



Administrative Law Section



CHAIR:

Patrick L. "Booter" Imhof
Florida Senate
404 S. Monroe St.
Tallahassee, FL 32399-1100
(850)487-5957

CHAIR-ELECT:

J. Andrew Bertron, Jr.
1983 Centre Pointe Blvd., Ste. 200
Tallahassee, FL 32308-7823
(850)224-7091

SECRETARY:

Elizabeth W. McArthur
P.O. Box 10967
Tallahassee, FL 32302-2967
(850)425-6654

TREASURER:

Seann M. Frazier
101 E. College Ave.
Tallahassee, FL 32301-7742
(850)222-6891

IMMEDIATE PAST CHAIR:

Deborah K. Kearney
327 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399-1300
(850)488-7631

BOARD LIAISON:

Lawrence E. Sellers, Jr.
P.O. Box 810
Tallahassee, FL 32302-0810
(850)425-5671

P.U.L.C. CHAIR:

Cynthia B. Miller
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-7019
(850)413-6082

EXECUTIVE COUNCIL:

Terms Expiring 2007:

Donna E. Blanton
Tallahassee
Mary Ellen Clark
Tallahassee
Allen R. Grossman
Tallahassee
Lisa S. Nelson
Tallahassee
Linda M. Rigot
Tallahassee
W. David Watkins
Tallahassee
William E. Williams
Tallahassee

Terms Expiring 2008:

F. Scott Boyd
Tallahassee
Clark R. Jennings
Tallahassee
Bruce D. Lamb
Tampa
M. Catherine Lannon
Tallahassee
Wellington H. Meffert
Tallahassee
Cathy M. Sellers
Tallahassee
T. Kent Wetherell, II
Tallahassee

SECTION ADMINISTRATOR:

Jackie Werndli
651 E. Jefferson St.
Tallahassee, FL 32399-2300
(850)561-5623

Administrative Law Section Executive Council Meeting
Friday, September 8, 2006 – 2:00-5:00 p.m.

EXECUTIVE COUNCIL AGENDA

- I. CALL TO ORDER – Patrick L. "Booter" Imhof, Chair
- II. PRELIMINARY MATTERS
 - A. Consideration of Minutes – June 23, 2006
 - B. Treasurer's Report – Seann M. Frazier
 1. 6/30/06 Detail Statement of Operations
 2. 7/31/06 Detail Statement of Operations
 - C. Chair's Report – Patrick L. "Booter" Imhof
- III. COMMITTEE/LIAISON REPORTS
 - A. Continuing Legal Education – Seann M. Frazier
 1. Pat Dore Conference – October 19-20, 2006
 2. Basic Administrative Law – December 7, 2006
 3. Tentative Administrative Law – April 20, 2007
 - B. Publications – Deborah K. Kearney
 1. Newsletter – Elizabeth W. McArthur/Donna E. Blanton
 - a. Agency Snapshots – Mary Ellen Clark
 2. TFB *Journal* – Deborah K. Kearney
 - C. Legislative – J. Andrew Bertron/Linda M. Rigot/William E. Williams
 1. 2006-2008 Legislative Biennium Positions
 - D. Public Utilities Law – Cynthia B. Miller
 - E. Membership – T. Kent Wetherell, II
 - F. Webpage – Daniel E. Nordby
 - G. Uniform Rules of Procedure – Linda M. Rigot
 - H. Long Range Planning – J. Andrew Bertron, Jr.
 - I. Board of Governors Liaison – Lawrence E. Sellers, Jr.
 1. TBA/BOG Report
 - J. Law School Liaison – Cathy M. Sellers
 - K. CLE Committee Liaison – M. Catherine Lannon/Seann M. Frazier
 - L. Council of Sections – Mary Ellen Clark/Patrick L. Imhof/Clark R. Jennings
 - M. Section/Division Liaison
 1. Environmental and Land Use Law – Cathy M. Sellers
 2. Health Law – Allen R. Grossman
 3. YLD Liaison – Rhonda Chung-DeCambre Stroman
 - N. DOAH Update – Lisa S. Nelson/Linda M. Rigot/T. Kent Wetherell, II
 - O. Appellate Court Rules ad hoc Committee – M. Catherine Lannon/William E. Williams
- IV. OLD BUSINESS

- V. NEW BUSINESS
 - A. ALS Listserv
 - 1. ELULS Examples
 - B. State and Federal Government and Administrative Practice Certification Committee Recommendations
 - C. Long Range Planning Retreat
- VI. INFORMATIONAL
 - A. Executive Council List
 - B. 2006-07 Committee List
- VII. TIME AND PLACE OF NEXT MEETING
 - January 5, 2007 – Long Range Planning Retreat
- VIII. ADJOURNMENT

MINUTES
ADMINISTRATIVE LAW SECTION EXECUTIVE COUNCIL MEETING
June 23, 2006
Boca Raton, Florida

I. CALL TO ORDER: Executive Council Chair Debby Kearney called the meeting to order at 10:30 a.m.

Members Present: Debby Kearney, Booter Imhof, Seann Frazier, Andy Bertron, Charlie Stampelos, Mary Ellen Clark, Linda Rigot, Clark Jennings, Larry Sellers, Cathy Sellers, Cathy Lannon, Elizabeth McArthur, Chris Moore, Allen Grossman, Li Nelson, Bill Williams.

Members Absent: Cynthia Miller, Rick Ellis, Donna Blanton, and Dave Watkins.

Others Present: Kent Wetherell, Bruce Lamb, Scott Boyd, Josie Tomayo, Barbara Staros, Adrian Rodgers, and Jackie Werndli.

II. PRELIMINARY MATTERS:

A. Minutes — January 5, 2006

The minutes of the January 5, 2006, Executive Council meeting were approved with one change: Section II.A was changed to read: "The minutes of the October 14, 2005, Executive Council Meeting were approved with one abstention."

B. Minutes – January 6, 2006

The minutes of the January 6, 2006, Executive Council retreat were approved.

C. Minutes – February 24, 2006

The minutes of the February 24, 2006, Executive Council meeting were approved.

D. Treasurer's Report

The Treasurer's Report was presented by Chris Moore and approved.

E. Chair's Report

Debby Kearney provided a brief Chair's report and deferred the rest of her report to closing comments.

III. COMMITTEE/LIAISON REPORTS

A. Continuing Legal Education

Andy Bertron reported that the Section made a profit of \$74 on the Public Utilities Law CLE in January 2006. The Administrative Appeals CLE lost \$1,239 which was absorbed by the Appellate Practice Section. The Pat Dore Administrative Law Conference will be held on October 19 and 20, 2006, in Tallahassee, with Seann Frazier and Andy Bertron serving as co-chairs. The Young Lawyers Division ("YLD") will conduct a basic administrative law CLE on December 6, 2006, in Tallahassee, with video replays around the state to follow. The Administrative Law Section will work with the YLD to provide assistance.

