12 Is there a second?

13 CHIEF FINANCIAL OFFICER ATWATER: Second.

14 GOVERNOR SCOTT: Any comments or objections?
15 Hearing none, the motion carries.

16 For the next item, we discussed the process for
17 these positions earlier, and we will begin that
18 process immediately.

19 Now I would like to recognize Jon Steverson with
20 the Department of Environmental Protection.

21 COMMISSIONER PUTNAM: Before we move to that,
22 Governor, I just want to be clear. What are your
23 expectations of us before the next Cabinet meeting?

24 GOVERNOR SCOTT: So we'll do a national search,
25 so if you have ideas, bring them. We'll do this

1 search and we'll come back at the June 23rd Cabinet
2 meeting with the goal that we will have qualified
3 candidates and permanently fill these two roles.

4 ATTORNEY GENERAL BONDI: Governor, do we want to
5 set a deadline on applications? We know our next
6 meeting is June 20th; I just don't want us to be
7 receiving applications on the 19th and having to look
8 at them on the 20th. Do you want to set a deadline?

9 GOVERNOR SCOTT: Sure. June 23rd, we would
10 probably want to get them by at the latest -- I think
11 June 23rd, so I think the latest we want to get them
12 by is the 10th.

13 ATTORNEY GENERAL BONDI: The 10th.

14 COMMISSIONER PUTNAM: Sounds good.

15 ATTORNEY GENERAL BONDI: So June 10th is the
16 deadline?

17 GOVERNOR SCOTT: So June 10th will be the
18 deadline. Is everybody okay with that?

19 COMMISSIONER PUTNAM: So is it your expectation
20 that at the June 23rd meeting, we would establish a
21 process, or we would make a final decision?

22 GOVERNOR SCOTT: My goal would be to make a final
23 decision. So we get the candidates in, we can share
24 any resumes we get. We'll do a search here; all of us
25 can come up with their names, and we'll share that

1 with the goal that on June 23rd, we'll be able to fill
2 the position. Now, we'll decide on June 23rd; if we
3 can't, but the goal would be to fill it then.

4 COMMISSIONER PUTNAM: So if there was -- I don't
5 know when the Cabinet Aides are meeting, but if the
6 applications are in by the 10th, presumably; I know I
7 would want an opportunity to interview prior -- if
8 your objective is to make a final decision on the
9 23rd. And I know that a lot of this is dictated by
10 the recently adopted process that this Cabinet has
11 worked through in the last several meetings, but based
12 with that as our guide, I'm just trying to make sure
13 we're following our own new policies.

14 GOVERNOR SCOTT: Based on that, I think,
15 Commissioner, there's no reason -- what, today's the
16 6th? We can be another 25 days if we said we want the
17 applications in by the end of the month; that will
18 give us 23 days in June and everybody have the
19 opportunity to interview anybody they felt was
20 appropriate.

21 ATTORNEY GENERAL BONDI: Yeah. Governor, I would
22 go along with that, because I have a feeling that some
23 of us may be out of town, too, in the month of June so
24 that maybe -- that still gives --

25 GOVERNOR SCOTT: That gives us 23 days.

1 ATTORNEY GENERAL BONDI: Right. That still gives
2 us plenty of time and we have a good 23 days to
3 interview.

4 GOVERNOR SCOTT: So if everybody is okay, we'll
5 have May 31 as a deadline, and as we receive the
6 applications, we'll share them with you so everyone
7 will have the opportunity to interview anyone they
8 want: With the goal that we can hopefully fill the
9 positions on the 23rd of June.

10 ATTORNEY GENERAL BONDI: And Governor, just to
11 keep it orderly, how do you want -- because this is
12 going to be our only time to talk about this -- do you
13 want the applications, I would assume, to come through
14 your office and you'll distribute them to our office.

15 GOVERNOR SCOTT: That will be easier.

16 ATTORNEY GENERAL BONDI: -- when you get them.
17 That's fine. And of course, we won't discuss it among
18 each other but the applications will be distributed
19 and I assume posted online for the public to see.

20 GOVERNOR SCOTT: Right. We'll post them online.
21 It will go through, in my office, Elaine Jordan.

22 ATTORNEY GENERAL BONDI: And we can individually
23 make the decision whether we want to interview a
24 candidate.

25 GOVERNOR SCOTT: Right, right. So is that okay

1 with everybody?

2 COMMISSIONER PUTNAM: So is that --

3 GOVERNOR SCOTT: May 31 would be the deadline,
4 and what we'll be doing is, as we receive them, we'll
5 share them with you and post them online. And then
6 everybody coming ahead of that, you'll have more time
7 to review the applications with the goal of making a
8 decision on June 23rd.

9 ATTORNEY GENERAL BONDI: Perfect. Thank you.

10 COMMISSIONER ATWATER: Great.

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BOARD OF TRUSTEES INTERNAL IMPROVEMENT FUND

GOVERNOR SCOTT: All right. Now, I would like to recognize Jon Steverson with the Department of Environmental Protection.
SECRETARY JON STEVERSON: Good morning, Governor, and Cabinet. There are four items on the Board of Trustees Agenda.
Item Number 1 is submittal of the minutes from the meeting from the March 10th Cabinet meeting.
GOVERNOR SCOTT: Is there a motion on the item?
ATTORNEY GENERAL BONDI: So moved.
GOVERNOR SCOTT: Is there a second?
COMMISSIONER ATWATER: Second.
GOVERNOR SCOTT: Moved and seconded. Show the minutes approved without objection.
SECRETARY JON STEVERSON: Thank you. Item 2 is consideration of an exchange of approximately 4.34 acres of state owned conservation land for approximately one acre of privately owned land in the NNN Ranch Wildlife Management area. Additionally, as part of this exchange, the State will receive 14,480 in cash route to retain a conservation easement over the 4.34 acres.

1 St. Johns River Water Management District will
2 monitor the conservation easement in conjunction with
3 the adjacent assisting 38-acre Koshi conservation
4 easement. This exchange will eliminate a private in
5 holding of the NNN Wildlife Management Area, and
6 create a more efficiently managed area.

7 The Department recommends approval.

8 GOVERNOR SCOTT: Is there a motion on the item?

9 ATTORNEY GENERAL BONDI: So moved.

10 GOVERNOR SCOTT: Is there a second?

11 COMMISSIONER PUTNAM: Second.

12 GOVERNOR SCOTT: Any comments or objections?

13 Hearing none, the motion carries.

14 SECRETARY JON STEVERSON: The next two items will
15 be presented by Kal Knickerbocker with the Florida
16 Department of Agriculture and Consumer Services,
17 Division of Aquaculture.

18 MR. KNICKERBOCKER: Good morning, Governor, and
19 Cabinet members. This morning, Item Number 3,
20 Research Aquaculture, Inc., has requested two
21 five-acre aquaculture bottom leases in the 10,000
22 Islands Aquatic Preserve, Gullivan Bay, Collier
23 County, Research Aquaculture, Inc., is owned by Tom
24 McCrudden. Mr. McCrudden has been an aquaculture
25 leaseholder since 2003, and has several other leases

1 in the vicinity of the proposed leases.

2 Mr. McCrudden is pursuing these leases to
3 increase his production of Sunray Venus Clams. The
4 Fish and Wild Life Conservation Commission and the
5 Department of Environmental Protections Florida
6 Coastal Office have reviewed the items and have no
7 comments.

8 The location of these leases are within
9 Smalltooth Sawfish and Loggerhead Turtle critical
10 habitat, but are located within acceptable water
11 depths to avoid any impacts to the essential features
12 of the Sawfish critical habitat. Additionally, the
13 National Marine Fishery Services, Office of Protected
14 Resources, has also determined that the activities
15 propose will likely not have an impact on these
16 endangered species.

17 The Department is recommending approval.

18 GOVERNOR SCOTT: Is there a motion on the item?

19 ATTORNEY GENERAL BONDI: So moved.

20 GOVERNOR SCOTT: Is there a second?

21 COMMISSIONER PUTNAM: Second.

22 GOVERNOR SCOTT: Any comments or objections.

23 Hearing none, the motion carries.

24 MR. KNICKERBOCKER: Item Number 4. The Pensacola
25 Bay Oyster Company, LLC, has requested two five-acre

1 aquaculture water column leases in Escambia Bay and
2 East Bay; Escambia and Santa Rosa Counties. The
3 leases are not in an aquatic preserve.

4 Pensacola Bay Oyster Company is owned by Don
5 McMahan and is pursuing these leases to start aqua
6 culture of oysters in Northwest Florida. These leases
7 will be the first aquaculture leases located in
8 Escambia County and Santa Rosa Counties.

9 The Fish and Wild Life Commission and Department
10 of Environmental Protections Florida Coastal Office
11 have reviewed the items and have no comments. The
12 proposed leases are in Gulf Sturgeon critical habitat
13 so the applicant will be required to obtain an
14 individual permit from the Army Corp of Engineers to
15 authorize the new leases in Gulf Sturgeon critical
16 habitat and for the use of the associated production
17 here.

18 The applicant is also required to obtain a permit
19 from the US Coast Guard for the private aides to
20 navigation.

21 The Department is recommending approval on this,
22 also.

23 GOVERNOR SCOTT: Is there a motion on the item?

24 ATTORNEY GENERAL BONDI: So moved.

25 GOVERNOR SCOTT: Is there a second?

1 COMMISSIONER PUTNAM: Second.

2 GOVERNOR SCOTT: Any comments or objections?

3 ATTORNEY GENERAL BONDI: I just have a comment.

4 Commissioner Putnam and Jon, I think you've gone out
5 of the way to make sure these are out of the
6 waterways, correct? And that was always concern with
7 these aquaculture leases.

8 COMMISSIONER PUTNAM: Yes, General. In many
9 instances, they have to get an additional permit
10 either from the Coast Guard Marine Fisheries or the
11 Corp, depending on the habitat to make sure there are
12 no impacts to navigation or impacts to critical
13 habitat.

14 This Cabinet has issued historic number of
15 aquaculture leases, and as he said, this marks the
16 first one in Pensacola Bay; the beginning of the
17 potential new industry in Northwest Florida making the
18 most of our fantastic natural resources, and we look
19 forward to sampling some of these water column leases
20 products at some point in the near future, Captain.

21 GOVERNOR SCOTT: All right, the motion carries.
22 Thank you. I want to thank Commissioner Putnam
23 because I think we have done more than -- my
24 understanding is we have done more than anybody has
25 ever done before, and it appears to be working, so I

1 look forward to seeing you in Collier County.

2 And I would like to catch more fish down there.

3 It would be nice.

4 ATTORNEY GENERAL BONDI: And Governor, it's new,
5 it's innovative, and it's a great way to use waters
6 that aren't navigable, so thanks.

7 GOVERNOR SCOTT: Thanks, Jon.

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STATE BOARD OF ADMINISTRATION

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4 GOVERNOR SCOTT: Next, we have Ash Williams with
5 the State Board of Administration.

6 EXECUTIVE DIRECTOR ASH WILLIAMS: Good morning,
7 Governor, Cabinet members.

8 By way of a fund update, as of last night's
9 close, the Florida Retirement System Trust Fund was up
10 5.3 percent fiscal year-to-date; that's 64 basis
11 points ahead of target and the increase in the balance
12 of \$1.4 billion from the onset of the fiscal year, and
13 that's net of distributions roughly \$600 million
14 monthly.

15 GOVERNOR SCOTT: So Ash, how much are we up for
16 the year, for the fiscal year?

17 EXECUTIVE DIRECTOR ASH WILLIAMS: For the fiscal
18 year is 1.4 billion net, but that's net of
19 distributions.

20 Item 1, request approval of the minutes of the
21 March 24 meeting.

22 GOVERNOR SCOTT: Is there a second?

23 ATTORNEY GENERAL BONDI: Second.

24 GOVERNOR SCOTT: Moved and seconded. Show the
25 minutes approved without objection.

1 EXECUTIVE DIRECTOR ASH WILLIAMS: Thank you.

2 Item 2, request approval of the fiscal determination
3 and connection with the issuance not exceeding \$9.25
4 million Florida Housing Finance, Corporation, mortgage
5 revenue bonds.

6 Request approval.

7 GOVERNOR SCOTT: Is there a motion?

8 ATTORNEY GENERAL BONDI: So moved.

9 GOVERNOR SCOTT: Is there a second?

10 CHIEF FINANCIAL OFFICER ATWATER: Second.

11 GOVERNOR SCOTT: Any comments or objections?

12 Hearing none, the motion carries.

13 EXECUTIVE DIRECTOR ASH WILLIAMS: Item 3, request
14 approval of the State Board of Administration proposed
15 budgets for fiscal year 2015 and '16. These include
16 the State Board of Administration, the FRS Investment
17 Plan, Florida Hurricane Catastrophe Fund, bond finance
18 and pre-paid college board.

19 Full detail has been provided to you, and I think
20 it suffices to say the theme across these budgets is
21 they continue to be mindful of costs. We continue to
22 be a low-cost provider in our space while mitigating
23 human capital risk.

24 GOVERNOR SCOTT: You've done a great job.

25 Is there a motion on the item?

1 ATTORNEY GENERAL BONDI: So moved.

2 GOVERNOR SCOTT: Is there a second?

3 COMMISSIONER ATWATER: Second.

4 GOVERNOR SCOTT: Any comments or objections?

5 Hearing none, the motion carries.

6 EXECUTIVE DIRECTOR ASH WILLIAMS: Item 4 requests
7 approvals of the reappointments of Les Daniels and
8 Michael Price and the appointment of Bobby Jones, the
9 Investment Advisory Council.

10 GOVERNOR SCOTT: Is there a motion on the item?

11 COMMISSIONER ATWATER: So moved.

12 GOVERNOR SCOTT: Is there a second?

13 ATTORNEY GENERAL BONDI: Governor, let me get all
14 four in line. Hang on.

15 Yeah, we're fine with this.

16 GOVERNOR SCOTT: Any comments or objections?

17 Hearing none, the motion carries.

18 EXECUTIVE DIRECTOR ASH WILLIAMS: Thank you.

19 GOVERNOR SCOTT: Thanks, Ash.

20 COMMISSIONER ATWATER: Governor, may I? Ash, I
21 think you need to take a minute, there was a gathering
22 of your peers last month and a recognition was made,
23 the most outstanding and innovative public fund asset
24 management in the country, and your team received the
25 distinction of being recognized among your peers as

1 Number 1.

2 GOVERNOR SCOTT: Yay.

3 EXECUTIVE DIRECTOR ASH WILLIAMS: Thank you.

4 COMMISSIONER ATWATER: Might you take a moment
5 and just share with us the attributes and the analysis
6 that would have gone into that conversation among your
7 peers. Because I know this is a selection among your
8 peers; can you kind of walk us through it?

9 I think it speaks volumes, really, to the credit
10 to you and to the team to their success; and among
11 your peers, people recognized your team as the
12 outstanding player in the country.

13 EXECUTIVE DIRECTOR ASH WILLIAMS: Thank you.
14 Well, first, I would say the key word in that is
15 "team" and it's a total organization performance.

16 And I think what's involved with this award
17 you're referring to, CFO, is organized by Investor
18 magazine. Annually, they do a series of awards called
19 the Investor Intelligence Awards, and they're sort of
20 the nerd's version of the Academy Awards in the
21 investment sector in the public end of thing. So it's
22 a pretty narrow slice of life.

23 GOVERNOR SCOTT: Red carpet, everything?

24 EXECUTIVE DIRECTOR ASH WILLIAMS: It's brown:
25 It's Government's awards.

1 At any rate, basically the things that go into
2 the award that we received are, one, investment
3 competence and consistent overall achievement over a
4 long period of time;

5 Two, that achievement is qualified by being done
6 in a way that is very intent to risk and compliance,
7 so no legal issues, no risk issues, no blow ups, none
8 of that kind of thing.

9 And also, being innovative and creative. We do a
10 lot of things very differently from a number of our
11 peers. You've heard me talk about our direct
12 investing in real estate; a number of the things
13 you've done in the alternative space that have been
14 very profitable for us, and at the same time actually
15 someone counter-intuitively reduce risk on a total
16 fund basis. And we've done all of that while
17 continuing to be a low cost provider, which you're
18 aware of.

19 So, you know, the public fund world is sort of
20 like college sports or anything else: All of the
21 coaches and staffs know each other and we all know
22 what we're doing and there's a little network. We
23 have several of our alumni from our Florida State
24 Board who are now chief investment officers in other
25 states: Wisconsin, North Carolina are two examples

1 that come to mind, and we don't want to provide our
2 staff to any more of those jobs. We want to keep them
3 here.

4 But we are proud of our honor, and it's a
5 reflection of our team, so thank you for recognizing
6 it.

7 COMMISSIONER ATWATER: It truly is, and I think
8 suddenly in the comment that the talent you have
9 in-house has been able to keep cost drivers down which
10 is provided for in the bills of returns that you can
11 stay with us or stay with the long-term participants
12 in the plan. And there is a risk, talent risk, that
13 we have to mitigate and be sure that this kind of
14 talent is performing top notch among the industry is
15 staying with us.

16 So I just know all of us feel and it's not rare
17 that we would feel questions as we are at and around
18 the state from individuals, because they are reading a
19 broader narrative as to how pensions are being
20 managed, and frankly, the challenge that so many of
21 them are in. And this is not the case in Florida, and
22 to your credit.

23 EXECUTIVE DIRECTOR ASH WILLIAMS: Thank you.

24 COMMISSIONER ATWATER: Thank you.

25 GOVERNOR SCOTT: Of course, we expected you to be

1 Number 1, and we expect you to continue to be
2 Number 1. Do you realize that?

3 EXECUTIVE DIRECTOR ASH WILLIAMS: It's a low
4 pressure environment. Thank you.

5 ATTORNEY GENERAL BONDI: Watch those benchmarks.

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DEPARTMENT OF VETERANS AFFAIRS

GOVERNOR SCOTT: Now I would like to recognize Mike Prendergast with the Department of Veteran Affairs.

COMMISSIONER PUTNAM: Before we begin a new topic, can I just -- I just want to raise the question, I assume the position descriptions for the two Cabinet agency will be posted on People First?

GOVERNOR SCOTT: We'll do one -- that's a good point, Commissioner. What I'll do is, I'll have that sent around, and if you can get it to me with your comments in the next week, we'll put it up there. And if anybody has anything they want to add to it.

COMMISSIONER PUTNAM: So if there are inquiries, we should direct them to the People First.

GOVERNOR SCOTT: Yeah.

ATTORNEY GENERAL BONDI: Instead of each other --

GOVERNOR SCOTT: As long as you do it by written is fine.

ATTORNEY GENERAL BONDI: Right. Post it and then we'll post our --

GOVERNOR SCOTT: Yeah. Yeah. Okay. Is that it?

COMMISSIONER PUTNAM: I think so, yes, sir.

1 GOVERNOR SCOTT: All right Mike.

2 DIRECTOR PRENDERGAST: Good morning, Governor
3 Scott, General Bondi, CFO Atwater and Commissioner
4 Putnam.

5 The Department of Veterans Affairs has two agenda
6 items for your consideration today.

7 Agenda Item 1 consists of the minutes for the
8 March 24, 2015, Cabinet meeting. We respectfully
9 request approval of these minutes.

10 GOVERNOR SCOTT: Is there a motion on the item?

11 ATTORNEY GENERAL BONDI: So moved.

12 GOVERNOR SCOTT: Is there a second?

13 COMMISSIONER ATWATER: Second.

14 GOVERNOR SCOTT: Moved and seconded. Show the
15 minutes approved without objection.

16 DIRECTOR PRENDERGAST: Thank you. Agenda Item 2
17 is the Agency's third quarter report for fiscal year
18 14/15.

19 Beginning with our homes program, the design for
20 the RDR (inaudible) will follow the guidelines for the
21 federal community living center model that the federal
22 VA has instituted over the last couple of years. The
23 layout will have neighborhoods that generally house
24 eight residents per neighborhood with each resident
25 having his or her private bedroom and bathroom. The

1 overall atmosphere will be more intimate and
2 esthetically pleasing design to include natural
3 materials like wood and stone with increased natural
4 light.

5 The goal will be to construct the facility so
6 that it will be green and meet lead certification
7 standards, which are Clyde Lassen State Veterans
8 Nursing Home in St. Augustine met when we designed it
9 and opened it and it was certified as gold.

10 Each home will have its own functional kitchen as
11 a common area for that home, and the design will
12 follow the latest version of VA community living
13 centers very similar to the community living center
14 over at Lake (inaudible) Medical Center which opened
15 back in December of 2014.

16 Veteran Nursing Home Care has experienced the
17 significant change of philosophy over the past several
18 years and the complexity of care in the levels of
19 service, the length of stay, architecture,
20 demographics and populations served.

