



Capitol Report

League of Women Voters of Florida

540 Beverly Court, Tallahassee, FL 32301, 850-224-2545
email: lwvf1@comcast.net and website: <http://www.lwvfla.org>

C. Heather Walker, LWVF Legislative Advocate

Issue 2009, Vol. 8

April 10, 2009

WELCOME TO ANOTHER EXCITING YEAR OF THE FLORIDA LEGISLATURE.

Since December of 2008 committee meetings have been taking place to prepare for the 2009 Legislative Session. The League has several priority issues getting attention (some good, some bad) during this year's regular session. An update on League issues, the legislative process and schedule is the focus of this 2009 Capitol Report.

The Legislature enjoyed an abbreviated schedule this week, breaking for the holiday on Wednesday. Fewer committee meetings and bills were scheduled this week.

IN THIS ISSUE:

- 2009 Legislative Schedule
- Accessing Legislative Information
- League Priorities Generally

2009 LEGISLATIVE SCHEDULE

Regular Interim Committee Meetings have been held three weeks since December 2008. There have been two weeks of Appropriations Interim Committee Meetings. There was to be another week of Regular Meetings but the scheduled week of January 5th was cancelled due to special session.

A special session was held January 5th through January 14th to balance the state's budget after Florida experienced larger than expected revenue shortfalls. The House and Senate passed 17 bills making \$2.6 billion in reductions to the FY 08-09 budget.

The 2009 Regular Session began on Tuesday, March 3rd. The last day for regularly scheduled committee meetings is April 21st. The last day of the Regular Session is May 1st, and the Legislature has the prerogative of extending the Regular Session or later calling a Special Session if it does not complete its work on schedule or has an issue which it wants to address prior to the next regular session.

LEGISLATIVE INFORMATION

Updates on League legislative issues will be provided on a regular basis through the Capitol Report, which is published most weeks during the Session. This issue is a review of important activities to date. And there will be a wrap-up report at the close of session.

Important information may also be accessed through the Internet at www.leg.state.fl.us. League members are encouraged to consult this site for information like:

- Committee Appointments: The Senate President and House Speaker appointed Committee Chairs as part of

the Organizational Session and their names as well as the members and staff of each Committee may be found here with contact information. Recently, the House has changed several Committee Chairs and assignments due to a change in the leadership of the House. Last week Rep. Snyder replaced Rep. Robaina as chair of the Criminal & Civil Justice Policy Council. Special consideration is often given to bills sponsored by members of the committee hearing the bill; this is particularly true of bills sponsored by the chair of the committee.

- Bills: Roughly 2183 bills have been filed for this Session already. The deadline for filing bills for introduction was March 3, 2009 at noon. However there are ways to get around this and some new bills may show up past then. Copies of bills are available on the above mentioned state legislative website along with sponsor information, the Committees to which bills have been referred for consideration, any legislative staff analyses that have been done on the bill and any actions taken on the bill with dates and voting records.
- Committee Information: Depending on what issue you are tracking there are generally standard committees of reference based on issue, although this can vary. It is a good idea if you want to track an issue that you attempt to identify prior to session what are standard committees of reference to deal with that issue. For instance, last year most legislation dealing with elections went through the Senate Committee on Ethics and Elections and the House Committee on Ethics and Elections (this year renamed the Government Affairs Policy Committee). This year the House reorganized its committee system by adopting a

structure of Councils with Committees under them. By identifying the committees generally identified with your issue/s you can (1) become familiar with the members of the committee and the committee staff and develop relationships with these folks ahead of time, (2) participate in pre session committee meetings of these committees where there may be a variety of workshops or special presentations on the issue/s you are concerned about and (3) track activities in these committees more closely for existing bill activities as well as efforts to waive rules and develop new bills or substantially alter existing bills to address these issues.

- Committee Projects: Committee staff is assigned projects to work on in between Sessions, involving research and recommendations on diverse policy issues. Their reports go on-line once approved for consideration and are then taken up by the assigned Committees for action. They often result in Proposed Committee Bills, bills offered by a committee as a whole as opposed to an individual legislator.
- Committee Packets: For each committee meeting a packet is prepared by the staff. These include an agenda, any presentation materials being addressed at the committee meeting, any amendments being offered on bills on the agenda, staff analyses on bills on the agenda and more. They are generally available on line or at the document centers on the third floor of each chamber's building the day of and frequently the day before the scheduled committee meeting, depending on the filing deadline for the meeting. As a general rule it is always good to check the document center just before a committee begins for any updated packets or addendums. This

becomes particularly important as session progresses and nears end.

- Calendars: Available for both the House and Senate are weekly and daily calendars of activities. These include activities for full Session as well as Committees. They are generally published on line in advance of the dates and then are updated closer to the time of the actual activity. It is a good idea to check the weekly calendar on Monday morning each week of Session and to check the daily calendars the evening before.

This information may be used to aid League members in being timely informed so as to play an even stronger role in grass roots advocacy.

LEAGUE PRIORITY ISSUES

The LWVF set three 2009 Legislative priorities: Government, Education in Florida and Social Policy in Florida. Under Government there are priority subcategories as follows: Finance and Taxation, Redistricting, and Citizen Initiatives including the Statutory Initiative and Election Law. Under Education in Florida our priorities are: Funding, Accountability and Civics Education. Social Policy has as its priority subcategory: Health Care.