B. Publications

Elizabeth McArthur (after ten years of hard and dedicated work) announced that she would like to transition the newsletter to a new editor within one year. Mary Ellen Clark reported that sixteen agency snapshots have been completed. Debby Kearney and Booter Imhof volunteer to collaborate on agency

snapshots covering various departments within the Legislature that would be of interest to administrative practitioners.

C. Legislative

Bill Williams reported extensively on the provisions of Senate Bill 262 that was passed in the 2006 Session of the Florida Legislature and signed by the Governor on July 1. Debby Kearney reported that she has seen bills that include language purporting to amend administrative rules.

D. Public Utilities Law

No report was presented.

E. Membership

Charlie Stampelos reported that the Section membership increased slightly from 1182 members to 1197 members.

F. Webpage

Cathy Lannon reported that many updates have been added to the webpage thanks to the work of Daniel Nordby. Section newsletters will now be posted to the website after publication.

G. Uniform Rules of Procedure

Debby Kearney reported that the analysis of revisions to the Uniform Rules of Procedure has been assigned to a new attorney in the Governor's Office, and will be a summer project. Linda Rigot reported that the Uniform Rules Subcommittee met to discuss comments received from the Department of Revenue and after consideration, decided not to submit any further amendments or comments to the Governor's Office.

H. Long Range Planning

Booter Imhof reported that the Board of Governors approved the changes to the Section's by-laws that were first discussed and drafted at the last long range planning retreat.

I. Board of Governors Liaison

Larry Sellers reported that the Board of Governors approved the Bar's budget with no change in dues. Larry also reported that the Board is considering amending the new inventory rule to create a possible exemption for government lawyers.

J. Law School Liaison

Cathy Sellers reported that she has narrowed the dates for the Section's panel discussion and reception at the FSU College of Law to four dates in late September and early October. She anticipates a four-person panel with representatives from DOAH, state agencies, and private practice. Cathy also reported that she has ten law school students in her administrative law class that are seeking mentors. Anyone interested in mentoring a student should contact Cathy at csellers@broadandcassel.com.

K. CLE Committee Liaison

Andy Bertron reported that The Florida Bar CLE Committee voted to endorse a proposal by the Equal Opportunities Law Section to amend Rule 6-10.3(b) of the Rules Regulating The Florida Bar by adding bias elimination to the five-hour requirement for ethics and professionalism.

L. Council of Sections

Clark Jennings reported that the Council of Sections will conduct a leadership seminar in July at The Florida Bar and Florida Supreme Court for new Section officers.

M. Section Liaison

Environmental and Land Use Law – No report.

Health Law – No report.

IV. OLD BUSINESS

A. Uniform Rules of Procedure

The Uniform Rules of Procedure were discussed during Committee Reports. (See III.G above.)

B. Administrative Subcommittee, Appellate Court Rules Committee

The Subcommittee recommended that the Executive Council not take a position on potential amendments to Rule 9.310(b)(2) of the Rules of Appellate Procedure. After discussion, it was agreed to make Charlie Stampelos, Cathy Lannon and Bill Williams available to the Appellate Court Rules Committee for consultation.

V. NEW BUSINESS

A. Officer/Executive Council Elections

The Nominating Committee nominated the following candidates for Executive Council officers in 2006-2007: Chair-elect – Andy Bertron; Secretary – Elizabeth McArthur; Treasurer – Seann Frazier. The Nominating Committee nominated the following candidates to terms on the Executive Council beginning in June 2006 and expiring in June 2008: Scott Boyd, Clark Jennings, Bruce Lamb, Cathy Lannon, Wellington Meffert, Cathy Sellers and Kent Wetherell. Li Nelson moved both slates of nominees and after second by Booter Imhof, all nominations were approved by unanimous vote.

B. Sunsetting of Legislative Positions – 2004-2006 Biennium

Jackie Werndli reported that the Section must readopt legislative positions every two years. Cathy Lannon expressed concern that some of the Section's legislative positions were blanket positions that were too broad, such as opposing all exemptions from the APA. After discussion, Bill Williams moved to readopt the Section's legislative positions without change. Linda Rigot seconded and the motion passed with Cathy Lannon voting in opposition and Scott Boyd abstaining.

VI. INFORMATIONAL

No report.

VII. FINAL REMARKS AND PRESENTATION OF AWARDS – Outgoing Chair

Debby Kearney thanked the Council members for their hard work and recapped the year's activities.

VIII. PROGRAM OUTLINE & CLOSING COMMENTS – Incoming Chair

Booter Imhof reported that he has been working with current Council members on new committee assignments and will be contacting new Council members in the coming weeks about their committee preferences.

Debby Kearney moved that the Council adjourn at 12:20 p.m.

	June 2006 Actuals	YTD 05-06 Actuals	Budget	Percent Budget Spent
Administrative Law ~~~~~				
31431 Section Dues	163	27,113	28,125	96.40
31432 Affilliate Dues	25	50	125	40.00
31433 Admin Fee to TFB	-143	-13,710	-14,163	96.80
	-----	-----	-----	-----
Total Dues Income-Net	45	13,453	14,087	95.50
	-----	-----	-----	-----
32012 Sct Share Online CLE	0	112	0	*
32191 CLE Courses	0	87	1,000	8.70
32204 Audio Tape-Section S	427	6,558	2,000	327.90
32395 Mat Sales-Sect Shr	9	9	75	12.00
35700 Member Service Progr	0	1,975	2,000	98.75
36998 Credit Card Fees	0	-9	0	*
38499 Investment Allocatio	1,195	10,047	9,000	111.63
39999 Miscellaneous	0	0	100	0.00
	-----	-----	-----	-----
Other Income	1,631	18,779	14,175	132.48
	-----	-----	-----	-----
Total Revenues	1,676	32,232	28,262	114.05
	-----	-----	-----	-----
84101 Employee Travel	362	392	1,147	34.18
84001 Postage	0	57	150	38.00
84002 Printing	0	110	50	220.00
84003 Officers Office Expe	0	0	500	0.00
84006 Newsletter	532	2,184	2,500	87.36
84007 Membership	0	0	500	0.00
84009 Supplies	0	0	50	0.00
84010 Photocopying	11	140	150	93.33
84051 Officers Travel Expe	235	900	2,500	36.00
84052 Meeting Travel Expen	0	446	500	89.20
84054 CLE Speaker Expense	0	0	100	0.00
84101 Committee Expenses	0	0	500	0.00
84201 Board Or Council Mee	0	313	500	62.60
84202 Bar Annual Meeting	1,889	1,889	1,700	111.12
84205 Section Service Prog	0	1,901	5,000	38.02
84209 Retreat	0	1,083	4,500	24.07
84299 Public Utility Comm	0	0	500	0.00
84301 Awards	511	511	500	102.20
84308 Writing Contest	0	0	2,400	0.00
84422 Website	40	1,160	6,000	19.33
84501 Legislative Consulta	0	0	10,000	0.00
84701 Council Of Sections	0	300	300	100.00
84998 Operating Reserve	0	0	2,955	0.00
84999 Miscellaneous	0	0	500	0.00
	-----	-----	-----	-----
Total Operating Expenses	3,580	11,386	43,502	26.17
	-----	-----	-----	-----
83715 Time-Admin Law	1,401	19,639	17,000	115.52