21 New generational cohorts of residents will
22 require care that can only be provided in these new
23 nursing homes and by the new models. This has
24 resulted in an initiative to transfer from the culture
25 of nursing home care in the Veterans Health

1 Administration, from a medical center model where care
2 is driven by the medical diagnosis to a personal-
3 centered model, where care is driven by the needs of
4 the individuals.

5 This plan for the new home will meet those
6 requirements, and we're also looking at going back and
7 retro-actively modifying our existing homes to meet
8 the model for our personal-centered model. Going
9 forward in the future, and at a later Cabinet meeting,
10 we'll be able to provide you an update on some of
11 those grants that we will seek from the federal VA to
12 more appropriately modeled or older existing homes in
13 accordance with the new requirements.

14 FDDBA is preparing for the future by continuing
15 improving our existing structures and facilities when
16 interim technologies for support are affecting those,
17 of course.

18 Turning now to the Division of Benefits and
19 Assistance. Our claims examiners represent 237
20 Veterans before judges at the Board of Veterans
21 Appeals advocating for Veterans' benefits sought, and
22 they also reviewed more than 8,000 disability claims
23 for benefits.

24 Special thanks goes out to our team at the state
25 approving agency office led by Ms. Betsy Woodham

1 (phonetic) and supported by Ms. Katherine Snyder who
2 are instrumental with working with our House
3 leadership and our Senate leadership to insure
4 seamless delivery of post-911 GI bill benefits for the
5 Veterans' family members and their survivors, and that
6 legislation did pass both chambers and it was
7 forwarded with the Governor's signature, and that will
8 make sure we're fully compliant across the state in
9 the delivery of those benefits, which we took care of
10 for the service members last year, but through an
11 oversight we did not catch the family members and the
12 survivors.

13 And as a result of that, was Senate Bill 28 which
14 is out-of-state fee waivers for Veterans to pay which
15 is now enrolled.

16 Subject to your questions, we respectfully
17 request approval of our 3rd quarter report for fiscal
18 year 14/15.

19 GOVERNOR SCOTT: Is there a motion to accept the
20 report?

21 ATTORNEY GENERAL BONDI: So moved.

22 GOVERNOR SCOTT: Is there a second?

23 COMMISSIONER ATWATER: Second.

24 GOVERNOR SCOTT: Any comments or objections?

25 Hearing none, the motion carries.

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Thank you.

DIRECTOR PRENDERGAST: Thank you, Governor Scott,
General Bondi, CFO Atwater and Commissioner Putnam.
This concludes our report.

GOVERNOR SCOTT: Thank you.

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OFFICE OF FINANCIAL REGULATION

GOVERNOR SCOTT: Next, we have Drew Breakspear with the Office of Financial Regulation.

Good morning, Drew.

COMMISSIONER DREW BREAKSPEAR: Good morning, Governor Scott, Attorney General Bondi, CFO Atwater and Commissioner Putnam.

We have one item for your consideration today. The OFR respectfully requests approval to publish notice of proposed rule to amend rules in chapter 69V40 Florida Administrative Code, relating to mortgage brokerage.

The proposed amendments will implement the disciplinary guidelines and matrix and update these rules based on the 2014 statutory changes.

GOVERNOR SCOTT: Is there a motion on the item?

ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

COMMISSIONER PUTNAM: Second.

GOVERNOR SCOTT: Any comments or objections? Hearing none, the motion carries.

COMMISSIONER DREW BREAKSPEAR: Thank you.

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DEPARTMENT OF REVENUE

GOVERNOR SCOTT: Now, I would like to recognize Marshall Stranburg with the Department of Revenue. Good morning.

EXECUTIVE DIRECTOR MARSHALL STRANBURG: Good morning, Governor Scott, General Bondi, CFO Atwater and Commissioner Putnam.

We have three items on our agenda this morning. The first item we would respectfully request approval of the minutes of the January 13, 2015, Cabinet meeting.

GOVERNOR SCOTT: Is there a motion on the item?

ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

COMMISSIONER ATWATER: Second.

GOVERNOR SCOTT: Moved and seconded. Show the minutes approved without objection.

EXECUTIVE DIRECTOR MARSHALL STRANBURG: Thank you. Our second item is we respectfully request approval and authority to publish of proposed rule in the Florida Administrative Register for the following rules: Rules concerning the rental car surcharge and solid waste fees, delegation of authority, scholarship

1 funding organizations, sales and use tax registration
2 and the Compensation Tax Information Program.

3 GOVERNOR SCOTT: Is there a motion on the item?

4 ATTORNEY GENERAL BONDI: So moved.

5 GOVERNOR SCOTT: Is there a second?

6 COMMISSIONER ATWATER: Second.

7 GOVERNOR SCOTT: Any comments or objections?

8 Hearing none, the motion carries.

9 EXECUTIVE DIRECTOR MARSHALL STRANBURG: Thank
10 you. And our third item is we respectfully request
11 approval and authority to publish notices of proposed
12 rule in the Florida Administrative Register for the
13 following rules: Rules concerning the timely filed
14 motor fuel returns, the ACH credit method of
15 remittance, disclosure procedures, and the reporting
16 of large currency transactions.

17 GOVERNOR SCOTT: Is there a motion on the item?

18 CHIEF FINANCIAL OFFICER ATWATER: So moved.

19 GOVERNOR SCOTT: Is there a second?

20 ATTORNEY GENERAL BONDI: Second.

21 GOVERNOR SCOTT: Any comments or objections?

22 Hearing none, the motion carries. Thank you,
23 Marshall.

24 EXECUTIVE DIRECTOR MARSHALL STRANBURG: Thank
25 you.

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AGENCY MEASURES

GOVERNOR SCOTT: Next on the agenda we have the agency measures for the Office of Insurance Regulation presented by Kevin McCarty.

COMMISSIONER KEVIN McCARTY: Good morning, Governor, members of the Commission. I thank you for the opportunity to be here today.

At our previous meeting, I did have the opportunity of looking at the agency functions and basically three broad rubric consumer protection market development as well as regulatory efficiency. We also explore the mission of the office in certain terms of providing Florida an economically competitive marketplace while protecting our consumers, and we looked at the functional areas within the office which included our licensing and market development, as well as our great inform review process, our solvency review and enhancement, market conduct and consumer protection as well as data collection reports and information to the provided to the consumers.

I did take the opportunity, of course, in our last presentation to go over a number of the suggestions and initiatives by all of you from over the previous meetings. We had an opportunity this

1 week to review with the latest proposal put forward by
2 our CFO, which I think embodies much of what we have
3 discussed in terms of the quantifiable measures for
4 the Office with regard to the subject matters, the
5 broad areas of responsibility for the Office of
6 Insurance Regulation.

7 I also notice that under one area that concerned
8 the Governor and myself was the measure on the market
9 conduct violations, which resulted in taking action.

10 And I see that the CFO has restructured that to
11 address remediation; and, I think, that goes to the
12 issue raised by AG Bondi when she was encouraging us
13 to put forward measures where we would encourage
14 self-reporting. So one of the results when I looked
15 at a wave of data from our previous market conducts,
16 you'll see that remedial action means that the company
17 has come in, identified their problem, and has already
18 corrected the problem and made the consumer whole;
19 which we consider remediation as opposed to
20 enforcement, which would result in a fine, which we
21 don't think is necessary in that case. So we think
22 that is an improvement on the suggestions that we had
23 previously made in our meetings.

24 Overall, I think there's the measured description
25 that put forward, I think we find to be a very useful

1 tool for measuring the office. It has advantages that
2 in many ways it represents the measures that are done
3 for smart goals for allowing for measurements on a
4 scaled proportion, but it also provides weights, which
5 gives you the opportunity to tell us what you think is
6 most important for us to focus our resources.

7 I also understand from our conversations that
8 these are good ways of quantifying things for us to
9 achieve, but they're also qualitative measures that
10 need to be reviewed. And I appreciate commissioner
11 Putnam's series of questions. I think are they very
12 helpful in making sure, at that time, the Agency is
13 aligning its resources and also has an opportunity for
14 us to identify external challenges, how we address
15 challenges and exercise leadership for the Agency for
16 the betterment of our program and also protection of
17 our consumers.

18 So that's what I wanted to suggest for you today.
19 And I'm prepared to -- I know you have put forth a
20 series of questions, as well as performance measures,
21 and I think that would be helpful and we would be
22 happy to go through those. We'll also understand that
23 much of that is not necessarily something that can be
24 measured, but it might be something that could be
25 reported on so that it could help refine and define

1 performance measure in the future.

2 GOVERNOR SCOTT: All right. So let's go through
3 the -- so, let's go down.

4 The first one that we had, and I guess you had
5 recommended that we had presented for complete
6 application, and I think the CFO had the same thing.
7 Percentage of applications for a new authority of
8 process within 90 days

9 And you think it should be 90 days rather than
10 180?

11 COMMISSIONER KEVIN McCARTY: Yes.

12 GOVERNOR SCOTT: All right.

13 The second one, percentage of completed
14 applications for new types of insurance added to an
15 existing certificate of authority processed within 180
16 days, do you think that's a good measurement, or
17 irrelevant? Because that was in ours and I don't
18 think that you had picked it up in yours.

19 COMMISSIONER KEVIN McCARTY: What document are we
20 operating on? I'm sorry.

21 GOVERNOR SCOTT: I was going through the one back
22 in February. I had sent out a proposal, so I think it
23 sounds like everybody was probably okay for percentage
24 of applications for new certificate authority process
25 within 90 days because that was both picked up within

1 yours and the CFO. Mine was 180, but I think 90 is
2 great. Then I had percentage of complete applications
3 for new types of insurance added to existing
4 certificate, it seems to me we're trying to get more
5 people to come in and do business in the state, so I
6 would like to know that.

7 Do you think it matters -- do you think the
8 second measurement that I had was helpful, not
9 helpful, in how you measure your agency?

10 COMMISSIONER KEVIN McCARTY: Is that the -- let
11 me see I make sure. I'm sorry I'm having trouble.
12 The percentage of complete applications types of
13 insurance added to an existing certificate of
14 authority process with 180 days or percentages of...

15 GOVERNOR SCOTT: And it's really the next two
16 that are very similar but two different things.

17 COMMISSIONER KEVIN McCARTY: Is that G-3, sir?

18 GOVERNOR SCOTT: Yeah, 2 and 3.

19 COMMISSIONER KEVIN McCARTY: Yes, that certainly
20 is something we could do.

21 ATTORNEY GENERAL BONDI: Governor, may I?

22 GOVERNOR SCOTT: Sure.

23 ATTORNEY GENERAL BONDI: I guess we have to
24 understand that these are guidelines -- and correct me
25 if I'm wrong, Kevin -- but if someone wants an

1 extension because their application isn't complete,
2 the 100 percent worries me. There's always going to
3 be exceptions to the rule, and I think we have to
4 understand that. And I'm just saying this off of the
5 top of my head. Let's say State Farm wanted to come
6 in and add that or do something to change -- I'm just
7 giving an example out there that's not very realistic,
8 but assuming that happened, then more time may be
9 needed.

10 So that may skew the numbers, and we have to look
11 at that as opposed to a company completely withdrawing
12 and having to start all over again.

13 GOVERNOR SCOTT: Right. Makes sense. Sure.

14 ATTORNEY GENERAL BONDI: And I think your
15 questions after that --

16 GOVERNOR SCOTT: Right.

17 ATTORNEY GENERAL BONDI: -- factor that in.

18 GOVERNOR SCOTT: Yeah.

19 ATTORNEY GENERAL BONDI: I am assuming that's why
20 you put those in there, that there are going to be
21 exceptions to the rule.

22 GOVERNOR SCOTT: Right. There always is.

23 ATTORNEY GENERAL BONDI: Right.

24 COMMISSIONER ATWATER: Can I ask a question of
25 you on that one?

1 First, as we go through this, Governor, you're
2 suggesting to me this first time through we would try
3 to identify the measure itself before talking about
4 weights or ranges of success; just that we'll come
5 back to that?

6 GOVERNOR SCOTT: Yeah.

7 CHIEF FINANCIAL OFFICER ATWATER: (Inaudible).

8 So this one, your point being, the first one we
9 talked about is a brand new player that comes into the
10 Florida market looking to do business; that's one
11 standard. The other is, players are here today that
12 might want to expand their range of services, how
13 quickly are we acting on those.

14 GOVERNOR SCOTT: Right, right.

15 CHIEF FINANCIAL OFFICER ATWATER: Okay. Let me
16 ask, Commissioner, should that be -- is there anything
17 consistent about 90 days or did we already chat on
18 that, for the first two measures or the next measure
19 that the Governor was presenting: For a player that's
20 here today for a certificate that would like to
21 broaden their portfolio, should we be consistent at 90
22 days, or does 180 make more sense for someone that's
23 already here?

24 COMMISSIONER KEVIN McCARTY: And that's adding a
25 line of business. The statute allows for 180 days,

1 but we can certainly set a timeline less than that.

2 COMMISSIONER ATWATER: But we just did on the one
3 above it, correct?

4 COMMISSIONER KEVIN McCARTY: That's correct.

5 GOVERNOR SCOTT: Kevin, are you okay with 90?

6 COMMISSIONER KEVIN McCARTY: Yes.

7 GOVERNOR SCOTT: There's no reason to be
8 different, right?

9 COMMISSIONER KEVIN McCARTY: No.

10 GOVERNOR SCOTT: And assume we already had in our
11 proposal 90, and is that one you're okay with; does
12 that make sense?

13 COMMISSIONER KEVIN McCARTY: Yes, sir.

14 GOVERNOR SCOTT: Okay. All right, so then my 4th
15 one, how many new insurance company applications were
16 rejected/disapproved last year, and why were they
17 rejected/disapproved.

18 So is there a reason not to have -- for us to
19 have that sort of data; wouldn't that be something
20 that would be helpful to us?

21 COMMISSIONER KEVIN McCARTY: Sure.

22 ATTORNEY GENERAL BONDI: Governor, that explains
23 my issue with it and talk about how many.

24 COMMISSIONER ATWATER: That's just dated then
25 Governor.

1 GOVERNOR SCOTT: Yeah. Yeah, I don't think
2 there's no measurements; it's just something that I
3 think it's helpful to know.

4 And how many insurance applications were
5 withdrawn last year, I think that's helpful to know.

6 COMMISSIONER KEVIN McCARTY: Sure.

7 GOVERNOR SCOTT: How many insurance company
8 applications were returned as incomplete; how many new
9 insurance company applications were listed last year;
10 percentage of increase of applications for new life
11 and health certificates and authorization filed with
12 the Office over the year.

13 COMMISSIONER KEVIN McCARTY: Can I discuss that
14 one in more detail?

15 GOVERNOR SCOTT: Sure.

16 COMMISSIONER KEVIN McCARTY: That's a little
17 challenging in order to set a performance measure on,
18 because here we're setting a standard plus-10 percent.
19 This would be something that would be interesting to
20 capture, but the percentage change could seem
21 significant but if the number is --

22 GOVERNOR SCOTT: Kevin, I agree with you. Let's
23 just capture the data. Yeah, I think you're right.

24 ATTORNEY GENERAL BONDI: I do, too.

25 GOVERNOR SCOTT: Yeah, I agree.

1 ATTORNEY GENERAL BONDI: And I had a note on
2 that, Governor. I do, too.

3 GOVERNOR SCOTT: You did the same thing on
4 Number 9 percentage of recent application for property
5 and casualty?

6 COMMISSIONER KEVIN McCARTY: Yes, sir.

7 GOVERNOR SCOTT: Let's just get the data and we
8 can look at it.

9 COMMISSIONER KEVIN McCARTY: Yeah.

10 GOVERNOR SCOTT: And then the next one is number
11 of companies. It's just data.

12 ATTORNEY GENERAL BONDI: So Governor, wait. 8
13 and 9 were just switching us to NA, right?

14 GOVERNOR SCOTT: Yeah, I think we going to take,
15 Kevin, 8, 9 and 10 all -- it's hard to have -- do you
16 think you can even have a goal on number 10?

17 COMMISSIONER KEVIN McCARTY: Yeah. I mean, we
18 can have a goal, but I just think -- I don't know that
19 we're capturing what you really want to capture.

20 For instance, we've had company -- a large title
21 company that moved their entire operation to
22 Jacksonville, Florida, but stayed domesticated in
23 other states. So part of what we're seeking to do is
24 bringing their jobs in the development of Florida but
25 they still may be domicile.

1 Similarly, a company can redomesticate and keep
2 all of their employees within another state because
3 they find our reserving laws more advantageous, but
4 they may have reason, because they're part of a larger
5 group, just to remain domestic. So I think we can
6 capture the data but I don't know if setting a
7 standard really captures anything that we're using.

8 GOVERNOR SCOTT: I think it makes sense. So
9 we'll just capture the data on that one, also.

10 Number 11, number of jobs that are associated
11 with each insurance company that has redomesticated;
12 again, do you think you can have a goal or just fair
13 to get the information?

14 COMMISSIONER KEVIN McCARTY: Again, I really want
15 to go back to redomestication does not necessarily
16 equate to jobs. It could simply be just like you
17 would register your business in Delaware because of
18 the favorable laws and then have all of your jobs in
19 New York City, makes sense.

20 GOVERNOR SCOTT: I agree with you.

21 So we would want to have a standard there and
22 we'll get the data.

23 Okay. Life and health forms. See, I think -- I
24 don't think there's difference between what you-all
25 proposed and what I had or what the CFO had, right?

1 ATTORNEY GENERAL BONDI: Right.

2 GOVERNOR SCOTT: Okay, next. Percentage of life
3 and health forms reviews completed within 30 days is
4 required. Any reason not to include that one?

5 COMMISSIONER KEVIN McCARTY: Well, I think that
6 varies from the one above, because under 627.410, it's
7 30 plus 15, so under Florida law it would be 45 days.

8 GOVERNOR SCOTT: 45?

9 COMMISSIONER KEVIN McCARTY: Yeah. And that
10 coincides with the CFO.

11 ATTORNEY GENERAL BONDI: And Governor, again, I
12 think all of your last questions are very relevant
13 because they're explaining why something -- correct,
14 Kevin -- wouldn't be 100 percent, because of an
15 incomplete form, things omitted from a form, things
16 withdrawn; is that correct?

17 COMMISSIONER KEVIN McCARTY: Yeah. I would, you
18 know, I again look back at what the CFO had presented
19 in having ranges, because I think under the guidance
20 we have from TMS on smart goals, it's really hard to
21 set 100 percent smart goal. There would be a number
22 of reasons why you wouldn't want to do that. And we
23 would suggest that having some range where you get
24 evaluated, if you fall within that range, you know,
25 hopefully you will get 100 percent. But there may be

1 cases where you get something less than that, but
2 pretty close less, at 99 percent, which I think
3 achieves largely what we're trying to do in terms of
4 speed the mark for products.

5 GOVERNOR SCOTT: Kevin, can you go back and
6 explain. The statute is 30 days on my number tab 13.
7 It says, "Percentage of life and health file reviews
8 completed within 30 days." Isn't that what's
9 required?

10 COMMISSIONER KEVIN McCARTY: 45 days.

11 GOVERNOR SCOTT: Oh, the statute is 45 days?

12 COMMISSIONER KEVIN McCARTY: Yes.

13 GOVERNOR SCOTT: If you would just confirm that.

14 COMMISSIONER KEVIN McCARTY: Yes.

15 GOVERNOR SCOTT: I just want whatever the statute
16 is, confirm that, okay?

17 COMMISSIONER KEVIN McCARTY: Yes.

18 GOVERNOR SCOTT: Okay? This is just data by an
19 insurance company, form filings that were approved,
20 disapproved. So we have the data.

21 So, Kevin, going down through all of these data,
22 you agree that it would be helpful for us to have the
23 data, right? So we include all of the data on those.

24 COMMISSIONER KEVIN McCARTY: Right, right. Just
25 to be mindful of that, that may not necessarily add up

1 to 100 percent.

2 GOVERNOR SCOTT: Right.

3 COMMISSIONER KEVIN McCARTY: Because there are
4 things that are filed for acknowledgement, there are
5 things that are filed for informational purpose only,
6 and if you want we can capture that as well so we can
7 kind of give you the full picture.

8 GOVERNOR SCOTT: Yeah, you can do that. That
9 would be helpful.

10 COMMISSIONER KEVIN McCARTY: Sure.

11 GOVERNOR SCOTT: Okay, going down to CFO's 3rd
12 and my 22nd point, percentage of (inaudible) that 45
13 days within. So you're fine with 45 days, so that's
14 what we'll do on that one.

15 ATTORNEY GENERAL BONDI: Governor, are you on 22?

16 GOVERNOR SCOTT: Yeah. So that's 45 days. So
17 the filing reviews; you're doing both of them in 45
18 days?

19 COMMISSIONER KEVIN McCARTY: We'll do the form
20 filing in 45 days.

21 GOVERNOR SCOTT: And the re-filing in 90?

22 COMMISSIONER KEVIN McCARTY: The rate filing in
23 90.

24 GOVERNOR SCOTT: So my recommendation on that
25 one, and yours, and the CFO's; is that right, because

1 is that what the statute requires?

2 COMMISSIONER KEVIN McCARTY: Yes. The statute
3 requires different things in different places. I
4 think we want to excise or take out workers' comp
5 because I think that's a different measure. But since
6 it's a price-administered state, and it's the only
7 price in the state, it probably doesn't really matter
8 in terms of speed to market. They all set the rates
9 for January 1st, but that just happens to be an
10 explanation as an outlier.

11 GOVERNOR SCOTT: Okay. Then CFO's 4th -- see, I
12 think on mine the statute requires 30 days and y'all
13 have 90. What's the difference there? Mine is on
14 property and casualty rate filing reviews.

15 ATTORNEY GENERAL BONDI: Number?

16 GOVERNOR SCOTT: My Number 23.

17 COMMISSIONER KEVIN McCARTY: Percentage of
18 property and casualty form filing reviews completed
19 with 30, and we would suggest making that 45.

20 GOVERNOR SCOTT: I think the statute -- I think
21 the statute -- I don't know if anybody has the statute
22 here.

23 ATTORNEY GENERAL BONDI: We do.

24 COMMISSIONER KEVIN McCARTY: 627.410 governs both
25 property and casualty as life and health. It says 30

1 days and 15 days with the option of --

2 ATTORNEY GENERAL BONDI: Governor, may I? It
3 gives you a 15-day extension if you need it.

4 GOVERNOR SCOTT: The agency or the company?

5 ATTORNEY GENERAL BONDI: Per statute.

6 GOVERNOR SCOTT: All right. So -- and do you
7 need more than 30?

8 COMMISSIONER KEVIN McCARTY: Yeah, I do, and let
9 me tell you why I think that it is. I think that the
10 industry spokesperson that I have talked with would
11 appreciate that. You can use an extra 15 days to
12 close out what may be a several-hundred page complex
13 form filing. There's a few residual issues that can
14 be resolved. I think in the interest of speed to
15 market is more important for us to resolve that than
16 to disapprove or have them withdraw that, and I think
17 for the most part that's very helpful.

18 Now remember, we're only talking property and
19 auto because for the forms for commercial they can
20 certify, so that's not an issue there.

21 ATTORNEY GENERAL BONDI: And you don't anticipate
22 that happening often, but it's better to have someone
23 extend as opposed to withdraw, correct, because then
24 have you to start all over again? Is that why that
25 buffer is in there?

1 COMMISSIONER KEVIN McCARTY: Right, and then
2 there's attended issue of the cost of a disapproval.

3 ATTORNEY GENERAL BONDI: Exactly.

4 COMMISSIONER KEVIN McCARTY: And frankly, for the
5 companies, the stigma of the disapproval even if you
6 ultimately end up resolving it, any IC model is 30 and
7 30, so our statute is actually less than the NEIC
8 model.

9 ATTORNEY GENERAL BONDI: And I think Governor's,
10 all of his next questions will cover this, but you
11 don't anticipate that happening very frequently?

12 COMMISSIONER KEVIN McCARTY: Some form filings
13 are done well within the 30 days, and the more
14 complicated ones require a little more extra time, and
15 I think that we would appreciate that and I think
16 that's --

17 ATTORNEY GENERAL BONDI: A buffer.

18 COMMISSIONER KEVIN McCARTY: Yeah.

19 GOVERNOR SCOTT: Okay. So we all agree then the
20 time frame on this one is not 30 or not 90; it's 45?

21 COMMISSIONER ATWATER: That's on form.

22 ATTORNEY GENERAL BONDI: (Inaudible).

23 GOVERNOR SCOTT: That's on -- yeah, number four.
24 You-all's number 4 and my number 23, and that's the
25 property forming review.

1 ATTORNEY GENERAL BONDI: Governor, I'm going on
2 yours; 23, right? Governor, can we word it something
3 about -- I don't know if "hopeful" is the right word,
4 but to do our best within 30 days, but there will be
5 circumstances where it will be 45?

6 GOVERNOR SCOTT: The only thing you can do is,
7 another way of doing that, Attorney General, is to say
8 have a goal for 30 days and a goal for 45, but I don't
9 know if that makes sense from y'all's stand point.

10 COMMISSIONER KEVIN McCARTY: Yeah. What I would
11 like to suggest doing for this first go-around is why
12 don't we collect the data for you on 30 days and 45
13 days, and then we can see that then, say, hey, next
14 year why don't you see if you can get that percentage
15 up a few points.

16 GOVERNOR SCOTT: Okay. So we'll add the data.
17 We'll have leave us the 45, and then we'll have the
18 data for 30 and 45 days?

19 COMMISSIONER KEVIN McCARTY: That seems
20 reasonable, yeah.

21 GOVERNOR SCOTT: Okay.
22 You're okay with this 24 through 33?

23 COMMISSIONER KEVIN McCARTY: Yes.

24 GOVERNOR SCOTT: Data.

25 COMMISSIONER KEVIN McCARTY: Yes.

1 GOVERNOR SCOTT: Everybody is okay with that?
2 Then your and CFO's number 5 says percentage and
3 (unintelligible).

4 Okay. Here's -- so you said percentage with
5 which the Office requires companies to mediate.

6 Here my overall concern for this is, I think if
7 you have this and you put it at goal, and then
8 naturally you'll have a goal of what you've got to --
9 whether it makes sense or not, you have to take the
10 enforcement action, because you're going to want to
11 reach your goal.

12 What number do you want to be? Do you want to be
13 in last place or first place? I imagine you want to
14 be in first place, right?

15 So if you set a goal, you're going to reach it,
16 right?

17 COMMISSIONER KEVIN McCARTY: Yes, sir. I think
18 that's why the change that has been made addresses
19 that issue to a large extent, and instead of saying
20 enforcement action taken, say the issue has been
21 remediated. And by "remediated," it could be like we
22 had three self-reported incidents last year. We have
23 60-something market conducts we did. We found
24 violations in some; others self-reported. It just
25 gives us an opportunity to look at the gravity of the

1 mistake; see whether it was something that systematic
2 and repeated and what actions the company took, take
3 into consideration mitigating factors, and if they
4 made the consumer whole and there's no other thing
5 necessary, there's no fine, and then the issue has
6 been remediated. And so, we can set a goal with
7 regard to that, because that way you're not incurring
8 unnecessary finding or unnecessary investigations.

9 One of the things that Florida has done is we
10 moved away from standard market conduct examinations
11 where that kind of measurement may have made more
12 sense. We are more focused on a complaint driven
13 through our cooperations with the CFO's office, as
14 well as different risk-based analysis, as opposed to
15 road-to-market conduct going in every three to five
16 years to review.

17 So a number of our market conducts are relatively
18 small, and so I just think we -- protecting consumers
19 is such an important part of the work we do, that I
20 would like to have some measure in there. And I think
21 from moving, taking enforcement action to taking
22 remedial action takes away the incentive for the
23 Agency to look at punishing companies. Does that make
24 sense?

25 COMMISSIONER ATWATER: Governor?

1 I think we try to find a better way, but I feel
2 more comfortable if we followed the data for a year.

3 GOVERNOR SCOTT: I agree with that.

4 COMMISSIONER ATWATER: I don't want to appear we
5 have to pull the system on it.

6 ATTORNEY GENERAL BONDI: Do you mean with the
7 long-range plan, CFO?

8 COMMISSIONER ATWATER: Our numbers I know are
9 different.

10 GOVERNOR SCOTT: On the question on Number 5.

11 ATTORNEY GENERAL BONDI: Okay, I'm on yours.

12 GOVERNOR SCOTT: Yeah, just look at my number,
13 Number 34. So I think what the CFO was saying is we
14 look at the data. So the number of market conduct
15 examinations with violations in which the offices
16 takes, do you want to do full enforcement action and
17 remediation.

18 COMMISSIONER ATWATER: Why don't we follow that
19 for the year, and I would feel better about that, next
20 year.

21 GOVERNOR SCOTT: Kevin, does that make sense to
22 you?

23 COMMISSIONER KEVIN McCARTY: Should the data be
24 remedial, enforcement or both?

25 GOVERNOR SCOTT: Both.

1 COMMISSIONER ATWATER: Both.

2 COMMISSIONER KEVIN McCARTY: Got you.

3 GOVERNOR SCOTT: Is everybody okay?

4 ATTORNEY GENERAL BONDI: Yes.

5 GOVERNOR SCOTT: All right. All right, so I'm on
6 35 and y'all's number 6. Percentage of priority
7 (inaudible) financial examinations is required 18
8 months so you're (inaudible.)

9 COMMISSIONER KEVIN McCARTY: Yes.

10 GOVERNOR SCOTT: So what's the difference?

11 COMMISSIONER KEVIN McCARTY: The scale the CFO
12 uses.

13 GOVERNOR SCOTT: But as far as the wording,
14 there's no different than what I'm saying?

15 COMMISSIONER KEVIN McCARTY: No.

16 GOVERNOR SCOTT: (Inaudible).

17 COMMISSIONER KEVIN McCARTY: No.

18 GOVERNOR SCOTT: All right, that's fine. So then
19 the next are percentages of life insurance -- so is
20 there any reason not to have next one in my 36?

21 COMMISSIONER KEVIN McCARTY: I'm not sure how
22 that's -- is that different than the one above it?

23 COMMISSIONER ATWATER: The one above it was
24 inclusive of.

25 COMMISSIONER KEVIN McCARTY: Life and health and

1 PNC. I got it. You can really say the same just
2 really have 35 so --

3 GOVERNOR SCOTT: So 36 is including 35?

4 COMMISSIONER KEVIN McCARTY: Yeah, and so is 37
5 included in 35.

6 ATTORNEY GENERAL BONDI: And you were president
7 of your association, correct?

8 COMMISSIONER KEVIN McCARTY: Yes, ma'am.

9 GOVERNOR SCOTT: Okay. So we'll leave out 36 and
10 37 because you believe they're all included in 35.

11 COMMISSIONER KEVIN McCARTY: Yes.

12 GOVERNOR SCOTT: On the line which you and the
13 CFO have will be the language that we use. It doesn't
14 really matter to say it required.

15 Everybody is okay with that?

16 ATTORNEY GENERAL BONDI: Yes.

17 GOVERNOR SCOTT: Okay, my Number 38. So there's
18 really no difference there. My scale was -- yours
19 was -- mine was 100 percent, and yours was 98.

20 COMMISSIONER ATWATER: Governor, maybe we can
21 just come back to that at the end, but yeah, I think
22 we're really saying the same thing.

23 GOVERNOR SCOTT: Okay. Okay. All right. So no
24 one has a problem. We need to come back and look at
25 the goal. Okay. Then, the next one, and there's

1 really no difference there. Again, it's just a goal.

2 All right. Everybody is okay with that?

3 Okay. Number 40, what is the percentage
4 increased from domestic insurance over last year.
5 Anybody have any problem giving that data?

6 COMMISSIONER KEVIN McCARTY: Yeah, and capturing
7 the data, but when we capture this data it was for the
8 selective purposes of looking at what was happening to
9 Florida domestic companies as a result of the sinkhole
10 crisis, and how much it depleted and how much with the
11 changes that the Legislature made that we were able to
12 rally and build up you're surplus.

13 Surplus dedicated on a state basis is very, very
14 difficult to quantify because you really have to look
15 at businesses that are only doing business in one
16 state. Because as soon as you go beyond that state,
17 that capital is not dedicated to just the state of
18 Florida; it's dedicate to the other states they're
19 doing business in.

20 So we can capture that, but let's say if a large
21 company decides to write in 15 more states, it's
22 really no longer just a Florida domestic; it's a
23 regional company.

24 GOVERNOR SCOTT: So Kevin, when they do that, are
25 they put the entire surplus at risk for every state or

1 are they doing that through subsidiaries?

2 COMMISSIONER KEVIN McCARTY: Depending. If they
3 can set up a Florida-only company and then dedicate
4 that surplus just to that state, but many of our
5 indigenous companies have come out of the hurricane
6 season, 2004/2005 were started in Florida and now have
7 expand to other states, and that surplus is for the
8 use and benefits of all of the states. And if they
9 add lines of business, it's not just dedicated to
10 homeowners; it's dedicated to whatever line of
11 business they added.

12 GOVERNOR SCOTT: So Kevin, if we wanted to find
13 out what would be the standard to know whether our
14 insurance companies -- and you pick it by area whether
15 their surpluses are going up or going down. Is there
16 a standard that we can use that would give us an
17 indicator? Because if the surplus is going down -- it
18 might need to be something we need to look at to see
19 if we need to make changes, right?

20 COMMISSIONER KEVIN McCARTY: That's correct. And
21 again, I use that as a proxy for identifying problems
22 to the Legislature, but I was able to use a subset of
23 companies doing business in Florida, looking at their
24 Florida business because it was only dedicated to
25 Florida.

1 Markets change very quickly, and it's very common
2 for companies once they get to cut their teeth in
3 Florida they're pretty well prepared to do business in
4 any state, because if you can do business in Florida,
5 you can do business elsewhere. And part of their
6 strategy is to diversify their portfolio and spread
7 their geographic risk across the country.

8 Once they start doing that, it really diminishes
9 the kind of ability to use that as an analytical tool.

10 GOVERNOR SCOTT: So Kevin, let's take property
11 and casualty for a second. On property and casualty,
12 what percentage of the companies that are doing
13 business in Florida are taking risk with that same
14 surplus in other states? Is it a high percentage?

15 COMMISSIONER KEVIN McCARTY: Yeah, it is. It is.
16 I can get you the number. The number of Florida-only
17 companies is now is really relatively small.

18 GOVERNOR SCOTT: So companies like State Farm,
19 they're not doing business in Florida through
20 subsidiaries where they limit their risk?

21 COMMISSIONER KEVIN McCARTY: Yeah, some of the
22 large nationals have set up Florida companies.

23 GOVERNOR SCOTT: Is that too much?

24 COMMISSIONER KEVIN McCARTY: We could do that,
25 but somebody like United PNC, which started as a

1 Florida company is now in 15, 17, states. ASO, Jon
2 Ivers' company, which was a large company but very
3 good company is now also in 15 or 20 states. As a
4 matter of fact, maybe 15 or 20 percent of their total
5 portfolio is in Florida.

6 GOVERNOR SCOTT: So is it valuable to look at the
7 domestic companies that only do business here and see
8 what happens in their surplus and the ones that do
9 business everywhere separately? Is that even going to
10 be helpful to us, do you think?

11 COMMISSIONER KEVIN McCARTY: I don't know that
12 how particularly helpful. I think it would be helpful
13 for us to track on the PNC side what's going on,
14 because perhaps that will identify other issues
15 that -- the next new sinkhole -- but we have to caveat
16 that data we capture they might have some explanations
17 company X,Y,Z has now expanded to six or seven states,
18 or they have diversified to other states, or they set
19 up a holding company and diversify and took some of
20 capital for the Florida company and set up companies
21 in Texas and New Jersey. So...

22 GOVERNOR SCOTT: Why don't we do this? Why don't
23 we just do PNC. Since it's okay with everybody, we'll
24 just do PNC, and you give us the data for that entity
25 that only does business here. Like it would capture a

1 State Farm subsidiary or one of the other companies
2 that's just doing business here and then separately
3 capture the ones that do business in multiple
4 jurisdictions, so we at least see what happen to
5 capital.

6 COMMISSIONER KEVIN McCARTY: And we're looking
7 at, were primarily looking at the homeowner's market,
8 I assume.

9 GOVERNOR SCOTT: Yes. Does that make sense?

10 COMMISSIONER KEVIN McCARTY: Yeah, that would be
11 much easier to track.

12 GOVERNOR SCOTT: Is that okay with everybody?

13 COMMISSIONER KEVIN McCARTY: And we may find in
14 the fullness of time, as markets change, it's not
15 terribly useful.

16 GOVERNOR SCOTT: So we'll find out over time.
17 Just like in business you find out over time.

18 COMMISSIONER KEVIN McCARTY: Okay.

19 GOVERNOR SCOTT: Okay. All right, so number 41
20 on mine, I think everyone has the same. The waiting.

21 Kevin, on yours, you have as a percentage of
22 total agency costs, so your number is a little bit
23 higher than mine?

24 COMMISSIONER KEVIN McCARTY: I'm fine with 8%.

25 GOVERNOR SCOTT: And what do you think the number

1 ought to be?

2 COMMISSIONER KEVIN McCARTY: We're fine with 8%.
3 When I was going through this exercise, I kind of did
4 a little homework project, and I looked at different
5 agencies across the state and in how they calibrate
6 and define administrative costs, and they're all over
7 the board.

8 GOVERNOR SCOTT: Yeah.

9 COMMISSIONER KEVIN McCARTY: And so I think for
10 this to be useful for you and your agencies, as well
11 as Cabinet agencies, we need to try and define what
12 that means. And in some cases, they only count
13 administrative staff; other areas they count executive
14 staff; other areas include legal instead of
15 enforcement. They have that administrative. So
16 instead of people playing with the numbers, if we can
17 come up with a common definition and that way we can
18 all be looking at apples and apples.

19 GOVERNOR SCOTT: You're comfortable with the 8%,
20 right?

21 COMMISSIONER KEVIN McCARTY: Yes, sir.

22 GOVERNOR SCOTT: If everybody's okay, but you
23 will write down a definition of what that means?

24 Because here's my belief. My belief is that
25 state grows, and hopefully 300,000 people will move

1 here this year. Here as a percentage of revenue, your
2 measuring costs ought to be able to come down because
3 there ought to be some synergies as you get bigger; no
4 different than a business.

5 COMMISSIONER KEVIN McCARTY: Uh-huh.

6 GOVERNOR SCOTT: I mean, that should be the goal.
7 You've got to look at it and some things could change.
8 Same thing we did in business. We want our as
9 percentage of revenues.

10 ATTORNEY GENERAL BONDI: And Governor, I think
11 it's completely relevant to the mission.

12 GOVERNOR SCOTT: Yeah.

13 COMMISSIONER KEVIN McCARTY: Right.

14 GOVERNOR SCOTT: So everybody is okay with that?
15 All right. So now my 42. I think this is -- so are
16 you -- are we at the same measurement? So is there,
17 do you have a different standard or did you want a
18 different standard than what we proposed?

19 CHIEF FINANCIAL OFFICER ATWATER: I think your
20 comment, Governor, was we have agreed on measures.
21 It's just the goal, and we try to get to those
22 percentages, those numbers. Maybe we can cover that.

23 GOVERNOR SCOTT: All right.

24 COMMISSIONER PUTNAM: How do you resolve the
25 common definition of what is administration?

1 GOVERNOR SCOTT: I think what we're going to do
2 is you're comfortable with 8%. To start off, we're
3 going to agree -- but we're going to agree on 8%.
4 This will be your standard. You will write down so we
5 know exactly what apples, what we're measuring. So
6 each year we might want to change this goal, and you
7 might want to come back and say, "No, this goal is too
8 low or too high."

9 COMMISSIONER KEVIN McCARTY: Yes, sir.

10 GOVERNOR SCOTT: And I think you should be lower.

11 COMMISSIONER PUTNAM: So what's our baseline
12 here? Last year.

13 GOVERNOR SCOTT: I think last year -- Kevin, do
14 you know where you were last year?

15 COMMISSIONER KEVIN McCARTY: Yeah, we were a
16 little higher than that, but we used the same kind of
17 metrics that some of the agencies but not all other
18 agencies. We included all of the senior management,
19 all of my salary, all of that as administrative. In
20 my one good argument, that's not all administrative;
21 it's executive direction, but maybe not all
22 administrative, so we could take a critical look at
23 what that means.

24 GOVERNOR SCOTT: Why don't we do that and we'll
25 go back. But let's do 8%. Let's do all costs, okay?

1 And then you'll tell us if you think there's some
2 problem with that.

3 COMMISSIONER KEVIN McCARTY: Okay.

4 GOVERNOR SCOTT: Okay?

5 COMMISSIONER KEVIN McCARTY: That's fair.

6 GOVERNOR SCOTT: Because I think this is a start
7 of measurement, and I think we are going to see over
8 time the more you measure -- we look at it and
9 probably try to find some synergies, because again,
10 you want to be number one.

11 COMMISSIONER KEVIN McCARTY: Yes, sir.

12 CHIEF FINANCIAL OFFICER ATWATER: Commissioner, I
13 think that's a good point, and I think when we come to
14 the final, you know, standard as the Commissioner just
15 mentioned, defining which costs will now be included
16 within this measure so that we all see it.

17 And we know -- but you might -- we may be passed,
18 but I hope you continue to think about whether the
19 association has different efficiency measures that you
20 haven't brought forth to us yet, or whether it's total
21 cost of percentage of premium written, or whatever
22 else the associate is made to look at; how efficient
23 is the state agency performing its task.