Report : 1 of 1
Program : YAZAPFR
User id : DHARGROVE

Unaudited Statement of Operations
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Page : 3  
Date : 8/07/06  
Time : 11:55:35

|                             | June<br>2006<br>Actuals | YTD<br>05-06<br>Actuals | Budget  | Percent<br>Budget<br>Spent |
|-----------------------------|-------------------------|-------------------------|---------|----------------------------|
| Administrative Law<br>~~~~~ |                         |                         |         |                            |
| 86344 Mailing Overhead      | 0                       | 21                      | 0       | *                          |
| 86431 Meetings Administrat  | 0                       | 0                       | 30      | 0.00                       |
| 86542 Printing              | 575                     | 3,058                   | 2,500   | 122.32                     |
| 86543 Graphics & Art        | 531                     | 2,379                   | 1,985   | 119.85                     |
| 86998 Refund Of Cost Alloc  | -2,507                  | -25,097                 | -21,515 | 116.65                     |
|                             | -----                   | -----                   | -----   | -----                      |
| Total General Fund Support  | 0                       | 0                       | 0       | *                          |
|                             | -----                   | -----                   | -----   | -----                      |
| Total Expenses              | 3,580                   | 11,386                  | 43,502  | 26.17                      |
|                             | -----                   | -----                   | -----   | -----                      |
| Net Operations              | -1,904                  | 20,846                  | -15,240 | -136.78                    |
|                             | -----                   | -----                   | -----   | -----                      |
| 21001 Fund Balance          | 0                       | 153,803                 | 128,577 | 119.62                     |
|                             | -----                   | -----                   | -----   | -----                      |
| Total Current Fund Balance  | -1,904                  | 174,649                 | 113,337 | 154.10                     |
|                             | -----                   | -----                   | -----   | -----                      |

|                                        | June<br>2006<br>Actuals | YTD<br>05-06<br>Actuals | Budget | Percent<br>Budget<br>Spent |
|----------------------------------------|-------------------------|-------------------------|--------|----------------------------|
| Total Administrative Law Conf<br>===== |                         |                         |        |                            |
| Total Dues Income-Net                  | 0                       | 0                       | 0      | *                          |
| 32001 Registrations                    | 0                       | 0                       | 12,000 | 0.00                       |
| 34001 Book Sales                       | 0                       | 0                       | 50     | 0.00                       |
| 36991 Allowances                       | 0                       | 3                       | 0      | *                          |
| 36998 Credit Card Fees                 | 0                       | 0                       | -274   | 0.00                       |
| Other Income                           | 0                       | 3                       | 11,776 | 0.03                       |
| Total Revenues                         | 0                       | 3                       | 11,776 | 0.03                       |
| 61201 Equipment Rental                 | 0                       | 0                       | 650    | 0.00                       |
| 75102 1st Class & Misc Mai             | 0                       | 0                       | 50     | 0.00                       |
| 75401 Express Mail                     | 0                       | 0                       | 5      | 0.00                       |
| 81411 Promotional Printing             | 0                       | 0                       | 150    | 0.00                       |
| 81412 Promotional Mailing              | 0                       | 0                       | 800    | 0.00                       |
| 84001 Postage                          | 0                       | 0                       | 250    | 0.00                       |
| 002 Printing                           | 0                       | 0                       | 150    | 0.00                       |
| 84061 Reception                        | 0                       | 0                       | 1,700  | 0.00                       |
| 84062 Luncheons                        | 0                       | 0                       | 2,500  | 0.00                       |
| 88231 Speakers Travel                  | 0                       | 0                       | 500    | 0.00                       |
| 88241 Outline Prt-Inhouse              | 0                       | 108                     | 500    | 21.60                      |
| 88243 Outline Binders                  | 0                       | 188                     | 1,200  | 15.67                      |
| 88252 Course Credit Fee                | 0                       | 0                       | 150    | 0.00                       |
| 88261 Meeting Room Rent                | 0                       | 0                       | 1,000  | 0.00                       |
| 88265 Refreshment Breaks               | 0                       | 0                       | 1,500  | 0.00                       |
| Total Operating Expenses               | 0                       | 296                     | 11,105 | 2.67                       |
| 83431 Time CLE Courses                 | 19                      | 77                      | 0      | *                          |
| 83715 Time-Admin Law                   | 0                       | 19                      | 7,000  | 0.27                       |
| 86542 Printing                         | 0                       | 876                     | 1,500  | 58.40                      |
| 86998 Refund Of Cost Alloc             | -19                     | -972                    | -8,500 | 11.44                      |
| Total General Fund Support             | 0                       | 0                       | 0      | *                          |
| Total Expenses                         | 0                       | 296                     | 11,105 | 2.67                       |
| Net Operations                         | 0                       | -293                    | 671    | -43.67                     |
| Total Current Fund Balance             | 0                       | -293                    | 671    | -43.67                     |



|                            | July<br>2006<br>Actuals | YTD<br>06-07<br>Actuals | Budget   | Percent<br>Budget<br>Spent |
|----------------------------|-------------------------|-------------------------|----------|----------------------------|
| Administrative Law         |                         |                         |          |                            |
| 31431 Section Dues         | 21,350                  | 21,350                  | 28,125   | 75.91                      |
| 31432 Affilliate Dues      | 0                       | 0                       | 125      | 0.00                       |
| 31433 Admin Fee to TFB     | (15,478)                | (15,478)                | (19,788) | 78.22                      |
|                            | -----                   | -----                   | -----    | -----                      |
| Total Dues Income-Net      | 5,872                   | 5,872                   | 8,462    | 69.39                      |
|                            | -----                   | -----                   | -----    | -----                      |
| 31435 Admin Fee Adj        | 0                       | 0                       | 650      | 0.00                       |
| 32191 CLE Courses          | 0                       | 0                       | 5,000    | 0.00                       |
| 32395 Mat Sales-Sect Shr   | 0                       | 0                       | 5        | 0.00                       |
| 35700 Member Service Progr | 0                       | 0                       | 2,000    | 0.00                       |
| 38499 Investment Allocatio | 0                       | 0                       | 10,004   | 0.00                       |
| 39999 Miscellaneous        | 0                       | 0                       | 150      | 0.00                       |
|                            | -----                   | -----                   | -----    | -----                      |
| Other Income               | 0                       | 0                       | 17,809   | 0.00                       |
|                            | -----                   | -----                   | -----    | -----                      |
| Total Revenues             | 5,872                   | 5,872                   | 26,271   | 22.35                      |
|                            | -----                   | -----                   | -----    | -----                      |
| 51101 Employee Travel      | 0                       | 0                       | 1,190    | 0.00                       |
| 84001 Postage              | 31                      | 31                      | 200      | 15.50                      |
| 84002 Printing             | 87                      | 87                      | 2,700    | 3.22                       |
| 84003 Officers Office Expe | 0                       | 0                       | 500      | 0.00                       |
| 84006 Newsletter           | 0                       | 0                       | 2,500    | 0.00                       |
| 84007 Membership           | 0                       | 0                       | 500      | 0.00                       |
| 84009 Supplies             | 0                       | 0                       | 50       | 0.00                       |
| 84010 Photocopying         | 0                       | 0                       | 150      | 0.00                       |
| 84051 Officers Travel Expe | 0                       | 0                       | 2,500    | 0.00                       |
| 84052 Meeting Travel Expen | 0                       | 0                       | 3,000    | 0.00                       |
| 84054 CLE Speaker Expense  | 0                       | 0                       | 100      | 0.00                       |
| 84101 Committee Expenses   | 0                       | 0                       | 500      | 0.00                       |
| 84201 Board Or Council Mee | 87                      | 87                      | 600      | 14.50                      |
| 84202 Bar Annual Meeting   | 0                       | 0                       | 1,700    | 0.00                       |
| 84205 Section Service Prog | 0                       | 0                       | 5,000    | 0.00                       |
| 84209 Retreat              | 0                       | 0                       | 4,500    | 0.00                       |
| 84299 Public Utility Comm  | 0                       | 0                       | 500      | 0.00                       |
| 84301 Awards               | 0                       | 0                       | 600      | 0.00                       |
| 84310 Law School Liaison   | 0                       | 0                       | 4,900    | 0.00                       |
| 84422 Website              | 20                      | 20                      | 6,000    | 0.33                       |
| 84501 Legislative Consulta | 0                       | 0                       | 5,000    | 0.00                       |
| 84701 Council Of Sections  | 0                       | 0                       | 300      | 0.00                       |
| 84998 Operating Reserve    | 0                       | 0                       | 4,506    | 0.00                       |
| 84999 Miscellaneous        | 0                       | 0                       | 500      | 0.00                       |
|                            | -----                   | -----                   | -----    | -----                      |
| Total Operating Expenses   | 225                     | 225                     | 47,996   | 0.47                       |
|                            | -----                   | -----                   | -----    | -----                      |
| 86344 Mailing Overhead     | 11                      | 11                      | 0        | *                          |
| 86431 Meetings Administrat | 0                       | 0                       | 32       | 0.00                       |
| 86543 Graphics & Art       | 11                      | 11                      | 1,543    | 0.71                       |

|                            | July<br>2006<br>Actuals | YTD<br>06-07<br>Actuals | Budget   | Percent<br>Budget<br>Spent |
|----------------------------|-------------------------|-------------------------|----------|----------------------------|
| Administrative Law         | -----                   | -----                   | -----    | -----                      |
| Total TFB Support Services | 22                      | 22                      | 1,575    | 1.40                       |
|                            | -----                   | -----                   | -----    | -----                      |
| Total Expenses             | 247                     | 247                     | 49,571   | 0.50                       |
|                            | -----                   | -----                   | -----    | -----                      |
| Net Operations             | 5,625                   | 5,625                   | (23,300) | (24.14)                    |
|                            | -----                   | -----                   | -----    | -----                      |
| 21001 Fund Balance         | 20,555                  | 174,359                 | 142,919  | 122.00                     |
|                            | -----                   | -----                   | -----    | -----                      |
| Total Current Fund Balance | 26,180                  | 179,984                 | 119,619  | 150.46                     |
|                            | -----                   | -----                   | -----    | -----                      |

|                               | July<br>2006<br>Actuals | YTD<br>06-07<br>Actuals | Budget  | Percent<br>Budget<br>Spent |
|-------------------------------|-------------------------|-------------------------|---------|----------------------------|
| Total Administrative Law Conf |                         |                         |         |                            |
| Total Dues Income-Net         | 0                       | 0                       | 0       | *                          |
| 32001 Registrations           | 0                       | 0                       | 12,000  | 0.00                       |
| 34001 Book Sales              | 0                       | 0                       | 50      | 0.00                       |
| Other Income                  | 0                       | 0                       | 12,050  | 0.00                       |
| Total Revenues                | 0                       | 0                       | 12,050  | 0.00                       |
| 61201 Equipment Rental        | 0                       | 0                       | 1,000   | 0.00                       |
| 75102 1st Class & Misc Mai    | 0                       | 0                       | 50      | 0.00                       |
| 75401 Express Mail            | 0                       | 0                       | 5       | 0.00                       |
| 81411 Promotional Printing    | 0                       | 0                       | 150     | 0.00                       |
| 81412 Promotional Mailing     | 0                       | 0                       | 1,000   | 0.00                       |
| 84001 Postage                 | 0                       | 0                       | 250     | 0.00                       |
| 84002 Printing                | 0                       | 0                       | 1,650   | 0.00                       |
| 84061 Reception               | 0                       | 0                       | 1,700   | 0.00                       |
| 84062 Luncheons               | 0                       | 0                       | 3,500   | 0.00                       |
| 88231 Speakers Travel         | 0                       | 0                       | 500     | 0.00                       |
| 88241 Outline Prt-Inhouse     | 0                       | 0                       | 500     | 0.00                       |
| 88243 Outline Binders         | 0                       | 0                       | 1,200   | 0.00                       |
| 88252 Course Credit Fee       | 0                       | 0                       | 150     | 0.00                       |
| 88261 Meeting Room Rent       | 0                       | 0                       | 2,500   | 0.00                       |
| 88265 Refreshment Breaks      | 0                       | 0                       | 2,500   | 0.00                       |
| Total Operating Expenses      | 0                       | 0                       | 16,655  | 0.00                       |
| 83431 Time CLE Courses        | 350                     | 350                     | 0       | *                          |
| 86532 Advertising News        | 0                       | 0                       | 1,000   | 0.00                       |
| 86543 Graphics & Art          | 110                     | 110                     | 0       | *                          |
| Total TFB Support Services    | 460                     | 460                     | 1,000   | 46.00                      |
| Total Expenses                | 460                     | 460                     | 17,655  | 2.61                       |
| Net Operations                | (460)                   | (460)                   | (5,605) | 8.21                       |
| Total Current Fund Balance    | (460)                   | (460)                   | (5,605) | 8.21                       |

August 7, 2006

**M E M O R A N D U M**

To: Selected Section & Committee Chairs / Chairs-Elect / Legislation Chairs

From: Dana M. Watson, Legislative Assistant

Re: Sunsetting and Reactivation of Legislative Positions - 2004-06 & 2006-08 Biennia

cc: Henry M. Coxe, III, Frank Angones, Legislation Committee, John F. Harkness, Jr., Paul F. Hill, Montina Ruffin, Francine Walker, Mark Killian, Selected Section & Committee Liaisons, Stephen W. Metz, Section Lobbyists

Consistent with provisions in Standing Board Policy 9.20(d), all Florida Bar legislative positions for the 2004-06 biennium – to include those of committees and sections – formally expired at the July 28, 2006 meeting of the Board of Governors.

As of this moment, the Big Bar's political agenda is essentially blank. However, the Board of Governors voted to reactivate many 2004-06 section legislative positions as roll-over items for the new biennium, as requested by those groups.