24 COMMISSIONER KEVIN McCARTY: And that's a
25 question I think is embodied in the later question,

1 which asks, what are some of the objective measures
2 you can measure your performances, and there are a
3 couple of things out there through the association,
4 and we can measure both our efficiency as well as our
5 performance measure in terms of rate performance
6 reviews so we can actually benchmark against other
7 states.

8 CHIEF FINANCIAL OFFICER ATWATER: Maybe we can
9 see that, Governor, and at some point insert those as
10 a far better measure as the one we're picking out, but
11 this is a good start.

12 COMMISSIONER KEVIN McCARTY: Yeah.

13 GOVERNOR SCOTT: My goal at least would be -- and
14 you can look at this -- I would like for you to agree
15 on something may not be changing every month.

16 COMMISSIONER KEVIN McCARTY: No.

17 GOVERNOR SCOTT: You like to know how to elect
18 measures because you probably want to succeed.

19 COMMISSIONER KEVIN McCARTY: Yeah.

20 GOVERNOR SCOTT: Like everybody else.

21 So Kevin, on my 43, this was an increase of
22 numbers in website hits. Was that relevant to you?
23 Not relevant to you?

24 COMMISSIONER KEVIN McCARTY: The Consumer Service
25 office is housed in the DFS. Our site consumers do

1 visit it, because we do have some helpful tools. We
2 have our choice for shopping and comparing rates on a
3 number of products. We have our -- for instance,
4 we're going to get a lot of hits because we're doing
5 the title insurance data call, so we're going to have
6 all of the title agents and companies going to our
7 site hitting it. Next year, that won't be here, so
8 we're probably going to drop off next year because
9 that will be done. So I'm not sure if it's a valid
10 measure.

11 GOVERNOR SCOTT: Just give the data and let's
12 just look at it and see if it's going to become
13 relevant.

14 COMMISSIONER KEVIN McCARTY: Okay.

15 GOVERNOR SCOTT: What about the next one? Do you
16 think the insurance company admission process handled
17 by regulation in place, and these now were not picked
18 up either by you or by the CFO. But the supplemental
19 is you -- did you have any issues with any of them
20 because it's information based on them?

21 COMMISSIONER KEVIN McCARTY: No, I mean I think
22 these are important questions to raise, and it gives
23 us an opportunity for my principals to help identify
24 whether we need to do some legislative changes. In
25 view of anything we identify, and it gives our office

1 an opportunity to identify and continue to interact
2 with our stakeholders and places in improving that.
3 So I think these are good question to ask and we can
4 answer them on this go-around, or we can answer them
5 whenever you desire, but I certainly don't have any
6 issues addressing anything hampering bringing business
7 to the general marketplace in Florida.

8 GOVERNOR SCOTT: All right. So then so we have
9 the Commissioner's -- and these are not -- I think
10 both my -- neither one are things that are easily
11 measured by number, but it would be good things to
12 have to measure an agency. Is that the way you look
13 at it?

14 COMMISSIONER PUTNAM: I look at those as being
15 open-ended questions that we would get a response from
16 and members of the Cabinet could score that just as
17 they would score any of the more objective measures,
18 but I think that's really where you evaluate the
19 leadership.

20 ATTORNEY GENERAL BONDI: What number are you on,
21 Governor?

22 GOVERNOR SCOTT: We finished now -- we're on the
23 supplemental. We're going through my supplemental and
24 the Commissioner's. And so I guess step one is you
25 have on either on my --

1 ATTORNEY GENERAL BONDI: Yours.

2 GOVERNOR SCOTT: We were doing all of them
3 together. So Attorney General, we're just doing all
4 of them together. Mine starts at 41.

5 ATTORNEY GENERAL BONDI: (Inaudible).

6 GOVERNOR SCOTT: But Kevin, yours, mine, and the
7 Commissioner of Agriculture, you have no issues that
8 these would be come up with, right, and respond to?

9 COMMISSIONER KEVIN McCARTY: I think it's highly
10 appropriate, yes, but this is to provide it in concert
11 with the evaluation.

12 GOVERNOR SCOTT: So, all right. So that -- that
13 goes through then.

14 Now, then going back -- I think that was all of
15 the suggestions that we had. My understanding.

16 Now, going back. I think the CFO had an idea
17 that you have a scoring system on a certain number of
18 these. Did you want to explain that?

19 CHIEF FINANCIAL OFFICER ATWATER: Governor, thank
20 you. Just for the sake -- just expressing that last
21 one to the Commissioner about it but not changing
22 every month so he could understand consistently. All
23 I wanted to offer in this instrument or tool of
24 whatever is a concept was that it was not meant to
25 identify which one should be the measure; that's our

1 decision. It's just to put it in a format that in my
2 life experience is outside of this work that we do
3 now.

4 As the leader of the organization, I was the
5 board narrowed down the performance measures just as
6 we had to certain agencies, market share, revenue, but
7 then we weighted them, and those weights may change in
8 a given year, based on the challenge. And then we
9 established a range for the measure that we agreed
10 upon, and then we had agreed -- we're on the tool that
11 was going to provide us the outcome number so we're
12 all looking at the same page and it gave a weighted
13 score.

14 So basically, it was a consistent way that
15 everybody knew where they stood, and so I just wanted
16 to offer it as it may be difficult if we don't weight
17 them or range them that someone might present to us at
18 a quarterly to have underachievement in one category
19 but exceeded all of the others, and they don't know
20 whether sitting or standing: Well, one failure means
21 one failure and that's unacceptable; or collectively
22 speaking, here is your score at this moment that we
23 have tried to give you a sense of whether we think
24 you're exceeding or not exceeding in your performance.

25 So it was looking for consistency, it was

1 narrowing all of the types of things to the highest
2 priorities, it was weighting those priorities and
3 consistently scoring them.

4 GOVERNOR SCOTT: So here's the way -- I've done
5 in my business life a little bit like you did. The
6 only time I ever did that was all say, because it's
7 not like Kevin -- we can't measure Kevin against 20
8 other agencies, right, because they're all different.

9 We could in theory, if we had the data, we could
10 measure all of the other agencies what you do in other
11 states but that's not even true either because every
12 state is so differently.

13 Right? So that makes it really difficult. I
14 guess my concern is that -- I think let me take
15 Number 1, CFO. If they can't do, if that's only 10
16 percent and they're just horrible at that, that's
17 pretty darn bad, right? So I wouldn't want somebody
18 in Kevin's position to say, "You know, I did really
19 well but I did a horrible job at the first one and I'm
20 really feeling like I am knocking it out of the park."

21 CHIEF FINANCIAL OFFICER ATWATER: I completely
22 again, and I think when we get to hopefully what
23 Commissioner Putnam has mentioned and you have
24 mentioned is that in a leadership role, again, this
25 was only as a template, I would have had as a CEO of

1 institution, somewhere down here a significant weight
2 to the leadership expectations which are attached,
3 which are these types of things that I would have do
4 stand and answer for. And if someone could find that
5 to give us a home run on something that you would say,
6 Goodness gracious. In a year like this you better run
7 revenue market (inaudible) but still, we're not
8 hearing, we're not feeling the kind of leadership
9 expectations that say you understand the mission,
10 you've aligned your resources to the mission, you're
11 achieving these more subjected measures that are about
12 leadership that would have been weighted.

13 And so I didn't mean for the weight to be, but I
14 get your point. The weight was not meant to reflect
15 my opinion or our opinion, which is to stick something
16 in there. Just starting the process for the --

17 COMMISSIONER KEVIN McCARTY: Starting point.

18 CHIEF FINANCIAL OFFICER ATWATER: -- starting
19 process, but my hope was that again, that anybody --
20 just as we had a little while ago on the agenda, we
21 have two national searches going out, is that if you
22 ever have an open position that someone from another
23 state or industry can look at us and say, "I get how
24 I'm going to stand in front of the Cabinet and be
25 measured, and it won't be whether or not there was any

1 other kind of unique occasion that has created an
2 outcome that otherwise I was really able to perform
3 the expectations of the role, and I do believe it does
4 inquire what you have designed as the supplemental
5 subjective measures of leadership.

6 So it's only an idea. I'm certainly willing to
7 just present it.

8 ATTORNEY GENERAL BONDI: Governor, may I?

9 GOVERNOR SCOTT: Sure.

10 ATTORNEY GENERAL BONDI: CFO, you may have
11 answered it, but I'm confused how we all came up.
12 They're all misweighted equally 10 percent. I'm not
13 sure how we came up with that. I just don't
14 understand.

15 CHIEF FINANCIAL OFFICER ATWATER: Thank you,
16 General. Had this been one that I would have seen in
17 outside of this environment, they were clearly
18 weighted differently. So in my role it would have
19 been -- RLI might have been at 25 percent market share
20 may have been at 20. As I work my way down, I just
21 didn't want to be presumptive in handing you something
22 that says "I'm going to weight this." And maybe I
23 should have left them blank, but they would have added
24 up to 100 percent.

25 Because again, this doesn't have listed here the

1 subtle leadership characteristics that you also want
2 to score as individuals. So I couldn't agree with you
3 more. My attempt was to lay them out and then show
4 how to work a little bit that some are weighted a
5 little bit less than others; may not have been the
6 highest priority that given year.

7 It avoided a strict pass/fail on an item. You
8 can fail and you can pass, but it laid out a range of
9 where you would have achieved. If there's an
10 alternative idea as to how everyone would have a sense
11 when everyone left their quarterly visit with us or
12 their annual visit with us, how they're standing other
13 than curious, I'm all up to that, too. This was just
14 a concept.

15 GOVERNOR SCOTT: I think Kevin, from -- so you
16 want to succeed, right? So from your standpoint, it
17 seems to me that we shouldn't give you a goal that you
18 think is not obtainable, all right? Or we ought to be
19 clear and ought to be written down here that's not
20 really a realistic goal, but you'll be glad to try for
21 it. That's not fair to you, right?

22 And so my goal would be -- and I'm okay with the
23 weights; it doesn't really bother me, if we do it that
24 way. But my goal is to set up on a per issue
25 measurement that you think you can reach, and then if

1 you can't reach that, when you come here you'll
2 explain why. And there could be a legitimate reason,
3 and my experience with the Cabinet so far is that
4 they're not unreasonable because they don't run your
5 agency so kind of -- maybe where you stand, you think
6 we're unreasonable but I doubt that. I would be
7 surprised.

8 So it seems to me that I'm okay with doing the
9 measure, but I think the most important standard that
10 you think is reasonable and fair to you because I
11 don't want you to have a standard that -- they should
12 be, not easy, but something that you think you can
13 attain.

14 And look, the bottom line is, if we have a
15 standard of 100 percent we understand it's not going to
16 happen. There's something that's going to happen, and
17 we can't expect you to get 100 percent, but that can
18 still can be your goal.

19 COMMISSIONER KEVIN McCARTY: Okay.

20 GOVERNOR SCOTT: So I'm okay either way, and CFO,
21 if you want to make a recommendation and if anybody
22 else wants to make a recommendation. I think it's
23 easier for me to not have the weight, but I'm okay
24 either way.

25 COMMISSIONER PUTNAM: Governor, whether we waited

1 or not to me is less relevant, unless we're going to
2 stick with 130 data points, which is somewhere near
3 where we are, and I do not think that is at all where
4 I think we should be.

5 The CFO's score card I think is concise, and I
6 certainly agree with having a numeric score for some
7 select number of objectives that gives a snapshot of a
8 safety, soundness, and stability of the insurance
9 market in the state of Florida. Everything else is
10 just information that we can dig into to support or to
11 defend or reject our own preconceptions coming into.
12 The data shines a lot on that, but for this to be
13 helpful, we have it narrowed to some small number of
14 measures that reflect not just efficiency and the
15 speed and the outputs that are going on in that office
16 but also the outcomes that are directly related to
17 safety and soundness of the system.

18 And that would be true of OFR, also. And so, I
19 think we've got some work to do to whittle down all of
20 the things that we're asking of them, some -- much of
21 which I assume is revealed in the LRPP anyways and
22 through the legislative mandated PB square process.
23 So that information ought to be readily available, and
24 we ought to decide what the dozen, 20 measures are
25 that we're going to score, and then add to that the

1 open-ended qualitative leadership measures and then
2 stop. I mean, I think we're over-complicating this a
3 bit.

4 GOVERNOR SCOTT: Sure. Well, if you would like
5 to, I think it's a good idea what you're saying is why
6 don't we just pick the ones that we think are
7 important, and what each of us can do separately is we
8 can always ask the agency on our own. So we can have
9 what we want presented to the Cabinet and each of us
10 can ask on our own. So if you want to make a
11 recommendation on the ones that you think would be the
12 best ones that would have presented to us, and then
13 we'll decide on our own the others that we can ask
14 Kevin for, and you've been forthcoming when our office
15 has asked you for information.

16 COMMISSIONER KEVIN McCARTY: A lot of this we can
17 provide you, yeah.

18 GOVERNOR SCOTT: Yeah.

19 COMMISSIONER PUTNAM: And I want to say, I think
20 all of these are important measurements, and it's
21 valuable data for us to have a sense of what's going
22 on. But for an annual score card, I just think we
23 probably ought to window down -- for example, if you
24 take the 100 questions, how many of them are we now
25 down to that we have decided to score? Because I know

1 that as we've been going through this, we decided at a
2 number of incidents to shift it into the data
3 category. So having done that, how many are we now
4 down to?

5 CHIEF FINANCIAL OFFICER ATWATER: I counted 11.

6 GOVERNOR SCOTT: Let's just go back. So my
7 Number 1 is scored. My number 2 is scored. Number 3
8 is scored. Number 8 is scored.

9 COMMISSIONER PUTNAM: Eight is not scored, is it?
10 8 through 11.

11 GOVERNOR SCOTT: You're right. We did not score
12 that, so those are not scored.

13 The Number 12 is scored.

14 Number 13 is scored.

15 COMMISSIONER PUTNAM: I want to say merge that
16 with 7.

17 GOVERNOR SCOTT: I think they were separate but
18 we can go back to make sure.

19 ATTORNEY GENERAL BONDI: Governor, 12 and 13 were
20 not scored. You put N/A for those.

21 GOVERNOR SCOTT: No.

22 ATTORNEY GENERAL BONDI: I'm down by "outcome."

23 GOVERNOR SCOTT: I think it should be a
24 percentage of like (inaudible.) It should be 100
25 percent, I think. And we can go back and decide, but

1 this is by law, and so I think we ought to have a
2 score for those.

3 Kevin, are you okay with that?

4 COMMISSIONER KEVIN McCARTY: I think we should
5 have a score.

6 GOVERNOR SCOTT: I think we are, though. I think
7 we are scoring 12 and 13 and those at least what I add
8 was a hundred. You can come back and say it be
9 different. So those...

10 And then the next one that would be scored is my
11 Number 22. I think, Commissioner, is the same thing
12 23 is scored, 38, 39, 41, 42. That adds up to 14.

13 COMMISSIONER PUTNAM: 36 and 37, I think we
14 merged them.

15 GOVERNOR SCOTT: So 11 are scored.

16 CHIEF FINANCIAL OFFICER ATWATER: That's what I
17 thought.

18 ATTORNEY GENERAL BONDI: And Governor, what, 35?
19 I stepped out for a moment. Are we ending on 35 or 38
20 or 39?

21 GOVERNOR SCOTT: All of the supplement are
22 scored.

23 ATTORNEY GENERAL BONDI: Right.

24 GOVERNOR SCOTT: So we'll have -- so we'll have
25 11 that we scored, okay? And those would be the ones,

1 and then the others will be -- it's just like all of
2 the supplement information.

3 COMMISSIONER KEVIN McCARTY: Can I --

4 GOVERNOR SCOTT: Provide that information to us,
5 and if anybody wants it, we'll just ask you for the
6 independent information separate.

7 COMMISSIONER KEVIN McCARTY: Can I raise a couple
8 of issues that I don't think are necessarily
9 applicable to our agency. I would like to direct your
10 attention to GE 60 through 65.

11 GOVERNOR SCOTT: Okay.

12 COMMISSIONER KEVIN McCARTY: And perhaps, 66, as
13 well. How many consumer complaints has your agency
14 received? Well, virtually zero, because the
15 complaints in the Office of Insurance Regulation are
16 handled through the Division of Consumer Services of
17 the Department of Financial Services, so we work in
18 tandem.

19 GOVERNOR SCOTT: That one is not relevant.

20 COMMISSIONER KEVIN McCARTY: And so the
21 follow-ups series on that.

22 GOVERNOR SCOTT: That all is the same thing.
23 Well, 62, that's stakeholders.

24 COMMISSIONER KEVIN McCARTY: Yeah, stakeholders,
25 sure.

1 GOVERNOR SCOTT: Do you do consumer surveys at
2 all?

3 COMMISSIONER KEVIN McCARTY: Consumer surveys,
4 no.

5 GOVERNOR SCOTT: And there's no real relevance?

6 COMMISSIONER KEVIN McCARTY: No. We meet with
7 consumer stakeholder groups and there are many
8 opportunities for stakeholder input but we do not --

9 GOVERNOR SCOTT: 63, 64, so yeah, this is part of
10 pardon for all agencies so it doesn't apply to you.

11 Call center, does that apply to you?

12 COMMISSIONER KEVIN McCARTY: No.

13 GOVERNOR SCOTT: 64, 65, 66, 67.

14 We can go through -- basically now, I think what
15 we're saying is we're going to have 11 scored and the
16 others are all -- we'll ask our own, three Cabinet
17 offices and I'll just ask you for the other
18 information.

19 COMMISSIONER KEVIN McCARTY: Okay and --

20 GOVERNOR SCOTT: And then you can decide --

21 COMMISSIONER KEVIN McCARTY: Which of these may
22 not apply?

23 GOVERNOR SCOTT: Yeah.

24 COMMISSIONER KEVIN McCARTY: Okay, that's great.
25 Thank you.

1 COMMISSIONER PUTNAM: And then the seven
2 supplement, I'm putting out there for discussion in
3 addition to.

4 GOVERNOR SCOTT: But I'm okay either way. Our
5 supplemental, I'll ask for the information anyways,
6 whether it's part of this process or not, so. And if
7 you, Commissioner, if you want yours to be part of
8 this process, that's fine with me. So it doesn't
9 matter to me whether you want to do mine as part of
10 this process or I just do it myself.

11 ATTORNEY GENERAL BONDI: I would like to solve --

12 GOVERNOR SCOTT: Right.

13 ATTORNEY GENERAL BONDI: I agree with you.

14 COMMISSIONER KEVIN McCARTY: But I certainly
15 would welcome qualitative questions to be included as
16 part of the review process. I think that's helpful
17 and instructive to my principals to give a more
18 comprehensive explanation. Like you said, measuring
19 how many widgets that can get processed in a certain
20 amount of time doesn't exactly address fundamental
21 issues having to do with the safety and soundness and
22 some of the broader issues that are important in the
23 insurance and cross sector issues in our financial.

24 GOVERNOR SCOTT: So why don't we do this on mine,
25 I'll just ask our own we'll include the Commissioner's

1 supplemental as part of this process, and then if
2 anyone wants the information online, just ask us and
3 we'll give it to you.

4 ATTORNEY GENERAL BONDI: Perfect.

5 GOVERNOR SCOTT: So --

6 COMMISSIONER PUTNAM: I would, just for fairness,
7 I think anything that any of us ask for --

8 ATTORNEY GENERAL BONDI: We should all get it.

9 COMMISSIONER PUTNAM: -- we should all get it.

10 COMMISSIONER KEVIN McCARTY: I'll do that. Of
11 course.

12 COMMISSIONER PUTNAM: So we're not -- he's got
13 four different score cards he's being measured. Now
14 all of us may put a different priority on a
15 different -- and that's part of the nature of this
16 business, but we all ought to be armed with the same
17 information.

18 GOVERNOR SCOTT: So where we are now to make sure
19 we're on the same path. We have 11 that we're
20 scoring, the Commissioner's supplemental will be part
21 of what will given -- will be part of what you
22 present. We'll ask -- I'll ask my supplement and all
23 of the others that we had on here just getting data
24 and we'll ask for that independently.

25 And you have the opportunity to give that to --

1 you'll give that to the other Cabinet members or
2 Cabinet members and actually give it to me.

3 So the last thing we have to do is go through and
4 the next thing is on each of the items we are scoring,
5 what's the standard and whether we are going to do any
6 weight system like the CFO has proposed.

7 So I guess probably -- so I'm fine with either
8 way. So CFO, do you want to make a recommendation?

9 CHIEF FINANCIAL OFFICER ATWATER: Well, I play
10 down -- thanks, Governor. The idea is and thinking
11 about incumbents being able to understand what they're
12 presenting and walking away and that there are periods
13 that. And the house objectively, we may each be
14 interpreting somebody who came in at 99 percent of the
15 time getting it right, but not 100. 100 is the
16 standard-only number that's are out. There there's
17 going to be a perception, and there's going to be a
18 difficult sense of talented people feeling there's
19 some security or other people future incumbents
20 looking at these positions, thinking, I'm in a total
21 pass/fail on 100-percent standard.