And, your Board of Governors is already considering The Florida Bar's separate legislative agenda for our new biennium. Some legislative issues for the "Big Bar" and its organic committees will likely be agendaed at the Board's next meeting on September 29. If you have recommendations for Florida Bar advocacy, please share them with us.

Enclosed is a playout of the newly recognized section positions for 2006-08. These positions are also included in a fresh listing of all legislative positions within The Florida Bar, available online at [www.flabar.org](http://www.flabar.org).

The Governmental Affairs staff at The Florida Bar offers its assistance to you. You may contact our office by calling Toll-Free at 800 / 342-8060, Ext. 5662, or Commercial-Direct at 850 / 561-5662. We look forward to working with you during the coming months.

D.M.W.

Enclosure

## **SECTION LEGISLATIVE POSITIONS**

### **Administrative Law Section**

1. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation, that undermines the rule-making requirements of the Administrative Procedure Act by allowing statements of agency policy without formal rule-making.
2. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation to deny, limit or restrict points of entry to administrative proceedings under Chapter 120, *Florida Statutes*, by substantially affected persons.
3. Opposes exemptions or exceptions to the Administrative Procedure Act, but otherwise supports a requirement that any exemption or exception be included within Chapter 120, *Florida Statutes*.
4. Supports voluntary use of mediation to resolve matters in administrative proceedings under Chapter 120, *Florida Statutes*, and supports confidentiality of discussions in mediation; but opposes mandatory mediation and opposes imposition of involuntary penalties associated with mediation.
5. Supports uniformity of procedures in administrative proceedings under Chapter 120, *Florida Statutes*, and supports modification of such procedures only through amendment of or exceptions to the Uniform Rules of Procedure.
6. Opposes amendment to Chapter 120, *Florida Statutes*, that limits, restricts, or penalizes full participation in the administrative process, in the absence of compelling justification or non-anecdotal evidence which demonstrates that the existing provisions of law are not adequately protecting the administrative due process rights of all participants.

**TALLAHASSEE BAR ASSOCIATION  
BOARD OF GOVERNORS  
REPORT FOR JULY 2006**

The Florida Bar Board of Governors met on July 27-28, 2006, near Orlando.

New members of our Board were introduced and recognized, including fellow TBA member Wendy Loquasto. Wendy is the President of the Florida Association of Women Lawyers and as such serves as an ex-officio member of our Board for this year. We also were joined for part of our meeting by members of the Board of Governors of the Young Lawyers Division, including our local Board members, Chrissy Davis, Sean Diamond and Kelly O'Keefe.

The Board approved a recommendation from our Disciplinary Procedures Committee that government lawyers be exempted from the new Bar rule requiring all lawyers to designate an inventory attorney. The proposed change now goes to the Florida Supreme Court for approval.

The Board approved a modification to Ethics Opinion 77-30, which generally prohibited a local government attorney from representing an individual member of his or her Commission in connection with an ethics complaint before the Commission on Ethics. The City, County and Local Government Law Section expressed the view that the opinion was overbroad and should be modified. The Board agreed, and approved a revised opinion that provides additional guidance on when conflicts may be waived.

The Board also received and passed on to the Supreme Court various recommended rule changes resulting from the regular three-year reviews by the Civil Procedure Rules Committee, the Probate Rules Committee, and the Small Claims Rule Committee.

As you know from our prior reports, the Special Commission on Lawyer Regulation (the so-called Coxe Commission) has undertaken a comprehensive review of the system for attorney discipline. The Commission recently issued a number of recommendations, and these have been

referred to various board committees for review. We expect these will be coming back to our Board for appropriate action in the near future.

It is likely that you recently received the annual form used to evaluate those judges who are up for retention. Chief Justice Fred Lewis has recommended, and the Board approved, the establishment of a joint Bar-Judiciary Committee to consider a new program for evaluating judges.

Judge Manuel Menendez, Chair of the Conference of Circuit Court Judges, addressed our Board. Among other things, he asked the Board to support the request for better salaries for judicial branch employees, including judicial assistants, research attorneys and law clerks.

The Board heard a report on a judicial questionnaire distributed to all judicial candidates by the Family Policy Council. The questionnaire asks candidates for their opinions on a number of issues, including school vouchers, parental notification and other similar topics. President Coxé advised that the Judicial Ethics Advisory Committee had been asked to provide advice as to whether candidates may respond to the questionnaire. (The Committee subsequently issued its opinion.)

The Board heard a report on a suggested change to the mandatory CLE requirement. As you know, each lawyer must take 30 hours of CLE every three years. Five hours of these 30 hours must be in ethics, professionalism or substance abuse training. The Equal Opportunity Section and the Board of Legal Specialization and Education have recommended that education regarding bias elimination in the legal system be added to this list. The Board will consider this recommendation at our next meeting.

The Board's next meeting will be held on September 27-28 in Ponte Vedra. As always,  
we welcome your questions and comments.

Larry Sellers  
Dom Caparello

# 3982572\_v1





# The Environmental and Land Use Law Section of The Florida Bar

[www.ELULS.org](http://www.ELULS.org)

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## E-mail List

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- [JOIN THE LIST](#)
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- [LIST PROTOCOL](#)

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### ABOUT THE LIST

The Environment and Land Use Law Section has an Internet Mailing List for its Section Members.

Our "official" list address is [ELULSLIST1@PEACH.EASE.LSOFT.COM](mailto:ELULSLIST1@PEACH.EASE.LSOFT.COM)

We have also established a "shortcut" alias to the list:  
[LIST1@ELULS.ORG](mailto:LIST1@ELULS.ORG)

Either address will work for this mailing list.

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### JOIN THE LIST

Please provide your e-mail address that you want to use with the mailing list:

E-mail

Enter your name in the space provided below.

Are you a Section Member?

[Join the List](#)

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Once your subscription is approved, you will receive a message via the e-mail address you have submitted.

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HELP

Subscribers only can send messages to [list1@eluls.org](mailto:list1@eluls.org) in order to participate in the discussion.

If you need additional help, please email [help@eluls.org](mailto:help@eluls.org)

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LIST RULES

LIST PROTOCOL



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**Environmental Law,  
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Audiotapes available  
[pdf]**

## E-mail List

ELULS Listserv Rules (revised as of March 22, 1999)

The list is intended to be a forum for open discussion on issues important to Section members and we will encourage each user to post messages to the list, [ELULSLIST1@PEACH.EASE.LSOFT.COM](mailto:ELULSLIST1@PEACH.EASE.LSOFT.COM) or [LIST1@ELULS.ORG](mailto:LIST1@ELULS.ORG) that you would like all members to receive. If you have any questions or comments about this service please direct them to [help@eluls.org](mailto:help@eluls.org) and not the entire list.

1. The Environmental and Land Use Law Section is a non-commercial entity. Advertising and "spam" (unwanted bulk messages) are not permitted, and grounds for immediate removal from any and all ELULS Lists. Attempting to compromise ELULS security (including assembling lists of members -- of ELULS or specific lists and/or groups within ELULS) is grounds for immediate removal and possible legal action. If you would like to post an informative message about a commercial product, you may ask the list owner for permission, but such messages are expected to be rare on all our lists.

2. Please do not post irrelevant messages to our forums.

3. If a list owner makes a content request (i.e., let this topic die), please follow it. List owners decide what is or is not appropriate content for their lists. If you disagree with the request or decision of a list owner, please inform the owner(s) in private E-Mail [help@eluls.org](mailto:help@eluls.org) -- we do care about how people like our services, but such decisions are not open for public debate.

4. ELULS does not operate lists as a forum for public 'flaming' -- please do not reply to inappropriate postings (that is the responsibility of the list owner, and will generally occur in private E-Mail).

5. In the name of brevity, please do not publicly raise the same issue more than twice -- we all have better things to do than re-hash the same questions and answers indefinitely. You may want to suggest to the list owner(s) that they re-open unresolved questions, but this is their decision. Some topics need a rest because discussion of them is stuck -- even if they aren't yet resolved.

6. Please be considerate and polite: L-Soft (LINK TO L-SOFT GUIDELINES - <http://www.lsoft.com/manuals/user/user.html#2.15>) has some guidelines on this, which are worth reading.

All that being said, we hope never to enforce any of this. If everyone is considerate of everyone else, the life of the ELULS list-owner can be very easy. On the other hand, we will enforce any rules necessary in order to allow members to use our services without inconvenience and distraction.

If you feel an issue is important enough to merit a third (or more) round of discussion, please contact the list owner directly and ask for permission to re-raise it (if granted, make sure you include your reasoning in the public posting). If you are dissatisfied with the list owner, you may complain to the List Oversight Committee [help@eluls.org](mailto:help@eluls.org)

As necessary, the ELULS list owner will remind posters if their posts are inappropriate; if members choose or are unable to comply, they will be removed.

REMINDER: Replies sent to any message that was distributed by this list-serv [ELULSLIST1@PEACH.EASE.LSOFT.COM](mailto:ELULSLIST1@PEACH.EASE.LSOFT.COM) will be sent to the entire mailing list.

If your wish to remove yourself from this list, send an e-mail to [listserv@peach.ease.lsoft.com](mailto:listserv@peach.ease.lsoft.com) with the word SIGNOFF in the body of the e-mail message.

ELULS Internet Committee  
Joe Richards, chair

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**Environmental Law,  
Experts, and Ethics -  
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[pdf]**

## E-mail List

Listserv Protocol (as of July 1, 2000)  
for the Environmental and Land Use Law Section  
of the Florida Bar

All Lists are maintained and operated by the List Sponsor, List Owner(s), List Editor(s), and System Administration Personnel identified therein (hereinafter, all collectively referred to as "the ELUL Section"). By participating in a List, you automatically agree to all of the rules governing your use as provided in this Protocol. The ELUL Section may revise these terms from time to time. If you continue to participate in a List after we post changes to these terms and conditions, it will mean that you accept those changes.

### Posted Materials

The information and opinions expressed in materials posted by List participants are not necessarily those of the ELUL Section and the ELUL Section makes no representations or warranties regarding such posted materials.

You shall not submit, upload or post to a List any content which:

- (1) libels, defames, invades privacy, or is obscene, pornographic, abusive, or threatening;
- (2) infringes any intellectual property or other right of any person or entity, including but not limited to, violating anyone's copyrights or trademarks;
- (3) falsifies or deletes author attributions, legal notices or other proprietary designations;
- (4) violates any law;
- (5) advocates illegal activity;
- (6) knowingly contains viruses, corrupted files, or other materials that may cause damage to another's computer, or
- (7) advertises or otherwise solicits funds or sales of goods or services. (Provided, however, the ELUL Section will use the List to announce Section activities, including Section Seminars and Workshops. Messages proposed to posted regarding the conferences and seminars of other entities will be evaluated on a case by case basis and released by the List Moderator at the discretion of the ELUL Executive Council.)

The List, however, may be used to request or refer legal services but such requests should be free from specific allegations of wrongdoing and shall not name potential defendants in possible legal proceedings.

By posting any content on a List, you automatically agree to indemnify the ELUL Section, all other List participants, and any other person or entity affiliated with the List, from and against any and all third party claims, demands, liabilities, costs or expenses, including reasonable attorneys' fees, resulting from your breach of these posting restrictions.

Unless materials are specifically restricted as noted in the content, by posting on a List any content authored or owned by you, you automatically (a) grant to all other List participants, and any other person or entity affiliated with the List, a perpetual, royalty-free, irrevocable and unrestricted worldwide right and license to use, reproduce, and distribute the posted content for the limited purposes of discussion and commentary, (b) grant to the ELUL Section a perpetual, royalty-free, irrevocable and unrestricted worldwide right and license to use, reproduce, modify, adapt, publish, translate, create derivative works from and distribute the posted content or incorporate the posted content into any form, medium, or technology now known or later developed, for the purposes of furthering the ELUL Section's educational and public policy goals of promoting conservation of the natural environment, including advertising and promotion of the ELUL Section and its activities, and (c) waive all "moral rights" with respect to the posted content.

### Compliance With Intellectual Property and Defamation Laws

The ELUL Section cannot advise List participants with respect to compliance with intellectual property and other laws. However, we ask you to be aware of the following -- it is a commonly held but very mistaken belief that materials posted on the Internet are automatically in the public domain. This is not correct. Except for official government documents, virtually all works of original authorship are protected by copyright regardless of the manner of publication or distribution, including online. Except under very limited circumstances constituting "fair use," you must get the copyright owner's permission before reproducing all or part of a copyrighted work.

It is the sole responsibility of each List participant to ensure that the materials she or he posts to a List do not infringe or violate the intellectual property rights, publicity, privacy or other legal rights of others. Your postings will not be reviewed,

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screened or approved for such violations by the ELUL Section. The ELUL Section complies with the provisions of the Digital Millennium Copyright Act of 1998, 17 U.S.C. Sec. =

512. Pursuant to that Act, the ELUL Section will promptly remove posted materials in the event a copyright owner provides proper notification to us alleging that the posted materials constitute infringement.

If your postings are removed under this procedure, we will notify you and provide the opportunity for response as provided under the Act. The Digital Millennium Copyright Act is available at the Copyright Office's web site <http://lcweb.loc.gov/copyright/>.

#### Personal Information

It is necessary to the functioning of a List to collect email addresses and other personally identifiable data about List participants. All such information is collected and stored in a manner appropriate to the nature of the data. We do not sell or otherwise disclose such information outside the organization.

All Lists have security measures in place to protect the loss, misuse and alteration of the information under our control. However, we cannot guarantee that the information will not be lost, misused or altered, and the ELUL Section shall not be responsible for any harm that you or any person may suffer as the result of a breach of security.

#### Outside Links

The ELUL Section cannot review links that may be embedded in List postings and is not responsible for the privacy practices or the content of any linked materials, whether or not they are affiliated with the ELUL Section.=20

#### List Archives

List Archives contain email messages that were generated and posted by individual List participants, as well as some official postings from the ELUL Section. The Archive is provided as a courtesy for the convenience of the List participants. The information and opinions expressed in these messages (the "posted content") are those of the sender, and are not necessarily approved or endorsed by the ELUL Section. It is the sole responsibility of the sender to ensure that the posted content is accurate and does not infringe or violate the intellectual property rights or other rights of third parties. The ELUL Section does not screen the posted content for such violations and makes no representations or warranties of any kind regarding the posted content.