22 And that's why I was hoping the range would allow
23 us to look at someone's achievements and say, that's
24 pretty dog-on close, and we want them to have comfort;
25 or, that is not close enough and we want to score to

1 reflect that is not close enough.

2 So Governor, I do lay out it's a recommendation
3 in trying --

4 GOVERNOR SCOTT: Let's just go through -- since
5 we have 11 so let's just go through, and then you make
6 a recommendation and we'll --

7 So we have got number my Number 1, okay? So you
8 had that at 10%; you want to leave that at 10%? I've
9 just got to make sure this adds up to 100%.

10 Okay. So do you want to leave it at 10? I think
11 we've added now, so the second one that we're
12 measuring is my number two; is that right?

13 COMMISSIONER PUTNAM: There's only two that are
14 worth more than 10, so those are two most important.

15 Thanks for asking, and that's the way I would
16 interpret is you have two questions, and presumably we
17 have decided that those are the most important
18 indicators on his performance.

19 ATTORNEY GENERAL BONDI: And would you repeat
20 that to the Governor?

21 GOVERNOR SCOTT: I think the court reporter needs
22 to take a break for just a second. Okay, we'll take a
23 five-minute break.

24 ATTORNEY GENERAL BONDI: And she's a trooper, by
25 the way. I've done this for 20 years, and I don't

1 know how she's doing it, by the way, with all of us
2 chiming in.

3 (Thereupon, brief recess was taken.)

4 (Volume I concluded and continues to Volume II
5 without omission.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, Yvonne LaFlamme, Florida Professional Reporter and Notary Public, certify that I was authorized to and did stenographically report the foregoing proceeding; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the outcome of this case.

Dated this 21 day of MAY 2015.

Yvonne LaFlamme, FPR
Court Reporter
Notary Public
State of Florida at Large

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STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND
CABINET

VOLUME 2

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

DATE: TUESDAY, MAY 5, 2015

TIME: COMMENCED AT 9:00 A.M.
CONCLUDED AT 2:00 P.M.

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

REPORTED BY: NANCY S. METZKE, RPR, FPR
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AGENCY MEASURES - OFFICE OF INSURANCE REGULATION

(WHEREUPON, THE TRANSCRIPT CONTINUES IN SEQUENCE FROM VOLUME 1 WITHOUT OMISSION).

GOVERNOR SCOTT: Okay. Let's get started again.

All right. So Number 1, CFO you're at 10%?

CFO ATWATER: Governor, I was. And what I did is I had -- actually, I had asked the Commissioner if he had weights that could ensure, at this point in time, maybe what our greatest needs were. And that's where the 15 and 15 came on. Insuring the property and casualty market or efficiencies and how quickly they could work to get them in there, get set up and get going; and the other was on -- that we were on top of who was safe and who was not safe by the financial analysis that we were doing and not having a player in here with discretion. So that's how I came with those weightings slightly above the others.

GOVERNOR SCOTT: Okay. So just to make sure we're doing -- how -- so we're doing this all in one time, but so the standard will be a 100%. Let's take that one as an example. The standard is

1 a 100%, okay? You want to weight this question at
2 10%, all right? And then you will score the
3 question over here on the side, and you think the
4 same scoring system should be the same for
5 everyone?

6 CFO ATWATER: The scoring system, yes, but the
7 ranges would be different depending on the measure
8 itself and how they have performed in the past and
9 how we're trying to nudge them to be more
10 successful in the future.

11 GOVERNOR SCOTT: Okay. All right. So that's
12 Number 1. The second question we're scoring, so
13 what do you want to weight that?

14 CFO ATWATER: Well, let me just say that --
15 because the Commissioner has brought up this issue
16 on the supplemental and I'm not -- I think they're
17 so important I don't know that I call them
18 supplemental. I think that if we're going to
19 start -- again, this was only meant to be an
20 indicator or first example. I might suggest, as we
21 start walking down them, do we want to be reserving
22 10 to 15 or some percent? That would be each of
23 our collective scores as to the leadership that
24 we're seeing based upon the answers that we're
25 getting.

1 So it moves itself not into an after all the
2 objectives are looked at, but it's included within
3 the measure itself. So that's a question that
4 rather than just scoring the first 11, it may be
5 that there should be weight left over for the more
6 subjective leadership attributes.

7 ATTORNEY GENERAL BONDI: I hate to keep
8 beating a dead horse; but, CFO, I just don't
9 understand how we came up with the percentages.
10 Did you say that you worked with the Agency to come
11 up with those?

12 CFO ATWATER: What I just said -- no. No.

13 ATTORNEY GENERAL BONDI: Or just your
14 experience in the field?

15 CFO ATWATER: A little of both in just saying
16 at the moment to each one of these that we're going
17 to be seeing: Is there prioritizations that you
18 were working under in your mind that we should be
19 having the conversation? It's obviously that's our
20 call, not theirs.

21 But in getting feedback, it would be, yes,
22 that I was trying to distribute this for the sake
23 of just putting it in front of you more evenly
24 weighted. You may feel differently looking at them
25 now collectively.

1 And as we narrow which ones actually should be
2 in here, narrowing them; but in conversations with
3 the Commissioner, it was: We still need to be sure
4 that our property market looks vibrant, is robust,
5 and the market place sees that, so your ability to
6 turn those filings around quickly is important.

7 ATTORNEY GENERAL BONDI: Okay.

8 CFO ATWATER: And we can't have bad actors
9 getting in here that we're not on top of, so your
10 analysis of the players is important. So that may
11 be why those got 5% weight, but that is all subject
12 to now just go out the door and you should decide
13 that now.

14 GOVERNOR SCOTT: Sure. All right. So, CFO, I
15 think -- so first of all, is everybody okay with
16 the process itself?

17 We're going to -- we've got 11 that we're
18 scoring. You've brought up the issue, do you want
19 to take a percentage of this 100% and apply it to
20 the supplemental questions that the Commissioner of
21 Agriculture has recommended but we'll have a
22 standard like on Number 1, which would be a 100%.
23 You would have a weight, which in this case you
24 recommended 10, and then you have a scoring system
25 that you have over here.

1 CFO ATWATER: Correct. Correct.

2 GOVERNOR SCOTT: So on this one you don't have
3 any recommendation of making any change?

4 CFO ATWATER: No.

5 GOVERNOR SCOTT: Okay. The second question is
6 my Number 2, how do you want to do that one? We
7 have the standard be a 100% and just do this one
8 the exact same way?

9 CFO ATWATER: Correct.

10 GOVERNOR SCOTT: All right. And Number 3,
11 basically the -- so basically the same way, and do
12 you want to have the same percentage weight on each
13 of these?

14 CFO ATWATER: Correct.

15 GOVERNOR SCOTT: Okay. So that's 10, 10, and
16 10; so we've used up 30%.

17 So the next one we have scored is Number --
18 your Number 2 my Number 12. The standard would be
19 a 100%. Do you want to do the weight at 10 and the
20 scoring a little bit different that you have over
21 on the side?

22 CFO ATWATER: That would be fine. That's
23 dropping that from 15 to 10? Is that on Number 4?

24 GOVERNOR SCOTT: Oh, no, I think it's -- on my
25 sheet it said Number 10, but I'm fine with it.

1 CFO ATWATER: Okay.

2 ATTORNEY GENERAL BONDI: I saw one at 15.

3 What number have you got, Governor?

4 GOVERNOR SCOTT: I'm at my Number 12.

5 ATTORNEY GENERAL BONDI: Okay.

6 GOVERNOR SCOTT: The standard is a hundred.

7 My thing says 10. If you want it to be 15 --

8 CFO ATWATER: No, I'm looking at

9 two different --

10 GOVERNOR SCOTT: Okay.

11 CFO ATWATER: I'm looking at three different
12 spreadsheets now, Governor, so --

13 GOVERNOR SCOTT: And he's got a different
14 scoring system over on the right.

15 ATTORNEY GENERAL BONDI: I know. CFO, what
16 number is yours?

17 CFO ATWATER: Well, I had this little --

18 ATTORNEY GENERAL BONDI: No, I've got them
19 all; but, yeah --

20 CFO ATWATER: I don't remember any more.

21 ATTORNEY GENERAL BONDI: -- what number is
22 yours in relation to the Governor's? That's what
23 I'm trying to --

24 CFO ATWATER: I don't know any more.

25 GOVERNOR SCOTT: His is Number 2.

1 ATTORNEY GENERAL BONDI: Okay. That's at 10%
2 then. Okay.

3 GOVERNOR SCOTT: Yeah. Okay. All right. So
4 Number 13, so you want to do -- you want to do a
5 100%, 10, and have the scoring system you have over
6 on the side of Number -- my Number 12, your
7 Number 2?

8 CFO ATWATER: Yes.

9 GOVERNOR SCOTT: And now we've used up 50%.
10 So now we're at my Number 22 your Number 3.

11 COMMISSIONER McCARTY: We just did --

12 GOVERNOR SCOTT: We've done five -- five
13 things we've scored.

14 COMMISSIONER PUTNAM: Got it, okay.

15 GOVERNOR SCOTT: So now your, CFO, your
16 Number 3, my Number 22, the standard will be a
17 100%, the weight is 10, and then you have the
18 scoring system over on the right?

19 CFO ATWATER: Correct.

20 GOVERNOR SCOTT: Okay. My Number 23, your
21 Number 4, that's now changed to 45 days, not 90;
22 and you have this one the weight of 15, right,
23 15%?

24 CFO ATWATER: I think that's correct,
25 Governor.

1 GOVERNOR SCOTT: Okay. Let's go to 18.

2 CFO ATWATER: Are we agreeing on the ranges at
3 the same time?

4 GOVERNOR SCOTT: Yeah.

5 CFO ATWATER: Okay.

6 COMMISSIONER PUTNAM: Hang in there, Kevin,
7 it's only your career.

8 COMMISSIONER McCARTY: Well, no, no, I -- can
9 I --

10 ATTORNEY GENERAL BONDI: And while they're --
11 Kevin, while they're doing that, on behalf of
12 all -- I know I can say this on behalf of all of
13 us.

14 Governor, may I, while you're adding up the
15 numbers, if you don't mind?

16 GOVERNOR SCOTT: Sure.

17 ATTORNEY GENERAL BONDI: We want to set you
18 up to succeed, not fail, clearly. That's why I
19 think everyone has put so much time into this.

20 GOVERNOR SCOTT: All right. So now we're at
21 your Number 6, my Number --

22 COMMISSIONER PUTNAM: And the other agencies
23 owe you a steak for going first.

24 COMMISSIONER McCARTY: Can we just go back to
25 the 45-day? Were we talking about rates or forms

1 on that?

2 GOVERNOR SCOTT: That one, Kevin, was the
3 percentage of property and casualty form filing
4 reviews completed within 45 days.

5 COMMISSIONER McCARTY: Okay. That's it, thank
6 you.

7 GOVERNOR SCOTT: But that was the one that had
8 the 30 and the 15.

9 COMMISSIONER McCARTY: Yeah, yeah.

10 GOVERNOR SCOTT: My number was 30 and you
11 changed it.

12 COMMISSIONER McCARTY: Yeah.

13 GOVERNOR SCOTT: Okay. So now we're at the
14 CFO Number 6, my Number 35. That one will be --
15 this will be our 8th. That will be 10%, a 100%,
16 and you have the scoring system. So now you've
17 used up 85% of the 100%.

18 So now we've got the last two --

19 CFO ATWATER: Well, we -- yeah, I had scored --
20 I had actually scored 10, but now we're working
21 under 11 so we probably needed to shift some weight
22 around somewhere, Governor.

23 GOVERNOR SCOTT: Okay. So now we're at my
24 Number 98, your Number 7.

25 ATTORNEY GENERAL BONDI: Percentage of

1 priority financial analysis completed within
2 60 days, 15%.

3 COMMISSIONER McCARTY: We're going to get over
4 a hundred here.

5 CFO ATWATER: Yeah, we're going to have to
6 shift some weight.

7 ATTORNEY GENERAL BONDI: I look back at the
8 Cabinet Aides. I'm concerned about -- yeah, you're
9 in trouble.

10 CFO ATWATER: That maybe better be 10% if
11 we're going to have anything --

12 COMMISSIONER PUTNAM: I want to revisit your
13 suggestion about the open-ended questions.

14 CFO ATWATER: I think so.

15 GOVERNOR SCOTT: Okay. So the last three, how
16 do you want to score them?

17 CFO ATWATER: Well, Governor, I think the -- I
18 think we're -- and we need to probably answer
19 before that, bringing the supplemental forward and
20 weighting it or letting it remain as outside of the
21 numeric scoring system but knowing that it carries
22 the significant weight of -- I've seen it both
23 ways, where that's outside the scoring system, but
24 it carries the most significant weight because it
25 speaks to your leadership. And that's more

1 subjective and it's not weighted, but it's going to
2 be a determining factor because each quarter when
3 the discussion is held there is clarity as to where
4 people may stand on those leadership skills.

5 So we can continue with the numeric to bring
6 it in for the landing, but I think if we want to
7 move the supplemental up and score it objectively,
8 maybe now is the time to weight it.

9 GOVERNOR SCOTT: So do you have a
10 recommendation?

11 CFO ATWATER: Well, I would -- yeah, I do,
12 Governor. I would probably recommend, for people
13 understanding that it is more than just one issue,
14 I think we should -- I think we should reserve 20%
15 weight for the supplemental conversation as to
16 leadership; and that that -- anybody would know
17 that that is, at any given time, their ability to
18 forecast, vision, lead, adapt is going to be
19 paramount to their success in the job. So that's a
20 recommendation, which means we're going to have to
21 go back and reduce some of the weights.

22 GOVERNOR SCOTT: All right. So do you want to
23 go back and --

24 CFO ATWATER: Well, maybe, at first, is 20%
25 significant, appropriate, too much, how maybe

1 others may feel?

2 COMMISSIONER PUTNAM: I believe it should be
3 an important part of the evaluation process.
4 Whether it's 20, 25, 15, I think is -- you know,
5 I'm open to discussion about that; but to me the
6 subjective open-ended analysis is really an
7 evaluation of the leadership, which is our primary
8 purpose here.

9 So I mean, the basic blocking and tackling is
10 critically important too and shouldn't be
11 overlooked. But if an 80/20 rule makes the math
12 easier, I'm all for it.

13 CFO ATWATER: I think what that would mean,
14 Governor, is that for the first 11 items we would
15 all see a numeric number because we established a
16 range and now there is a tool out there that's
17 going to give us the number. For the last one,
18 someone here may say it's a four, someone else may
19 call them a five, someone else may call the
20 incumbent a three. And maybe then we'll just have
21 to average those up when it comes around based upon
22 those kind of -- because there's not going to be a
23 tool to say: Did the person exercise vision? That
24 will be how we have seen it in our working with the
25 Department and how we size it up.

1 So I think that's okay, but when it comes to
2 that, maybe we just need to know how we'll land the
3 plane, is that we would average our -- we would all
4 call out a number and average those together, and
5 that's 20% of the score. Does that sound feasible
6 or --

7 COMMISSIONER PUTNAM: Yeah, I would envision
8 each Cabinet member ranking the responses to each
9 of the open-ended questions 0 to 5, 1 to 5,
10 something like that; and then maybe the sum of that
11 would be -- well, the average of that would be 20%
12 of your overall score.

13 So if your average at the end of these
14 10 questions or whatever it is on the open-ended,
15 if your average score was a 4.2, then, you know,
16 that would be folded into the scoring system you've
17 already set up, but it would be a 4.2 times 20%.

18 CFO ATWATER: And I might have a 4.0. The
19 Governor may have a 4.5.

20 COMMISSIONER PUTNAM: Correct.

21 CFO ATWATER: And we'll just add those up and
22 divide by four, and that's our --

23 COMMISSIONER PUTNAM: Okay.

24 GOVERNOR SCOTT: So the point is it will be a
25 five-point scale; is that what your --

1 CFO ATWATER: Right.

2 GOVERNOR SCOTT: -- that's what your
3 recommendation will be?

4 CFO ATWATER: Right.

5 GOVERNOR SCOTT: A five-point scale, and that
6 one -- this one will be subjective because there's
7 no objective measurement, and so we'll just each
8 score it and have an average?

9 CFO ATWATER: Right.

10 GOVERNOR SCOTT: Okay. All right. So
11 that's --

12 CFO ATWATER: So the question is the weight,
13 15, 20.

14 COMMISSIONER PUTNAM: If you're suggesting 20,
15 I'll second that.

16 CFO ATWATER: All right. I'm suggesting 20.

17 GOVERNOR SCOTT: Okay. So let's --
18 Attorney General, you're all right with 20?

19 ATTORNEY GENERAL BONDI: Yes, Governor.

20 GOVERNOR SCOTT: Okay. All right. So now --

21 CFO ATWATER: Now we're to go divide 80?

22 GOVERNOR SCOTT: Yeah, so now you've got 80.
23 So do you want to make a recommendation just going
24 down 1 through 11, and I'll just write it down so
25 we can add it up to 80 points?

1 ATTORNEY GENERAL BONDI: And, Governor, just
2 for the -- I'm just looking at you totaling the
3 scores, just in my mind, but thanks, the 20%.

4 CFO ATWATER: Governor, I might recommend
5 that -- thank you for the calculator. I might --

6 ATTORNEY GENERAL BONDI: We're in trouble.

7 CFO ATWATER: Yeah.

8 I might recommend, Governor, that maybe now is
9 the time that either we can distribute them equally
10 in my mind, or I just would go back to: Do we, in
11 the coming year, see a priority among the
12 indicators here that we are expecting, is there
13 anything that should jump out as to be more
14 important than the others at this moment? And
15 that's how I would probably then shift a slightly
16 higher weight to those, and that would answer the
17 question.

18 I chose the two I chose because of what I
19 might have, you know, wanted to be sure: Continue
20 to attract capital but not having players that
21 aren't performing well know that we're not going to
22 catch them, so --

23 COMMISSIONER PUTNAM: I would suggest that we
24 distribute the weight equally.

25 CFO ATWATER: Governor, for the first year, I

1 am absolutely fine for that. I second, unless
2 anyone else has --

3 ATTORNEY GENERAL BONDI: Agree.

4 GOVERNOR SCOTT: So 80 divided by 11 is -- so
5 it's going to be -- so it would be eleven eighths,
6 11 over 80, so it would be a little less than --
7 it's a fraction.

8 CFO ATWATER: We should round them.

9 ATTORNEY GENERAL BONDI: Thank you, Governor.

10 CFO ATWATER: I'd round two up to make them
11 all even numbers then, Governor, so --

12 GOVERNOR SCOTT: So they're all seven --
13 they're all seven except for -- which are the two
14 that you thought ought to be higher?

15 CFO ATWATER: Well, I think our numbering
16 system is off. That was on the percentage of rate
17 filings completed within 90 days, that anybody who
18 wanted to file a rate in Florida knew they'd get an
19 answer in 90 days.

20 Commissioner, does that work for you?

21 COMMISSIONER McCARTY: Yeah. Yeah.

22 CFO ATWATER: So I don't know what number it
23 is anymore.

24 COMMISSIONER PUTNAM: It's Number 4 on your
25 handout, right?

1 CFO ATWATER: It was Number 4 on my handout,
2 yeah.

3 COMMISSIONER PUTNAM: Number 4 on your
4 handout. I second.

5 CFO ATWATER: Number 1 in your hearts.

6 ATTORNEY GENERAL BONDI: And that was the
7 one -- Governor, may I? I'm sorry. And, CFO, that
8 was the one you always had ranked at the highest,
9 correct? Well, that one and your Number 7.

10 CFO ATWATER: That and my Number 7. That the
11 analysis would be done within 60 days if anybody
12 was underperforming.

13 COMMISSIONER PUTNAM: I think the CFO was on
14 to something there. I agree.

15 ATTORNEY GENERAL BONDI: I have no problem
16 ranking that one higher either.

17 GOVERNOR SCOTT: That means we get one more
18 point.

19 COMMISSIONER McCARTY: Could I throw out a
20 suggestion, perhaps, is looking at G-1 and G-2,
21 since they're both at 90 days, just combining
22 that as one for the certificate of authority and
23 adding a new line of business? And that might make
24 the math easier because then that's 10 instead of
25 11.