#### Limitations on the ELUL Section's liability

Lists are maintained and operated solely for the educational and nonprofit purposes of the ELUL Section. Your participation in a List is at your own risk. The posted materials could include misinformation, technical inaccuracies or other errors. They are provided to you "as is" without warranty of any kind, either express or implied, including but not limited to, implied warranties of merchantability and fitness for a particular purpose. The ELUL Section does not warrant that the functioning of a List will be uninterrupted or error-free, that defects will be corrected, or that a List or the server that makes it available are free of viruses or other harmful components. The ELUL Section does not warrant or make any representations regarding the use or the results of the use of the materials on a List in terms of their correctness, accuracy, reliability, or otherwise. You (and not the ELUL Section) assume the entire cost of all necessary costs of correcting any malfunctions or errors to your property. Applicable law may not allow the exclusion of implied warranties, so the above exclusion may not apply to you.

Under no circumstances, including, but not limited to, negligence, shall the ELUL Section be liable for any special or consequential damages that result from the use of, or inability to use, the materials on a List, even if the ELUL Section or a ELUL Section-authorized representative has been advised of the possibility of such damages. Applicable law may not allow the limitation or exclusion of liability or incidental or consequential damages, so the above limitation may not apply to you. In no event shall the ELUL Section's total liability to you for all damages, losses, and causes of action, including but not limited to negligence, arising out of or in connection with your use of this List, exceed the amount paid by you, if any, for accessing the List.

#### General provisions

All lists are maintained in the United States. The ELUL Section does not warrant or represent that list participation is appropriate or available in other locations. If you choose to participate from other locations, you do so at your own initiative and you are responsible for complying with local laws, if and to the extent local laws are applicable. You may not download or otherwise export or re-export software from the List in violation of United States export controls.

These terms shall be governed by and construed according to the laws of the state of Florida, as they are applied to agreements entered into and to be performed entirely within Florida. Any claim or cause of action arising out of or relating to these terms shall be barred unless such claim or cause of action is brought within one year after it arises; any such claim or cause of action shall be brought only in the state or federal courts in the Northern District of Florida, and you consent to jurisdiction of such courts for the purpose of litigating such actions.

Whenever possible, each provision of these terms shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision is deemed prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity without invalidating the remainder of such provision or the remaining provisions of these terms.

The ELUL Section reserves the right to remove for any reason posted materials from a List, and the right to deny in its sole discretion any user access to a List, without notice.

This is the entire agreement between us relating to your participation in a List. These terms may not be modified by you, in writing or otherwise, unless agreed to in a written document signed by the ELUL Section.

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The preceding message was distributed by The Environmental  
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Statements or expressions of opinion or comments appearing above  
are those of the contributors and not of The Florida Bar or the Section.

IF YOU REPLY TO THIS MESSAGE, YOUR REPLY WILL BE SENT TO THE ENTIRE LIST.

The list is intended to be a forum for open discussion  
on issues important to Section members and we encourage  
each user to post messages to the list by sending  
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or [LIST1@ELULS.ORG](mailto:LIST1@ELULS.ORG). Remember that your message  
should be something you would like all members to receive.  
No commercial solicitation please! If you have any  
questions or comments about this service please  
direct them to [help@eluls.org](mailto:help@eluls.org) and not the entire list. Use of this list  
is governed by a protocol found at [http://www.eluls.org/list\\_protocol.html](http://www.eluls.org/list_protocol.html) .  
Thank you

REMINDER: If your wish to remove yourself from this list,  
send an e-mail to [listserv@peach.ease.lsoft.com](mailto:listserv@peach.ease.lsoft.com) with  
the word SIGNOFF ELULSLIST1 in the body of the e-mail message.





# Administrative Law Section



## **CHAIR:**

Patrick L. "Booter" Imhof  
Florida Senate  
404 S. Monroe St.  
Tallahassee, FL 32399-1100  
(850)487-5957

## **CHAIR-ELECT:**

J. Andrew Bertron, Jr.  
1983 Centre Pointe Blvd., Ste. 200  
Tallahassee, FL 32308-7823  
(850)224-7091

## **SECRETARY:**

Elizabeth W. McArthur  
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Tallahassee, FL 32302-2967  
(850)425-6654

## **TREASURER:**

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101 E. College Ave.  
Tallahassee, FL 32301-7742  
(850)222-6891

## **IMMEDIATE PAST CHAIR:**

Deborah K. Kearney  
327 The Capitol  
404 S. Monroe St.  
Tallahassee, FL 32399-1300  
(850)488-7631

## **BOARD LIAISON:**

Lawrence E. Sellers, Jr.  
P.O. Box 810  
Tallahassee, FL 32302-0810  
(850)425-5671

## **P.U.L.C. CHAIR:**

Cynthia B. Miller  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-7019  
(850)413-6082

## **EXECUTIVE COUNCIL:**

### **Terms Expiring 2007:**

Donna E. Blanton  
Tallahassee

Mary Ellen Clark  
Tallahassee

Allen R. Grossman  
Tallahassee

Lisa S. Nelson  
Tallahassee

Linda M. Rigot  
Tallahassee

W. David Watkins  
Tallahassee

William E. Williams  
Tallahassee

### **Terms Expiring 2008:**

F. Scott Boyd  
Tallahassee

Clark R. Jennings  
Tallahassee

Bruce D. Lamb  
Tampa

M. Catherine Lannon  
Tallahassee

Wellington H. Meffert  
Tallahassee

Cathy M. Sellers  
Tallahassee

T. Kent Wetherell, II  
Tallahassee

## **SECTION ADMINISTRATOR:**

Jackie Werdli  
651 E. Jefferson St.  
Tallahassee, FL 32399-2300  
(850)561-5623

August 21, 2006

Henry M. Cox, III

President

The Florida Bar

651 East Jefferson Street

Tallahassee, FL 32399-2300

Dear Hank:

The chairs of the Administrative Law Section, the Government Lawyer Section and the Environmental and Land Use Law Section conferred on recommendations for appointments to the inaugural nine member certification committee for State and Federal Government and Administrative Practice. We agreed to recommend nine persons for your consideration that the chairs agreed would be excellent choices and outstanding lawyers in the Government and Administrative Law field. We also agreed that there were more than nine persons who should be considered for appointment from each section. We have agreed to the choices to meet with your intention to achieve maximum diversity. Unfortunately, we have not achieved a geographical balance in our recommendations. Such a balance is extremely difficult in Government and Administrative Law since many of the attorneys who are experts in this area live and work in Tallahassee.

Our agreed recommendations are as follows:

Keith W. Rizzardi #38237– Federal Government Sector

Allen R. Grossman, #382388 – Private Sector

Thomas D. Hall #310751 – State Government Sector/non-litigation

F. Scott Boyd #258024– State Government Sector/non-litigation

Eleanor M. Hunter #211559 – State Government Sector/non-litigation

Mary Ellen Clark #0008249– State Government Sector

Mary F. Smallwood #242616– Private Sector

Robert D. Fingar #578282 – Private Sector

Kelly A. Cruz-Brown #989878 – Private Sector

In addition to the combined recommendations, I would also highly recommend the following persons from the Administrative Law Section:

Donna E. Blanton #948500–Private Sector

Cathy M. Sellers #784958– Private Sector

William E. Williams #132989– Private Sector

M. Catherine Lannon #263941– State Government Sector

Judge Errol H. Powell # 289124 – State Government Sector

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These individuals also have shown outstanding excellence and experience in Government and Administrative Law.

I believe all of these persons meet the qualifications as “eminent attorneys in the practice field, members in good standing and admitted to The Florida Bar no less than 10 years.” I also believe that all of the individuals are considered by their peers as legal experts dedicated to professional excellence in the field of State and Federal Government and Administrative Practice.

If you have any questions or if I can be of further service to you, please do not hesitate to contact me at the address below.

Sincerely,

Patrick L. "Booter" Imhof  
Chair  
404 S. Monroe St.  
330 Knott Building  
Tallahassee, FL 32399-1100  
(850)487-5957  
[Imhof.booter@flsenate.gov](mailto:Imhof.booter@flsenate.gov)

cc: Joseph C. Mellichamp, III, Chair, Government Lawyer Section  
Robert J. Riggio, Chair, Environmental and Land Use Law Section  
Jackie Wernkli, Administrative Law Section Administrator  
Dawna Bicknell, Director, Legal Specialization and Education



# watercolor<sup>SM</sup>

*A Southern Coastal Landscape*

Monday, August 14, 2006

Ms. Jackie Werndli  
The Florida Bar  
651 Jefferson St.  
Tallahassee, FL 32399

Re: The Florida Bar- Admin. Law Section

Dear Ms. Werndli,

I was delighted to learn that WaterColor may be considered for the The Florida Bar meeting, and we are excited at the prospect of hosting this important event for you!

Your attendees will thoroughly enjoy our total year round resort. As a member of the prestigious and exclusive ***Small Luxury Hotels of the World***, WaterColor is a place where your meeting will receive personalized service from our staff. In addition, the 2006 edition of ***ConventionSouth*** awarded WaterColor the "***Best of the Best***" in the hotel category as voted upon by their readers. Every meeting is tailored individually with services, accommodations and activities planned to suit your attendees' particular needs. The WaterColor Inn is nestled in the WaterColor community, which is a 499-acre resort located on the emerald green waters of the Gulf of Mexico and Western Lake, a 220-acre coastal dune lake indigenous to Northwest Florida.

Based on the information I presently have in regard to your meeting, we submit the following information for your review and consideration. At this time the following dates are available:

## **Accommodations**

Check In: Thursday, January 04, 2007 - Check Out: Sunday, January 07, 2007

With the function and appeal of a personal cabana, all rooms face beachward. Dune-level bungalows extend into intimate courtyards with enclosed outdoor showers. On each of the three upper levels, a rotunda suite is located in a central tower with panoramic views of the gulf. All other guest rooms have balconies with gulf views.

Complimentary gourmet continental breakfast for those staying at the Inn  
Complimentary Hors D'oeuvres presented during our "Gathering Hour" from  
6:30 p.m. to 7:30 p.m. nightly

Walk-in shower (Gulf Front rooms have view of the Gulf from the shower)  
 King bed with Egyptian cotton linens and goose down pillows  
 High speed internet access  
 Two line speakerphone with data port and voice mail  
 Sony flat screen television with DVD player  
 Sony Dream Machine CD player / Alarm clock  
 Refreshment center  
 Nightly turndown service with our freshly baked cookies  
 Ceiling fan  
 In room dining  
 In room safe  
 Unique WaterColor signature in room toiletries  
 Waffle-weave bathrobes  
 Complimentary valet parking

### Group Rates

| Room Type      | Rate     |
|----------------|----------|
| Gulf View Room | \$295.00 |

The above quoted Inn rates are double occupancy. All rates are subject to 7% Florida State Sales Tax and 4% Occupancy Tax (subject to change). Rates quoted above do not include a \$25.00 Resort Fee per room, per day.

### Meeting Space

| DATE       | START TIME | END TIME | FUNCTION                             | ROOM                 | SETUP         | PPL | RENT     |
|------------|------------|----------|--------------------------------------|----------------------|---------------|-----|----------|
| 01/05/2007 | 09:00AM    | 04:00AM  | General Session / Admin. Law Section | Room THREE           | Hollow Square | 12  | \$200.00 |
| 01/05/2007 | 11:30AM    | 12:30PM  | Lunch                                | The WaterColor GREEN | TBD           | 12  | \$150.00 |

Your attendees will truly enjoy the resort services we have available:

- Camp Creek Golf Club- our tour quality Tom Fazio designed course, six miles from our front porch.
- The *InnSpa* is our boutique spa offering: Massage, Facials, Body Treatments, Manicure and Pedicure Services.
- Five Har-Tru tennis courts and pro shop with 1 hour of daily complimentary court time.
- Four outdoor swimming pools which includes one adult only swimming pool.
- Unique dining experiences are available. The Fish Out of Water restaurant featuring coastal cuisine, overlooking the beautiful Gulf of Mexico. The Beach Club Grill offering casual poolside fare and libations with a spectacular view of the Gulf of Mexico. Casual dining available at the BaitHouse Restaurant overlooking tranquil Western Lake and serving breakfast, lunch and family style dinner.
- Year round children's programs offered at Camp WaterColor.
- Lake front marina with unlimited use of our kayaks, canoes, fishing poles, tackle and bikes available complimentary.
- Beach chairs, umbrellas and sailboats are available.

- Award winning, beautifully manicured parks and miles of nature trails for biking, jogging, and walking enjoyment.
- The Inn library features periodicals, novels, two computers with T-1 Internet access, an assortment of DVD's available complimentary.
- WaterColor Workout providing state of the art techno-gym equipment, yoga, pilates and aerobics.
- Approximately 4,000 square feet of elegantly appointed meeting space and unique venues for outside functions.
- Custom designed themed events from casual to the most elegant.
- Serviced by two airports: Fort Walton Beach and Panama City. Delta, Continental, Northwest and US Airways provide service to above referenced airports.

I hope this information has been helpful for your planning purposes. If you would like for me to hold the date on a definite basis, please let me know and I will forward our letter of agreement.

I appreciate your consideration of the WaterColor Inn for this important event and hope we have the opportunity to work together. I will be in touch in the near future. In the meantime, please feel free to call whenever I may be of assistance.

Sincerely,

A handwritten signature in cursive script that reads "Frank Sandro".

Frank Sandro  
Resort Sales Manager

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|----------------------|------------------------------------------------------------------------|---------------------------------------|
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Administrative Law Section  
Committees and Liaisons 2006-2007

|                                                                                                            |                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
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