1 CFO ATWATER: A lot easier.

2 ATTORNEY GENERAL BONDI: I think that's a
3 great idea.

4 CFO ATWATER: Where have you been?

5 ATTORNEY GENERAL BONDI: Governor, do you have
6 a problem with that, if we combine the two?

7 GOVERNOR SCOTT: Nope, I'm --

8 ATTORNEY GENERAL BONDI: And then we come up
9 with 10.

10 COMMISSIONER McCARTY: Which for me the math
11 works easier.

12 ATTORNEY GENERAL BONDI: Instead of 7.27.

13 COMMISSIONER McCARTY: Yes, ma'am.

14 GOVERNOR SCOTT: Okay. Which numbers are
15 that?

16 COMMISSIONER McCARTY: Governor, that's your
17 1 and 2. They're both measured at 90 days, one for
18 a new certificate of authority; the other for
19 adding lines of business.

20 GOVERNOR SCOTT: Okay. All right. So that is
21 going to be ranked -- that's going to have
22 10 points; is that what you said?

23 ATTORNEY GENERAL BONDI: And that's the
24 Governor's 1 and 2. Governor, right, your 1 and 2?

25 GOVERNOR SCOTT: So that's going to be

1 together 10 points? Okay. So now you've got
2 70 points, and you've got 1, 2, 3, 4, 5, 6, 7, 8, 9
3 to go. So how many points are you going to give to
4 each of those? You've got 70 points, and you've
5 got nine --

6 CFO ATWATER: Here we go again.

7 ATTORNEY GENERAL BONDI: How much did we give
8 this, 10?

9 GOVERNOR SCOTT: So you gave -- 1 and 2
10 together is going to have 10, so that gives you --
11 you've got 70 points to go, and you've got 1, 2, 3,
12 4, 5, 6, 7, 8, 9. Divide 70 by nine, unless you're
13 going to give something more.

14 ATTORNEY GENERAL BONDI: I think what he was
15 suggesting was combining 1 and 2 into one --

16 GOVERNOR SCOTT: He did, so that --

17 ATTORNEY GENERAL BONDI: -- so we only have
18 one.

19 GOVERNOR SCOTT: Well, you still have, you
20 still have -- right, you just have one. 1 and 2 is
21 together.

22 ATTORNEY GENERAL BONDI: So we'll have a total
23 of 10 instead of 11.

24 GOVERNOR SCOTT: And so you're going to give
25 all of them eight points?

1 ATTORNEY GENERAL BONDI: Right, right.

2 GOVERNOR SCOTT: And they all have eight
3 points?

4 ATTORNEY GENERAL BONDI: Correct. We were
5 adding 1 and 2 and making that one, and then we
6 have 10.

7 CFO ATWATER: That's correct. There you go.

8 GOVERNOR SCOTT: All right. So you've got
9 eight points each.

10 CFO ATWATER: There you go.

11 GOVERNOR SCOTT: All right. So is there a
12 mo -- I guess the motion would be, we have the
13 10 indicators. That would each be -- get eight
14 points with the scoring system and the standards
15 we've agreed to. The supplemental will be 20, and
16 it will be subjective. And this will be your
17 annual evaluation, and then on -- each of us will
18 ask our own questions, our own information from
19 you, and you'll share that with the other -- the
20 other Cabinet member or Governor, whoever is not
21 asking.

22 COMMISSIONER McCARTY: Yes, sir.

23 GOVERNOR SCOTT: All right. Is there a
24 second?

25 ATTORNEY GENERAL BONDI: Second.

1 GOVERNOR SCOTT: All right. I guess who is --
2 somebody should make a motion. Is that the motion?

3 ATTORNEY GENERAL BONDI: I'll move.

4 GOVERNOR SCOTT: Okay. Is there a second?

5 CFO ATWATER: Second.

6 GOVERNOR SCOTT: Any comments or objections?

7 (NO RESPONSE).

8 GOVERNOR SCOTT: Hearing none, the motion
9 carries.

10 ATTORNEY GENERAL BONDI: And we've included in
11 the Commissioner's open-ended questions as well.

12 CFO ATWATER: That's the supplement.

13 COMMISSIONER PUTNAM: 20% of the --

14 CFO ATWATER: Yeah, 20%.

15 GOVERNOR SCOTT: Great. Anything else for
16 Kevin?

17 (NO RESPONSE).

18 GOVERNOR SCOTT: All right. Thanks, Kevin.

19 COMMISSIONER McCARTY: Thank you, Governor;
20 thank you, members. Appreciate the opportunity.

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AGENCY MEASURES - OFFICE OF FINANCIAL REGULATION

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2
3 GOVERNOR SCOTT: Okay. Now we're going to --
4 I think we're doing Drew next, right?

5 All right. Okay, Drew, you're up.

6 ATTORNEY GENERAL BONDI: Governor, could you
7 have possibly made this any smaller writing?

8 GOVERNOR SCOTT: All right. Hi, Drew.

9 COMMISSIONER BREAKSPEAR: Well, now I can say
10 good afternoon.

11 GOVERNOR SCOTT: Good afternoon.

12 COMMISSIONER BREAKSPEAR: What we have
13 provided is the updated measures package, and we
14 have given it to each of your offices, and it
15 includes the Governor's requested measures and the
16 supplemental measures and the information behind
17 those; the OFR's recommended measures and
18 attachments; the CFO Atwater's proposed measures;
19 and while we didn't provide answers, we have
20 reviewed Commissioner Putnam's proposed measures
21 and questions.

22 And I'm prepared to answer questions at this
23 point or walk through this, whatever you would like
24 me to do.

25 GOVERNOR SCOTT: Sure. So does anybody have a

1 recommendation on how they would like to review
2 this?

3 ATTORNEY GENERAL BONDI: Governor, what about
4 going through the five goals?

5 GOVERNOR SCOTT: So that's -- I'm fine if
6 you -- do you want to take the lead on it?

7 ATTORNEY GENERAL BONDI: Sure, Governor.

8 Yeah, because Goal 1, we can wrap it all in.
9 I think I've used more stickies than I ever have in
10 law school in this. Hold on.

11 So I think on Goal 1, Governor, I'm fine with
12 your proposals. I think we're all wrapped in on
13 Goal 1.

14 Does anyone have an issue with the Governor's
15 Goal 1?

16 COMMISSIONER PUTNAM: Which handout are y'all
17 operating off of?

18 GOVERNOR SCOTT: I think this was what -- I
19 think it's their Number -- I think this -- Drew,
20 your team put this together of everybody's
21 recommendation, right?

22 COMMISSIONER BREAKSPEAR: I'm sorry, Governor?

23 GOVERNOR SCOTT: It's your -- on this
24 one that's -- which one are you looking at?

25 ATTORNEY GENERAL BONDI: Well, Gov --

1 GOVERNOR SCOTT: I think we're looking at
2 the same thing. Yeah, we're looking at the same
3 thing.

4 ATTORNEY GENERAL BONDI: Yeah, but there are a
5 total of five goals.

6 GOVERNOR SCOTT: Right.

7 ATTORNEY GENERAL BONDI: And Goal 1 goes
8 through page -- your Page 1, Governor, through
9 number -- I need a microscope. It's just basically
10 Pages 1 and 2.

11 GOVERNOR SCOTT: Right. Yeah, that's what it
12 looks like.

13 ATTORNEY GENERAL BONDI: Page 2 starts the
14 bottom of Goal Number 2.

15 GOVERNOR SCOTT: Right.

16 ATTORNEY GENERAL BONDI: No, I'm sorry,
17 Page 3. Goal 1 is Pages 1, 2, and the majority of
18 Page 3.

19 And then if you go to OFR's performance
20 measures, Goal 1 has been summarized for us in
21 two pages, correct? Yes.

22 GOVERNOR SCOTT: Yep.

23 ATTORNEY GENERAL BONDI: So just in the
24 abundance of time, Governor, we may just go through
25 your entire Goal 1; and if anyone has any problems

1 with Governor Scott's Goal 1, it's Pages 1, 2, and
2 the majority of 3.

3 CFO ATWATER: Governor, would you mind
4 maybe --

5 GOVERNOR SCOTT: Sure.

6 CFO ATWATER: I'm looking at -- I know we all
7 have different handouts now, so I want to be sure
8 I'm looking at the same one everyone else is using.
9 Is this the one?

10 GOVERNOR SCOTT: I think -- yeah, yours is
11 just not blown -- yours is smaller.

12 (ATTORNEY GENERAL'S DISCUSSION OFF THE
13 RECORD).

14 CFO ATWATER: So what was being asked with
15 that question? Where should I be going to to read
16 the --

17 GOVERNOR SCOTT: So I think the -- we have a
18 bunch of choices on how we do this. But one choice
19 was to use what I put together; we can start out
20 that way. We can start out with what you put
21 together. We have a variety of ways we can put it
22 together.

23 I think what Drew did is he basically
24 responded to all of them, to everybody's
25 recommendations. I mean he -- I think from your

1 standpoint you're okay with the measurement
2 because -- right? You don't have any really --
3 with any of these measurements?

4 COMMISSIONER BREAKSPEAR: Well, you're -- the
5 Governor's performance measures?

6 GOVERNOR SCOTT: Right.

7 COMMISSIONER BREAKSPEAR: Yeah, I mean we had
8 some comments on a few of them.

9 GOVERNOR SCOTT: Right.

10 COMMISSIONER BREAKSPEAR: We felt there were
11 changes that were appropriate.

12 GOVERNOR SCOTT: Right.

13 COMMISSIONER BREAKSPEAR: And a couple that we
14 should be just striking altogether.

15 GOVERNOR SCOTT: Okay.

16 COMMISSIONER BREAKSPEAR: And then we had a
17 couple of adjustments to the percentage performance
18 measures.

19 ATTORNEY GENERAL BONDI: Governor, may we
20 stick to your Goal 1 right now just because it's
21 the most comprehensive? I know you had -- you
22 struck Number 2, but are you okay with Number 1?

23 CFO ATWATER: What is Number 1?

24 ATTORNEY GENERAL BONDI: The Governor's
25 objectives. They're just the most detailed, CFO.

1 That's why I started on those. It's Number 1
2 through --

3 GOVERNOR SCOTT: Number 1 through --

4 ATTORNEY GENERAL BONDI: -- really 12; he
5 struck 9.

6 GOVERNOR SCOTT: Yeah.

7 ATTORNEY GENERAL BONDI: He struck 10, I'm
8 sorry.

9 And then if you look at Goal Number 8, I think
10 you had some issues on 8, is that correct, and 7?

11 GOVERNOR SCOTT: And 7.

12 ATTORNEY GENERAL BONDI: Are your copies in
13 red, gentlemen? That helps.

14 GOVERNOR SCOTT: Yeah.

15 ATTORNEY GENERAL BONDI: Okay. But, Governor,
16 yours are the most comprehensive, so I'd like to
17 stick to yours if we could.

18 GOVERNOR SCOTT: So Number 7, Drew, you said,
19 OFR recommended language: Provide prompt
20 resolution of registration matters by decreasing
21 the average number of broker/dealer applications
22 that are pending?

23 COMMISSIONER BREAKSPEAR: Yes, on that one,
24 the original measure that came from your office
25 really had a point in time; and because we have

1 flows of applications, we can end up on a reporting
2 day, unfortunately, with a huge number. And we
3 felt an average over a period of time was a better
4 measure.

5 GOVERNOR SCOTT: Ah, that makes sense.

6 COMMISSIONER BREAKSPEAR: It's as simple as
7 that.

8 GOVERNOR SCOTT: Yeah, that makes sense to me.

9 COMMISSIONER BREAKSPEAR: You know, because we
10 could be running 150, and the last day of the month
11 we get 300. We'd fail it.

12 GOVERNOR SCOTT: Yeah, that makes sense.

13 COMMISSIONER BREAKSPEAR: Whereas, on
14 average --

15 GOVERNOR SCOTT: I think you're right.

16 COMMISSIONER BREAKSPEAR: So that's what the
17 proposal was there.

18 GOVERNOR SCOTT: Everybody okay with that?

19 ATTORNEY GENERAL BONDI: Yes, Governor.

20 GOVERNOR SCOTT: Okay. Number 8.

21 ATTORNEY GENERAL BONDI: Wait, I'm sorry.
22 Yeah, although -- we just did 7, right?

23 GOVERNOR SCOTT: Yeah.

24 COMMISSIONER BREAKSPEAR: Yeah.

25 ATTORNEY GENERAL BONDI: Commissioner, are you

1 following?

2 COMMISSIONER PUTNAM: Yes, I am following, but
3 is it our desire to get this down to 10 or 11
4 measures as we did for OIR? Because you've got 12
5 just for the first goal.

6 GOVERNOR SCOTT: What would be -- I'm fine
7 either way because the information that I have on
8 mine, I'm going to ask you anyway, so --

9 COMMISSIONER BREAKSPEAR: You know, we've
10 prepared the information. We're quite prepared to
11 update it and provide it --

12 GOVERNOR SCOTT: Right, yeah.

13 COMMISSIONER BREAKSPEAR: -- as a supplement
14 or an addition, whatever is needed.

15 GOVERNOR SCOTT: So from my standpoint, if we
16 want to reduce the number like we did with
17 Insurance and then I'll ask mine separately, that's
18 fine with me. So this is -- so the -- so if there
19 is a recommendation of doing it a different way,
20 I'm fine either way.

21 ATTORNEY GENERAL BONDI: I'm fine currently
22 with the Governor's Goals 1 through 12. He strikes
23 Number 10, and I'm fine with the Department's
24 changes with Number 7 and 8.

25 CFO ATWATER: Well, can I ask then a question

1 just to be sure I'm on the same form? I've got
2 Goal Number 1: Review all existing performance
3 measures annually to ensure they are meaningful and
4 results oriented.

5 ATTORNEY GENERAL BONDI: That's it.

6 CFO ATWATER: Is that the goal?

7 GOVERNOR SCOTT: That's the measurement.

8 CFO ATWATER: Okay. What's the goal, improve
9 metrics?

10 GOVERNOR SCOTT: Yeah, it's part -- it's just
11 all part -- the way this one was -- we did this
12 one was it's -- you can do these individually.
13 It was all part of my first goal, and then we had
14 a variety of things we would measure that goal by.
15 And, again, I'm fine with doing it this way; I'm
16 fine with a reduced number with a metric system
17 that gives a scoring, however y'all want to do it.

18 ATTORNEY GENERAL BONDI: So, Governor, you
19 have -- may I, Governor?

20 GOVERNOR SCOTT: Sure.

21 ATTORNEY GENERAL BONDI: You have nine goals.
22 Let's stick to Number 1. You have 10, but we
23 struck Number 10; Number 11 is stricken; Number 12
24 is stricken on your copy?

25 GOVERNOR SCOTT: Right.

1 ATTORNEY GENERAL BONDI: And then on OFR's
2 copy, you've summarized it with 1, 2, 3, 4, 5, 6,
3 7, 8, 9, and he struck 10?

4 GOVERNOR SCOTT: Right.

5 ATTORNEY GENERAL BONDI: And, CFO, can you
6 ex -- I may be missing yours. I'm sorry, I know I
7 read it last night.

8 CFO ATWATER: The one I had, General, looked
9 identical to -- well, the format looked identical
10 to the OIR where it lists --

11 ATTORNEY GENERAL BONDI: OFR.

12 CFO ATWATER: Yeah, OFR, the one for OFR that
13 I had provided. The format looks identical to the
14 same spreadsheet as the OIR. It was an eight and a
15 half by 11.

16 ATTORNEY GENERAL BONDI: I have it somewhere,
17 Governor.

18 CFO ATWATER: Yeah, that took the Governor's
19 objective measures and tried to do our best to
20 insert them all but left off the ones that were not
21 the objectives, and probably more machinations than
22 that, but --

23 ATTORNEY GENERAL BONDI: Governor, may I?

24 GOVERNOR SCOTT: Sure.

25 ATTORNEY GENERAL BONDI: Commissioner, your

1 suggestion is to consolidate some of these goals so
2 we don't end up with 40 goals; is that correct?

3 COMMISSIONER PUTNAM: Yes, ma'am, that is my
4 suggestion.

5 ATTORNEY GENERAL BONDI: I would be inclined
6 to go with that, Governor, if we can --

7 GOVERNOR SCOTT: Sure, absolutely.

8 ATTORNEY GENERAL BONDI: I think that would
9 help the Agency as well.

10 COMMISSIONER BREAKSPEAR: That would help a
11 lot.

12 ATTORNEY GENERAL BONDI: Gentlemen, which
13 goals, Governor, do you think we could consolidate?
14 You're the expert.

15 GOVERNOR SCOTT: Well, I'm fine with anybody
16 else's recommendation. I mean this is how I would
17 measure it, but I'm fine with if you want to limit
18 it to your -- and use a standard like the CFO had,
19 that makes a lot of sense to me.

20 COMMISSIONER PUTNAM: And given his -- given
21 the CFO's daily interactions with both OIR and OFR,
22 I propose that we use his draft as the base for
23 conversation. He has 10 performance measures,
24 and I recommend that we review those 10, identify
25 whether there's anything missing that we would

1 prefer to see or if there was anything duplicative
2 to substitute, and use that as our base document.

3 ATTORNEY GENERAL BONDI: And, Governor, from
4 my review, they're virtually identical to yours;
5 they're just weighted like the last one.

6 CFO ATWATER: We just tried to put it in
7 that format.

8 ATTORNEY GENERAL BONDI: Right.

9 GOVERNOR SCOTT: So why don't we do this: Why
10 don't we just take the CFO's page and, first off,
11 if somebody has an exception, let's look at the
12 exceptions instead of having to go through each
13 one; and then do you want to do the same thing,
14 where we'll weight these for -- these 10 will be
15 80%, and then the Commissioner of Agriculture's
16 will be 20%, the same way?

17 ATTORNEY GENERAL BONDI: Yeah, I love that
18 approach.

19 COMMISSIONER PUTNAM: Yeah.

20 GOVERNOR SCOTT: And then what we'll do is
21 we'll just weight each of these at 8 points. So
22 that will add up to 80%, and so --

23 ATTORNEY GENERAL BONDI: Can I -- one
24 question, Governor, may I, for the CFO?

25 CFO, you have Number 1 though weighted at 20%.

1 And, again, this is your expertise and not mine.
2 So is there a reason? Do we want to rank these all
3 at 8%; or, Governor and CFO, do we want to rank
4 Number 1 higher, and Commissioner, I'm sorry?

5 CFO ATWATER: No, that's a very good question,
6 General. On the format that we're looking at, if
7 it's a template that I provided, I would see that a
8 Number 1 in my mind would rate much higher than a
9 Number 6, which is going from the number of
10 institutions that we've examined to the average
11 days that a mortgage lender got a license. And by
12 the way, we've got that down pretty well.

13 So I think that, in our conversation with the
14 Commissioner, we might offer a little heavier
15 weight to some than others; and maybe we should do
16 that as we go this time. General, it's a great
17 question.

18 COMMISSIONER BREAKSPEAR: I would absolutely
19 agree. And, you know, particularly with Number 1,
20 I think that's the safety and soundness issue and
21 should have a higher weighting.

22 CFO ATWATER: Yes.

23 GOVERNOR SCOTT: All right. First off, on
24 Number 9: Percentage of cases closed with formal
25 action, doesn't that cause us to --

1 CFO ATWATER: Yeah.

2 GOVERNOR SCOTT: -- have to act like we want
3 to go after somebody whether we do or not?

4 CFO ATWATER: That's your same question we had
5 from the --

6 GOVERNOR SCOTT: Yeah, I personally don't like
7 that.

8 ATTORNEY GENERAL BONDI: Which one, Governor?

9 GOVERNOR SCOTT: Number 9.

10 COMMISSIONER PUTNAM: So we'll strike
11 Number 9?

12 COMMISSIONER BREAKSPEAR: We had put that in
13 our last presentation because we felt we should up
14 the percentage a little bit. I do -- we do think
15 the ranges in here are a little high because what
16 we don't want to do is have -- you know, we tend
17 to -- with cases, you put them together, we have a
18 swing and a miss on some of them.

19 We don't want to incentivize our investigators
20 to look at a case and say: Too much work, I'm not
21 going to do it when it's the complex, hard-worked
22 cases that often end up with the worst types of
23 fraud and it takes a lot of work to get there. And
24 if you put the percentage of those actions too
25 high, you really will get the investigators saying,

1 I'm not going to swing at this pitch. It's not
2 worth it.

3 GOVERNOR SCOTT: I don't like the measurement,
4 so for --

5 CFO ATWATER: Can we just -- Governor, could
6 we just then, like we do with OIR, follow the data
7 for a year and see so we just get that?

8 GOVERNOR SCOTT: Yeah.

9 ATTORNEY GENERAL BONDI: And my request would
10 be, given what I do, we do have to look out for
11 consumer protection issues because that protects
12 our good businesses and our good companies. So
13 can you just factor all that in? I think that's
14 what you just tried to say, consumer protection.

15 COMMISSIONER BREAKSPEAR: If -- the ones we're
16 talking about here all end up as criminal cases.

17 ATTORNEY GENERAL BONDI: Exactly, I know that
18 well.

19 COMMISSIONER BREAKSPEAR: And they are true
20 consumer protection, save people money if we get
21 them right.

22 ATTORNEY GENERAL BONDI: And we can still
23 cover that by striking Governor's Number 9 -- or
24 I'm sorry, CFO's Number 9.

25 GOVERNOR SCOTT: No, no, that's right. We're

1 just going to get the data and --

2 CFO ATWATER: Track the data for the year,
3 yeah.

4 ATTORNEY GENERAL BONDI: Yes.

5 COMMISSIONER BREAKSPEAR: We just think it's
6 important we track that data because we think it's
7 important.

8 GOVERNOR SCOTT: What's the result of
9 Number 10, average days to issue deficiency
10 letters? Why is that a good measurement?

11 COMMISSIONER BREAKSPEAR: It's just in terms
12 of when we get an application in. We just want to
13 be able to get it back out to the applicant and
14 say, these are the problems we have with this.
15 You know, it's a customer service, a business
16 friendly situation to try and --

17 ATTORNEY GENERAL BONDI: Governor, I think
18 that helps the businesses too because it's how fast
19 they're responding, so I would think you would
20 probably want to know that.

21 GOVERNOR SCOTT: Okay. So now we've gotten
22 rid of Number 9. We are -- it's just data. And by
23 the way, on the data stuff we did on the other one,
24 we didn't -- that's just something -- if anybody
25 wants to ask for it, we can ask for it. So we have

1 nine now, and so how do you want -- does anybody
2 else --

3 CFO ATWATER: Governor, I would also --

4 GOVERNOR SCOTT: I guess on the objective
5 itself, does anybody have a problem with any of the
6 objectives? Does anybody have a problem with the
7 nine objectives we have?

8 COMMISSIONER PUTNAM: I have a question either
9 for CFO or Mr. Breakspear: Number 1, is the --
10 which is, by far, the most heavily weighted,
11 percentage of financial institutions examined
12 within a particular timeframe; and Number 8,
13 percentage of financial institutions rated high
14 performing.

15 The first one strikes me as being an output.
16 Number 8 strikes me as being the outcome that we
17 all want, the vast majority of institutions are
18 safe and sound. But walk me through the
19 distinction between those two.

20 CFO ATWATER: Thank you, Commissioner, I'll go
21 first, but I do have concerns with 7 and 8. Again,
22 this was a listing I think we ought to go back and
23 be sure, as the Governor just talked about
24 Number 9, that there may be others we want to
25 supplement in here.

1 Number 1 is our critique, our analysis of the
2 institution itself. Number 8 came from the
3 Commissioner. And I believe what you're getting at
4 there, Commissioner, is people that were rating you
5 as to whether or not they felt they had fair
6 treatment, professionalism in the course of that
7 examination; is that correct?

8 COMMISSIONER BREAKSPEAR: That is correct.

9 CFO ATWATER: I just want you to know that
10 having been examined, it is -- it's going to be a
11 very difficult measure, you know, because sometimes
12 those examinations require people to speak firmly
13 and hold high expectations. And what may be
14 delivered as professionally may not be responded to
15 in a survey as received so professionally.

16 COMMISSIONER BREAKSPEAR: Yeah.

17 CFO ATWATER: So I'm concerned that -- I'm not
18 sure it's an easy thing to measure.

19 ATTORNEY GENERAL BONDI: Are you on 7 or 8,
20 CFO?

21 CFO ATWATER: I'm sorry, I was on 8 at that
22 point to the Commissioner's question to the
23 differentiation between 1 and 8. Eight is
24 basically a survey response as to: How do you
25 think we handled ourselves while we were examining

1 you? And I think that's a pretty difficult --

2 ATTORNEY GENERAL BONDI: Benchmark.

3 CFO ATWATER: -- benchmark. It is, because we
4 don't want an examiner kind of tinkering around the
5 edges when they need to go for somebody who is
6 misbehaving and they're going to worry about how
7 their survey is going to come back.

8 COMMISSIONER PUTNAM: Well, then I misread
9 Number 8, but it still raises the issue for me on
10 Number 1. Is it better to hold you accountable for
11 the outputs of the number of audits you're
12 performing or the outcome of actually how many
13 banks, financial institutions in Florida are safe
14 and sound? I mean that's the public policy
15 objective that we're after here.

16 COMMISSIONER BREAKSPEAR: Correct. A safe and
17 sound banking system is what we're after.
18 Occasionally, part of that is we give somebody a
19 really bad rating, like a five rating. It still
20 gets to the safety and soundness because we're
21 identifying the problem and trying to get the
22 management and the shareholders to turn this
23 around.

24 CFO ATWATER: Yeah, Commissioner, I think
25 you're asking a very good question. Our timeliness

1 to being sure that each examination takes place as
2 expected and we catch the player that may be hiding
3 something is the critical piece to me. Holding our
4 examiners accountable as to whether or not the
5 behavior of the player in the market place is
6 behaving is a pretty high -- is a pretty
7 challenging standard.

8 COMMISSIONER PUTNAM: Okay.

9 COMMISSIONER BREAKSPEAR: They're two -- one's
10 a -- they're two very different standards. One is
11 getting in and making sure we do the examinations
12 on the cycle --

13 CFO ATWATER: Correct.

14 COMMISSIONER BREAKSPEAR: -- and doing it
15 right.

16 CFO ATWATER: Right.

17 COMMISSIONER BREAKSPEAR: The second is how
18 they perceive us, which is more a perception of
19 performance of our teams on the ground and the
20 professionalism exhibited.

21 CFO ATWATER: And that's why I'm concerned
22 with 7 and 8. I put them down here because you had
23 presented them to us but I'm concerned.

24 COMMISSIONER BREAKSPEAR: Yes, what we're --
25 we're trying to get the rating up a little bit, but

1 we're also trying to get more of the surveys
2 returned to us.

3 ATTORNEY GENERAL BONDI: Governor, may I?
4 And, Governor, you had these on your list, so I'd
5 like to hear your concerns if we could. Are those
6 important to you?

7 GOVERNOR SCOTT: Well, I think they're
8 helpful, but I mean what I'd like to -- I mean I
9 think what the CFO has recommended makes sense, as
10 long as the -- Drew thinks that's a logical
11 measurement that he thinks he can -- it helps him
12 reach his goals.

13 COMMISSIONER BREAKSPEAR: Absolutely, and even
14 if we took Number 8 off, we'd probably still track
15 it internally just to make sure.

16 CFO ATWATER: I think they ought to -- Drew,
17 I think they all ought to be tracked. I just,
18 you know, again, if I'm measuring you, if you're
19 going to stand in front of me and one of your
20 measures is that the check cashers behaved, I want
21 to know that you're going to find every misbehaving
22 one, okay?

23 And if one of your measures is the percentage
24 that actually were behaving, I don't know whether
25 someone out there, as you push this through the

1 organization, is going to say, well, if I just
2 check that they were all complying, I score better.
3 That's not what I'm looking for.

4 COMMISSIONER BREAKSPEAR: Now we're on --

5 CFO ATWATER: That was Number 7 and 8. The
6 same point, this is --

7 COMMISSIONER BREAKSPEAR: Well, there's a
8 slight difference.

9 CFO ATWATER: This is you being held
10 accountable.

11 COMMISSIONER BREAKSPEAR: There's a slight
12 difference, CFO.

13 CFO ATWATER: All right.

14 COMMISSIONER BREAKSPEAR: Number 8 gets to
15 them rating us.

16 CFO ATWATER: Correct.

17 COMMISSIONER BREAKSPEAR: Number 7 is us
18 finding people in compliance.

19 CFO ATWATER: Correct.

20 COMMISSIONER BREAKSPEAR: And when we got into
21 an examination, we want to see more of them in
22 compliance than not. And I understand that you
23 could get an examiner who ducks an issue, but I
24 don't think that's the case. Our problem is we are
25 finding too many findings in our examinations when

1 we're out in the field, and we're trying to figure
2 out how we get those check cashers to comply.

3 Now one of the issues we have is 82% of all of
4 our check cashers are a single location. They're
5 not big businesses with compliance offices and all
6 of the rest of it. And we have some things that
7 they absolutely have to do which are very important
8 to not only compliance with the statute, but our
9 ability to go get that data and mine that data for
10 other purposes.

11 And what we're trying to do in this measure
12 is to say that a 57% compliance rate just flat out
13 is not good enough. We need to have our check
14 cashers complying at a higher rate. What we're
15 trying to do is figure out how we get that done.

16 CFO ATWATER: Well, I think that's a good --
17 that's a very good point; and whether or not you
18 would say increase number of training and
19 educational sessions for check cashing compliance
20 organizations is going to be an issue in the coming
21 year to improve that, I think is a good initiative.

22 Just measuring you on how well they started
23 complying, believe me, that's like measuring
24 somebody on something they cannot control. You can
25 educate them and you can train them, that's an

1 objective thing. You can do 20% more education,
2 30% more training sessions, whatever you can do.

3 COMMISSIONER BREAKSPEAR: That's what we're
4 trying to do in this measure, is try and get a
5 better response rate. And we do not like where
6 we're seeing it today, and we feel it needs to be
7 raised.

8 CFO ATWATER: I like that.

9 COMMISSIONER BREAKSPEAR: In terms of your
10 ranges, I'd argue with your ranges because I think
11 given the mix of the businesses and the fact that
12 we have so many sort of real small shops getting --
13 ever scoring a five with the ranges we've got here
14 would be impossible, so we'd suggest lowering those
15 ranges.

16 You know, if you're dealing with somebody who
17 has a hundred branches, they have a compliance
18 function, they have everything in place; you're
19 dealing with a small grocery store that cashes
20 checks as part of their broader business, a lot
21 harder to get them in compliance. But it's
22 important that we move in that direction, that's
23 why I put it out there as a measure.

24 CFO ATWATER: I get that, I just -- I would
25 rather what you put down is in a measure that the

1 percentage of training initiatives, whatever you
2 can actually go do to get them to start
3 understanding where they're deficient. Just
4 scoring you as to them getting better is to suggest
5 that some examiner is going to be put in an odd
6 spot somewhere. I assume you're pushing this down
7 in the organization.

8 COMMISSIONER BREAKSPEAR: We're pushing it
9 down in the organization, but most of this is --
10 more at the top level is when somebody gets a check
11 cashier license with us, we tell them all of the
12 things they have to do to comply. And then we go
13 out and do an examination and find they've ignored
14 everything we've told them, and so we're sitting
15 back and saying, we've got to figure out some
16 different approaches but our intent is compliance,
17 because in the long-term, if they comply, they
18 provide better service to the consumer.

19 Also, if they comply it makes fraud
20 investigations and other types of investigations
21 that use their data much easier to conduct. And,
22 CFO, you know, your Workers' Compensation Task
23 Force in the Division of Insurance Fraud uses some
24 of the data that comes out of these check cashers.
25 That's why I want a higher level of compliance as

1 well.

2 CFO ATWATER: Yeah, I understand that. I get
3 that. I just would suggest to you that I believe
4 this should be something you can control, that you
5 are going to work with improving compliance by
6 training --

7 COMMISSIONER BREAKSPEAR: Okay. We --

8 CFO ATWATER: -- audits.

9 COMMISSIONER BREAKSPEAR: We can go back and
10 revisit it and see if we can figure out something
11 else. I hope you understand what we're trying to
12 accomplish here.

13 CFO ATWATER: I do understand.

14 COMMISSIONER BREAKSPEAR: And, no, we would
15 not tolerate our examiners giving somebody a pass
16 on something because it helped get this rating up.

17 CFO ATWATER: Well, I never would have graded
18 a bank auditor by just the raw improvement score of
19 a division's achieving audit standards because
20 they'd say I figured this out fast, I'm just going
21 to start looking the other way, or not so
22 aggressive, and they'll score better.

23 COMMISSIONER BREAKSPEAR: Yeah, I
24 understand your --

25 CFO ATWATER: I would have said: I want these

1 better. You're going to spend more time in the
2 field, you're going to train them on what they need
3 to do, and they're going to do it, and you're going
4 to hold them accountable to do it.

5 GOVERNOR SCOTT: So we're going to drop
6 Number 7.

7 CFO ATWATER: Thank you.

8 GOVERNOR SCOTT: Okay. All right. So we've
9 dropped Number 7, we've dropped Number 9. No,
10 we're just going to ask for data I guess on
11 Number 9. Why don't we just ask for data on
12 Number 7? Do you think if we ask for data it's
13 going to create the wrong incentive, Drew, on
14 Number 7?

15 COMMISSIONER BREAKSPEAR: I'm sorry?

16 CFO ATWATER: I don't think so, no.

17 GOVERNOR SCOTT: If we just ask for the data
18 on Number 7, do you think it will create the wrong
19 incentive; there's no measurement tied to it?

20 COMMISSIONER BREAKSPEAR: We'll figure out
21 some different measures for this, Governor, but
22 we're going to continue to track this because
23 that's how we know whether we're succeeding in what
24 we're trying to accomplish.

25 GOVERNOR SCOTT: That sounds good, okay. And

1 what did we decide to do on Number 8?

2 ATTORNEY GENERAL BONDI: Keep it, I believe.
3 I believe -- I know my office felt that was
4 important. CFO, did you feel it was important,
5 Governor --

6 CFO ATWATER: General, I'll answer that. I
7 think it is important. You want the industry to be
8 able to give you marks, and I think maybe weighting
9 it lower is the appropriate thing because, again, I
10 have been examined; and those things don't always
11 end on a cheery note. And, again, I don't know
12 that I could expect somebody to mail in, man, these
13 examiners, they turned me inside out and I hope
14 they come back next week. It's just not going to
15 happen.

16 But it would be a way of understanding
17 someone's thoughtful, professional response to:
18 Did we come in in a professional manner? Did we
19 measure you on the standards that you understood
20 you'd be measured on? I think we need to see the
21 tool, but, yeah, I think -- I'm okay.

22 GOVERNOR SCOTT: So we'll leave 8 in.

23 So let's just now just go through, Number 1,
24 Drew, from your standpoint, you're okay with the
25 objective. Are you okay with the range and the

1 scoring system -- well, the range? Are you okay
2 with Number 1?

3 COMMISSIONER BREAKSPEAR: Oh, yes, I am.

4 GOVERNOR SCOTT: Number 2?

5 COMMISSIONER BREAKSPEAR: Yes.

6 GOVERNOR SCOTT: Number 3?

7 COMMISSIONER BREAKSPEAR: Yes.

8 GOVERNOR SCOTT: Number 4?

9 COMMISSIONER BREAKSPEAR: Yes.

10 GOVERNOR SCOTT: Five?

11 COMMISSIONER BREAKSPEAR: Yes.

12 GOVERNOR SCOTT: Six?

13 COMMISSIONER BREAKSPEAR: Yes.

14 GOVERNOR SCOTT: Eight?

15 COMMISSIONER BREAKSPEAR: Number 8, I'm fine
16 with, sorry.

17 GOVERNOR SCOTT: Ten?

18 COMMISSIONER BREAKSPEAR: Yes.

19 GOVERNOR SCOTT: Okay. All right. So now
20 we've got 80 points to give out.

21 ATTORNEY GENERAL BONDI: I have a suggestion,
22 Governor. Can I --

23 GOVERNOR SCOTT: Well, it works because these
24 two that we got rid of reached 10.

25 CFO ATWATER: There we go.

1 ATTORNEY GENERAL BONDI: But do you want to
2 rank them all equally? Can I give you a
3 suggestion?

4 GOVERNOR SCOTT: Here's what we did, one
5 thing, Attorney General, we cut out Number 7,
6 that's 10%.

7 ATTORNEY GENERAL BONDI: Right.

8 GOVERNOR SCOTT: Number 9 is 10%.

9 ATTORNEY GENERAL BONDI: Right.

10 GOVERNOR SCOTT: So it's 80% right now.

11 ATTORNEY GENERAL BONDI: Right, if we do them
12 equally though. But I think -- I'm sorry, I
13 thought, Governor, you and the CFO thought Number 1
14 should be rated higher.

15 GOVERNOR SCOTT: If we just do it now the way
16 that he has the numbers in here --

17 ATTORNEY GENERAL BONDI: Okay.

18 GOVERNOR SCOTT: -- I think it will add up to
19 80%.

20 ATTORNEY GENERAL BONDI: Okay.

21 GOVERNOR SCOTT: Because we cut out two that
22 were each at 10%.

23 ATTORNEY GENERAL BONDI: Which comes out at
24 eight. I had just ranked them a bit differently.
25 I gave 20% -- I totaled --

1 GOVERNOR SCOTT: Oh, did you have a
2 recommendation that we change one of them?

3 ATTORNEY GENERAL BONDI: Yeah, can I read
4 these two?

5 GOVERNOR SCOTT: Sure.

6 ATTORNEY GENERAL BONDI: And these are based
7 on what you gentlemen have been saying.

8 GOVERNOR SCOTT: Okay.

9 ATTORNEY GENERAL BONDI: That I think Number 1
10 is probably the most important to both of you.

11 GOVERNOR SCOTT: Okay.

12 ATTORNEY GENERAL BONDI: Can I just read these
13 to you and --

14 GOVERNOR SCOTT: And I'll add them up.

15 ATTORNEY GENERAL BONDI: Please, I'm just
16 trying to add up to 80.

17 GOVERNOR SCOTT: I'll make sure.

18 ATTORNEY GENERAL BONDI: Okay. Number 1, 20.

19 GOVERNOR SCOTT: Okay.

20 ATTORNEY GENERAL BONDI: Number 2, 10;
21 Number 3, 10; Number 4, 10; Number 5, 10; Number 6,
22 10, which is up 5%; Number 8, 5; and Number 10, 5.

23 GOVERNOR SCOTT: That sounds good to me.

24 CFO ATWATER: Fine.

25 COMMISSIONER PUTNAM: Second.

1 GOVERNOR SCOTT: Okay. All right. So
2 then the --

3 ATTORNEY GENERAL BONDI: Is that okay?

4 COMMISSIONER BREAKSPEAR: Yes.

5 GOVERNOR SCOTT: The recommendation now is
6 that we use the CFO's performance measures with the
7 Attorney General's weighting system. We've gotten
8 rid of Number 7 and Number 9, that's 80%. Twenty
9 percent will be the Commissioner of Agriculture's
10 supplemental?

11 ATTORNEY GENERAL BONDI: Right, and I had 20%,
12 excuse me, Governor, for the Commissioner.

13 GOVERNOR SCOTT: And that will be subjective,
14 and I think that's it.

15 All right. Does anybody want to make a
16 motion?

17 COMMISSIONER PUTNAM: So move.

18 GOVERNOR SCOTT: Is there a second?

19 ATTORNEY GENERAL BONDI: I'll second.

20 GOVERNOR SCOTT: So any comments or
21 objections?

22 (NO RESPONSE).

23 GOVERNOR SCOTT: All right. The motion
24 carries.

25 Thank you.

1 COMMISSIONER BREAKSPEAR: Thank you.

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DEPARTMENT OF REVENUE

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3 GOVERNOR SCOTT: Now we'll do the Department
4 of Revenue's. So do you want to just -- we'll go
5 to the CFO's recommendation.

6 EXECUTIVE DIRECTOR STRANBURG: Good afternoon.

7 GOVERNOR SCOTT: You want to go through it,
8 Marshall?

9 EXECUTIVE DIRECTOR STRANBURG: Good afternoon.
10 Yes.

11 We had presented five items as part of our
12 packet, I believe as -- just to quickly go through
13 them. The first item were our performance measures
14 as we presented at the last Cabinet meeting.

15 The second item, Governor, were your proposed
16 performance measures with comments that we
17 submitted indicating were they either identical to
18 our measures, maybe were a little different from
19 our measures, or were not part of our measures.

20 The third item in our packet and the fifth
21 item were both you and the Commissioner's
22 supplemental questions.

23 And then Item Number 4 in our packet is the
24 CFO's proposed weighting system as you've talked
25 about with the prior two agencies where, again, he

1 picked up our 11 proposed measures that we had put
2 forth at the last Cabinet meeting, assigned them
3 values, and weighted them.

4 So, again, I'm here to give you any kind of
5 assistance, answer any questions, or give you any
6 suggestions that you would like.

7 GOVERNOR SCOTT: So I think -- first off, I
8 want to thank you for all of the information you
9 provided. It was very detailed and it's very
10 appreciated.

11 So why don't we -- if it's okay, what we'll do
12 is we'll just take the CFO's recommendations and
13 let's just start off by everybody saying whether
14 they're okay or not okay with any of the
15 objectives.

16 First off, is everybody okay with just taking
17 the CFO's recommendation and to review that as our
18 primary measure and do it the same way? 20% would
19 be for the Commissioner of Agriculture's
20 supplemental.

21 ATTORNEY GENERAL BONDI: Right, I'm going to
22 reevaluate -- I'll try to change this around.

23 GOVERNOR SCOTT: And, Marshall, do you want
24 to -- first off, do you have any issues with any of
25 the objectives that the CFO had?

1 EXECUTIVE DIRECTOR STRANBURG: The
2 11 measures, no, we have no objection with those.

3 GOVERNOR SCOTT: Okay. So let's just all go
4 through those real quick. Percentage of all tax
5 returns filed timely and accurately. And any
6 issues with regard to the -- let's forget the
7 weight for just a second and make sure, in case we
8 get rid of something. The scoring system?

9 EXECUTIVE DIRECTOR STRANBURG: Oh, I think
10 generally we are comfortable with the scoring
11 system. We acknowledge, as I think you've
12 discussed with some of the other agencies today,
13 you know, sometimes reaching a 100% may not really
14 be a realistic goal; but, you know, we will
15 endeavor to do what we can to meet those.

16 CFO ATWATER: Governor, could I ask a
17 question?

18 GOVERNOR SCOTT: Yeah, CFO.

19 CFO ATWATER: Yeah, again, I took the best
20 effort to -- where there was consensus, to just put
21 it in this format, but I do have some questions on
22 them.

23 How do you -- could you tell me, Marshall, how
24 the behavior of your leadership impacts Number 1's
25 performance?

1 EXECUTIVE DIRECTOR STRANBURG: Again,
2 Number 1 -- and actually, also, we can talk about
3 Number 2 as well.

4 CFO ATWATER: Yeah, exactly.

5 EXECUTIVE DIRECTOR STRANBURG: Both of those.
6 And what we look at is: Are there things that we
7 can do to get taxpayers to file their returns
8 timely, to make their payments timely?

9 And so what we would be looking at are things
10 like: Are we getting the right messages out? Are
11 we doing the kind of educational and outreach
12 efforts that we need to do so that taxpayers
13 understand: This is when I have to file a return,
14 this is when I have to pay, these are the methods
15 of payment that I need to make.

16 Secondly, you know, another thing that we also
17 look at is, you know, are we doing things in our
18 rules and, more importantly, in our statutes that
19 are making it easier for taxpayers to comply?
20 For example, you know, what we did a handful of
21 years ago was we had situations where we had
22 businesses that were seasonal businesses in our
23 state. If they were filing their sales tax returns
24 as they were supposed to under the law at that time
25 on a monthly basis, we had a lot of them who were

1 not having to file returns, they were making no
2 sales. Sometimes they were inadvertently
3 forgetting to send in the return. Well, we would
4 show them as being delinquent, as being late.

5 So what we did was we came forward with a
6 statutory idea to say: Why don't we go to yearly
7 filing, semi-annual filing, quarterly filing,
8 rather than having everybody monthly file? So
9 we're always looking at that information when
10 people are not in compliance to say: Are there
11 things that we can do to both educate them but
12 maybe change the law in order -- so that they can
13 come into compliance and we're not putting burdens
14 on them, for example, to have to file returns when
15 they really don't have any activity going on.

16 CFO ATWATER: Yeah, I get -- and I think
17 that's part of leadership. That you would do
18 periodically to bring to the Governor, bring to the
19 Legislature, hey, this could help improve things.
20 But I feel like your -- this is like you want to --
21 you're taking credit for whether the tide comes in.
22 You know, it's going to happen unless you -- if you
23 can point to things that you all are doing day in
24 and day out that are improving the turnaround time
25 and the deadline meeting of people all across the

1 state that don't know you, don't know any of us,
2 they're measuring you on that.

3 EXECUTIVE DIRECTOR STRANBURG: Yes. No, I
4 understand. And I do know that, yes, there is a
5 certain amount, I'll characterize it, as risk on
6 our part. We are being held accountable for
7 activities that we have very little control over.

8 CFO ATWATER: Well, you just answered my
9 question. If it's a performance measure for you,
10 I'd like it to be something you control and you can
11 show us you can control it.

12 EXECUTIVE DIRECTOR STRANBURG: And, again,
13 CFO, I agree with you. We don't have maybe as much
14 control as we do over some of our measures. We'd
15 like to think we can be positive in influencing
16 behavior of those people who are, you know, not
17 filing returns timely, who are not making their
18 payments timely. But, again, there are only so
19 many things we can do toward that effort.

20 CFO ATWATER: Governor, I might just suggest
21 that if we just -- I'm okay to move ahead, but I
22 would just put them at low weights for a year and
23 see how it looks. And so maybe when we come to
24 weighting, I may suggest those be five and fives
25 and Number 1 and 2 and --

1 EXECUTIVE DIRECTOR STRANBURG: Or,
2 alternatively, CFO, we could even live with,
3 you know, we can report those to you for a year.
4 We could take them out of the scoring, report them
5 to you for a year, they would be information; and
6 if you'd like to add them in next year --

7 CFO ATWATER: I like that better.

8 EXECUTIVE DIRECTOR STRANBURG: -- we can add
9 them in next year.

10 CFO ATWATER: I like that better.

11 GOVERNOR SCOTT: So Number 1 will just be
12 data?

13 EXECUTIVE DIRECTOR STRANBURG: Number 1 and
14 Number 2 because they're pretty much the -- very
15 similar.

16 GOVERNOR SCOTT: Number 1 and 2 we're just
17 going to get information.

18 ATTORNEY GENERAL BONDI: So Number 1 and 2
19 we're scratching, it's just data.

20 CFO ATWATER: Just data.

21 ATTORNEY GENERAL BONDI: Governor, while we're
22 talking about data, can I add one more just for
23 data, please? It's very important to my office.

24 As you know, we're the legal service provider
25 and we're under contract with DOR with child

1 support. We've had some issues, and this is what I
2 would like to add in as data that I'm requesting,
3 I'd like to add that you'll focus on and will
4 ensure that all counties in Florida reach the
5 proposed percentage of support collected on IV-D
6 cases using the best practices.

7 EXECUTIVE DIRECTOR STRANBURG: Okay.

8 ATTORNEY GENERAL BONDI: Do you not
9 understand?

10 EXECUTIVE DIRECTOR STRANBURG: No, could you
11 say that one more time? I want to make sure I
12 understand it.

13 ATTORNEY GENERAL BONDI: This is just -- we
14 moved 1 and 2 to data, and this is important for me
15 because we have five -- we have three regions,
16 multiple counties, where we go in and handle the
17 child support collection and we've had some issues.

18 We've had -- I mean I'm going to be straight
19 up. We've had calls that your office hasn't been
20 responsive. I know that happens with every agency.
21 But we have to step up and get involved with these
22 spillover calls and we shouldn't have to be doing
23 that, but we are because these are important cases.
24 And, again, we have three major regions, one right
25 here in Tallahassee, so --

1 GOVERNOR SCOTT: So we'll add that as data.

2 ATTORNEY GENERAL BONDI: Right, that's -- so
3 I'm asking to collect data on that.

4 GOVERNOR SCOTT: Sure.

5 EXECUTIVE DIRECTOR STRANBURG: So you want --

6 ATTORNEY GENERAL BONDI: I'm not asking for a
7 percentage.

8 EXECUTIVE DIRECTOR STRANBURG: You're asking
9 for data tunneling down to the county level, if
10 I'm understanding you, General Bondi, on that
11 measure. And please understand, too, we have two
12 counties in the state where we have other entities
13 other than us or your office providing those
14 services.

15 ATTORNEY GENERAL BONDI: Right, I have three
16 regions, multiple counties.

17 EXECUTIVE DIRECTOR STRANBURG: Right, but we
18 have Miami/Dade County where the State Attorney's
19 Office in Miami/Dade County handles that function;
20 and in, I believe it's Manatee County, where the
21 Clerk of the Court handles that function.

22 ATTORNEY GENERAL BONDI: Right, I have
23 Broward, which is multiple counties; I have
24 Sarasota, which is multiple counties; and I have
25 Tallahassee, which includes six counties, so that's

1 a lot.

2 And again -- again, I'm not -- we all get
3 criticized for calls coming in, but we're taking a
4 lot of spillover from your office, and we shouldn't
5 have to be dealing with that, and we are because we
6 care.

7 So if you can help us with that, I'm asking
8 you to help us improve in that category. We need a
9 lot of improvement. This is very important. I
10 mean we're the ones who are collecting in these
11 counties, and so this is very important to us.

12 We all -- I know just from our history -- we
13 all care about child support. So that's all very
14 important to us.

15 EXECUTIVE DIRECTOR STRANBURG: Okay. Yes,
16 we will work -- and what we will do is we'll get
17 with your staff on making sure that we both
18 understand, just, you know, how we can work --
19 not only how we can work better together, but how
20 we can make sure we're getting the right
21 information so we know where we need to make any
22 improvements.

23 ATTORNEY GENERAL BONDI: And what best
24 practices you're using --

25 EXECUTIVE DIRECTOR STRANBURG: Best practices,

1 right.

2 ATTORNEY GENERAL BONDI: -- in the D-IV arena.

3 EXECUTIVE DIRECTOR STRANBURG: Yes, uh-huh.

4 ATTORNEY GENERAL BONDI: Thank you.

5 EXECUTIVE DIRECTOR STRANBURG: Okay.

6 GOVERNOR SCOTT: Thanks. All right?

7 ATTORNEY GENERAL BONDI: Thank you.

8 GOVERNOR SCOTT: So three -- so does anybody
9 have any problems with either the objectives or the
10 ranges for any of the others? We're going to leave
11 in 3 through 11.

12 ATTORNEY GENERAL BONDI: All right. Can I try
13 and weight them for you real quick, Governor?

14 GOVERNOR SCOTT: Sure. Absolutely.

15 ATTORNEY GENERAL BONDI: Given -- consistent
16 with what you --

17 EXECUTIVE DIRECTOR STRANBURG: Actually, if it
18 would help you, General Bondi, if we take out 1 and
19 2, we're down to 85%. So if we could just make a
20 5% adjust in one of the other measures, that would
21 get us --

22 ATTORNEY GENERAL BONDI: That's what I was
23 just going to say. I was going to ask the experts
24 to my left.

25 There are two ranked at 15, Number 3 and

1 Number 4. Is there one of those that you would
2 prefer to drop to 10%? And then that should get us
3 to 80? Is one more important to you than the
4 other?

5 CFO ATWATER: Marshall, is --

6 EXECUTIVE DIRECTOR STRANBURG: I would say
7 probably more important -- well, you can almost
8 flip a coin on this one to be honest with you;
9 but I would say, if we had to pick one, I'd say
10 maybe we knock down Number 3 to 10.

11 ATTORNEY GENERAL BONDI: I'm sorry, knock --

12 EXECUTIVE DIRECTOR STRANBURG: Number 3, the
13 average days from receipt to -- from payment to
14 deposit to 10%.

15 ATTORNEY GENERAL BONDI: So you'd rather knock
16 3 to 10%?

17 EXECUTIVE DIRECTOR STRANBURG: Yeah.

18 ATTORNEY GENERAL BONDI: Governor, would you
19 like me to read through them just to be --

20 GOVERNOR SCOTT: Well, the only one that
21 changed is 3.

22 ATTORNEY GENERAL BONDI: Right.

23 GOVERNOR SCOTT: Right.

24 ATTORNEY GENERAL BONDI: And then 20% for
25 Commissioner Putnam.

1 GOVERNOR SCOTT: Right. Okay. So the
2 proposal on the table is we'll take these
3 objectives; we'll move 1 and 2 to data; we'll add
4 the AG's data; we'll change on the weighting
5 Number 3 to 10. The Commissioner of Agriculture's
6 supplemental will be 20%, and that would be the
7 motion.

8 All right. Would anybody like to make --

9 COMMISSIONER PUTNAM: Move it.

10 GOVERNOR SCOTT: Is there a second?

11 ATTORNEY GENERAL BONDI: Second.

12 GOVERNOR SCOTT: Any objections or comments?

13 ATTORNEY GENERAL BONDI: No, and, Governor,
14 I'm sorry, you said -- I was still adding, and so
15 I'm not a pediatrician right now. Number 1 and
16 Number 2 are going to be data as long --

17 GOVERNOR SCOTT: Data, and along --

18 ATTORNEY GENERAL BONDI: And as well as my
19 issue with child support?

20 GOVERNOR SCOTT: Yeah, yours is going to be
21 that.

22 ATTORNEY GENERAL BONDI: Thanks.

23 GOVERNOR SCOTT: And, again, everybody will --
24 any information that we ask one of these agencies,
25 we can ask all on our own, and they'll send it to

1 us and everybody else.

2 CFO ATWATER: Governor, can I -- thank you.
3 I was just going to suggest that now that
4 everybody has this, I really think we ought to at
5 least allow, within the ranges, that we may want
6 to -- people might want to take a hard look. Now
7 that we've got that format, to be sure there are
8 no lay-ups in here or there are no impossibles
9 that -- and it was fairly quick that we moved
10 through that, so --

11 GOVERNOR SCOTT: Marshall, did you go through
12 these and think --

13 EXECUTIVE DIRECTOR STRANBURG: Yes. Yes, we
14 went through those.

15 GOVERNOR SCOTT: Did you sandbag all these to
16 make it easy?

17 EXECUTIVE DIRECTOR STRANBURG: No, we did not,
18 Governor. There are -- I think all of them are
19 reasonable. I think, yes, for us to achieve some
20 of the four and five ratings would be some
21 stretches for us. So I think that's appropriate to
22 challenge us to get to those exceed numbers, so I
23 think our staff in looking at them felt comfortable
24 that, yes, we could -- we could, as you indicated
25 with the other agencies, we could be successful,

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but we will be challenged to be exceptional.

GOVERNOR SCOTT: Great. Thank you, Marshall.

EXECUTIVE DIRECTOR STRANBURG: Thank you.

* * * *

ADMINISTRATION COMMISSION

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3 GOVERNOR SCOTT: Last, Mark Kruse is here to
4 speak on a notice by the Administration Commission.

5 EXECUTIVE DIRECTOR KRUSE: Good afternoon.

6 The Administration Commission has one item,
7 which is a notice of the proposed issuance of a
8 final order in the matter of Katie Pierola and
9 Greg Geraldson versus Manatee County and
10 Robinson Farms, Inc.

11 This matter came before the Commission on
12 March 24th, 2015, to determine whether a
13 comprehensive plan amendment adopted by
14 Manatee County was in compliance as that term is
15 defined within Chapter 163, Florida Statutes.
16 Following various presentations, the Commission
17 voted to grant the exceptions and found the
18 comprehensive plan amendment was in compliance.

19 Commission staff drafted the final order
20 before you to reflect the Commission's ruling which
21 will be issued by the Secretary of the Commission.
22 Because the Commission has already issued its
23 ruling in this matter, there is no vote required at
24 this time. This notice is intended to provide you
25 the opportunity to review the final order prior to

1 its issuance to ensure it accurately reflects your
2 ruling on March 24th, 2015.

3 I'd be happy to answer any questions you may
4 have.

5 GOVERNOR SCOTT: Any questions anybody has?
6 Commissioner.

7 COMMISSIONER PUTNAM: My only comment is
8 thank you for bringing it back to us. This was a
9 complicated matter when we discussed it the first
10 time, and I think it's appropriate that we had the
11 opportunity to review all of the findings before
12 the final order was issued.

13 So thank you for putting it on the agenda,
14 and thank you for bringing it back for a second
15 look.

16 EXECUTIVE DIRECTOR KRUSE: Of course.
17 Thank you, sir.

18 GOVERNOR SCOTT: All right. Anybody else?

19 (NO RESPONSE).

20 GOVERNOR SCOTT: Thank you, Mark.

21 EXECUTIVE DIRECTOR KRUSE: Thank you.

22 GOVERNOR SCOTT: That concludes today's
23 meeting.

24 Our next meeting will be June 23rd at 9 a.m.
25 Thanks, everybody.

(WHEREUPON, THE MEETING WAS ADJOURNED) .

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STATE OF FLORIDA)
COUNTY OF LEON)

I, NANCY S. METZKE, RPR, FPR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 10th day of May, 2015.

NANCY S. METZKE, RPR, FPR
Court Reporter

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ERRATA SHEET

Meeting of the Governor and Cabinet

Meeting Date: May 5, 2015

Page	Line	Error or Change	Reason for Change
6	4	Insert "on" between "midnight" and "Friday"	
6	6	Change "we have" to "we've"	
6	13	Change "15" to "15 th "	
6	14	Change "of" to "on"	
6	15	Insert "in" between "falls" and "between"	
6	15	Remove "the"	
6	22	Change "a" to "our"	
6	24	Insert "also" between "like" and "to"	
7	3	Change "23" to "23 rd "	
7	10	Insert "of" after "Secretary"	
7	17	Change "we will" to "we'll"	
8	1	Insert "then" between "and" and "we'll"	
8	3	Insert "we'll make a decision to" between "and" and "permanently"	
8	9	Insert "I think" between "Sure." and "June"	
8	9	Remove "we would"	
8	10	Insert "we'd" between "probably" and "want"	
8	10	Insert "ATTORNEY GENERAL BONDI: "June 23 rd is our meeting? GOVERNOR SCOTT: Yeah," between "- -" and "I"	
8	10	Insert "it's" after "think"	
8	11	Change "I think" to "probably"	
8	11	Change "we" to "we'd"	
8	18	Change "Is everybody" to "Everybody's"	
8	22	Insert "to decide then, right? But my goal would be" between "be" and "to"	
8	25	Change "that" to "them"	
9	1	Change "we'll" to "we'd"	
9	4	Insert "a" between "was" and "--"	
9	6	Insert "you would" between "presumably" and ".,"	
9	9	Change "23 rd . And" to "23 rd , we would -- and"	
9	11	Change "in" to "over"	
9	12	Insert "that" after "sure"	

9	16	Change "We can be" to "There's no reason -- we can -- it would be"	
9	18	Change "and everybody have" to "for everybody to have"	
9	19	Change "felt" to "thought"	
9	22	Remove "that" between "feeling" and "some"	
9	24	Insert "looking at the calendar" after "gives --"	
10	2	Insert "then" between "and" and "we"	
10	4	Change "So if everybody is okay," to "So, what we'll do -- so if everybody's okay --"	
10	5	Change "a" to "the"	
10	5	Remove "the" after "receive"	
10	6	Insert "that way" between "so" and "everyone"	
10	6	Change "so everyone" to "so that way everybody"	
10	7	Change "anyone" to "anybody"	
10	8	Insert ", doesn't mean we'll get it done by then, but with the goal" between "goal" and "that"	
10	14	Change "office." to "offices --"	
10	21	Insert "it will go through" between "office," and "Elaine"	
10	22	Insert "then" between "And" and "we"	
10	25	Change "Right, right. So is that okay" to "Right. ATTORNEY GENERAL BONDI: Thank you. GOVERNOR SCOTT: Alright, does that work"	
11	1	Change "with" to "for"	
11	4	Remove "is"	
11	6	Change "everybody coming" to "everybody have, and if they come in"	
11	7	Remove "the"	
12	7	Remove "Good" and Capitalize "morning,"	
12	15	Change "COMMISSIONER" to "CHIEF FINANCIAL OFFICER"	
12	22	Change "NNN" to "Triple N"	
12	22	Capitalize "area"	
12	23	Change "14,480" to "\$14,480"	
12	24	Change "route" to "boot"	
13	3	Change "assisting" to "existing"	
13	3	Change "Koshi" to "Kaschai"	
13	5	Change "NNN" to "Triple N Ranch"	
13	18	Remove "and"	
13	21	Change "10,000" to "Ten Thousand"	

13	23	Change "County," to "County."	
14	4	Change "Wild Life" to "Wildlife"	
14	5	Change "Protections" to "Protection's"	
14	6	Change "items" to "item"	
14	15	Change "propose" to "proposed"	
14	21	Change "COMMISSIONER PUTNAM" to "CHIEF FINANCIAL OFFICER ATWATER"	
15	5	Change "McMahan" to "McMahon"	
15	5	Change "aqua" to "aquaculture"	
15	6	Remove "culture"	
15	9	Change "Wild Life" to "Wildlife Conservation"	
15	9	Insert "the" between "and" and "Department"	
15	10	Change "Protections" to "Protection's"	
15	14	Change "Corp" to "Corps"	
15	17	Change "here" to "gear"	
16	5	Change "make" to "be"	
16	6	Insert "my" between "always" and "concern"	
16	9	Remove "an"	
16	10	Insert "," after "Guard"	
16	11	Change "Corp" to "Corps"	
16	19	Change "leases" to "lease"	
16	20	Change "Captain" to "Kal"	
17	6	Change "thanks" to "thank you"	
17	7	Insert "Alright." before "Thanks,"	
17	8	Change "*****" to "SECRETARY JON STEVERSON: That concludes the agenda. Thank you."	
19	9	Insert "*****"	
159	5	Change "EXECUTIVE DIRECTOR" to "MARK"	
160	16	Change "EXECUTIVE DIRECTOR" to "MARK"	
160	21	Change "EXECUTIVE DIRECTOR" to "MARK"	