The League has decided to once again hire a professional lobbyist, Heather Walker with WildLaw will represent us throughout the 2009 legislative session on some of the priority issues. Heather will also coordinate the Volunteer LWV of Tallahassee Lobbying Corps and Board and Off-Board Point Persons on Priority issues. We are still looking for folks to participate with this so please contact Marilynn Wills (marilynnwills@msn.com) or Rebecca Sager (rsager@music.org) if you are interested.

Additionally, during the interim, LWVF volunteers interviewed different members of the House and Senate to learn and understand each member's stance on key issues. An internal database of this information is compiled of these interviews in order to give the League a head start on evaluating legislators' positions on the different issues that will likely come up this Legislative Session. The League would like to thank all of the local Leagues and members that participated in the legislative interview process.

GOVERNMENT IN FLORIDA

FINANCE AND TAXATION

The League supports a state fiscal structure that is equitable in its distribution of the tax responsibility and responsive to public needs.

There was one special session already this year in January addressing budget shortfall issues. The Legislature had to make cuts to satisfy the balanced budget requirements. Education and other social programs were hard hit by these cuts. The League expects more budget cuts as the shortfall projections for next year continue to be increased.

All of the House and Senate appropriation committees released preliminary budget drafts for their respective areas this week. Significant revisions are expected next week that account for how stimulus money that Florida can qualify to receive might be incorporated.

Budget revisions continue and several ideas about raising revenue are being explored, including a penny increase in sales tax. This week several Health Care appropriation meeting packets had budgets that accounted for funds being received from a federal stimulus allocation.

Further budget modifications were considered this week. This year the

leadership decided that given the tough budget times members would not engage in the traditional community beneficial project request process that allows them to request earmarks in the budget for specific projects in their district. Internal fighting among the Senate and House leadership and Committee Chairs caused several specific projects in the budgets submitted by committees to the policy councils to be scrutinized as possible hidden district projects. We expect continued scrutiny of specific budget projects, as well as the general revenue allocations to continue for the next few weeks.

League members are encouraged to contact their local legislators to encourage them to take all appropriate steps to allow Florida to qualify for all possible stimulus funds and that those funds are used to enable Florida to provide necessary services for its citizens. Legislators should be reminded that these temporary funds simply allow them the time they need to reform Florida's revenue structure to make it more stable.

Other tax issues will also likely arise during this year's session. Everyone on the Finance & Tax Council was asked to review all current sales tax exemptions. When the council members reported back on February 11th only a few members recommended eliminating some of the exemptions they reviewed, but none of the elimination recommendations were adopted by the Council at this meeting. The League supports tax legislation which does not jeopardize local service, addresses infrastructure deficits, and removes unfair tax exemptions which affect governments' ability to serve citizens. Both the House and Senate Finance & Tax Councils continue to review sales tax exemptions. The House committee has fallen into a partisan stand-off with members from neither party willing

to make the first request to end a tax exemption. The Senate committee heard a presentation from Tax Watch identifying over 2 million dollars in exemptions that could be eliminated and expressed a greater willingness to consider ending tax exemptions. Committee bills identifying specific exemptions to eliminate are expected in the next few weeks.

Rep. Hukill filed **HB 1163** calling for all reviewable tax exemptions to be considered for repeal or modification by the Joint Legislative Sunset Committee and for all reviewable exemptions to expire if not renewed or modified.

The Senate Finance and Tax Committee initiated a fast-track review of sales tax exemptions on February 19th; they intend to have recommendation to the Senate's Budget Committee by early April.

Senator Deutch submitted a committee substitute for **SB 1840** that would increase the cigarette tax by \$1 and levy the tax on almost all other tobacco products. On March 31st, The Senate Finance & Tax Committee passed **SB 1840**, to the Policy & Steering Committee on Ways & Means. This bill is on the committee agenda for April 7th. The Governor and some Senators have raised concerns about exempting cigars to avoid hurting this Florida industry. No related bill has been heard in the House.

On April 7th, **SB 1840** passed out of the Policy & Steering Committee on Ways & Means with a committee substitute. The bill is now being reviewed to reassess what committees need to hear it.

On April 2nd, The Senate Finance and Tax Committee passed out of committee **SB 2546**, which would begin to close some of the corporate income tax loopholes; this bill

has a committee substitute which requires a rule review before it can go to the Commerce Committee. In the Commerce Committee, **SB 2270**, which also closes several corporate tax loopholes was passed out to the Finance & Tax Committee. **SB 2546** has no House companion, but **HB 1247**, the companion to **SB 2270** is not scheduled to be considered in committee.

SB 2270 is scheduled to be heard on April 15th by the Tax & Finance Committee.

League members should contact Senator on the Finance and Tax Committee, asking them to support **SB 2270**. Also contact Rep. Bogdanoff, chair of the House Finance & Tax Committee, asking her to place **HB 1247** on the agenda. Florida faces a revenue crisis and we must consider all potential ways to increase our revenues.

Senator Altman – (850)487-5053
Senator Justice - (850) 487-5075
Senator Bennett - (850) 487-5078
Senator Pruitt - (850) 487-5088
Senator Ring - (850) 487-5094

Rep. Bogdanoff – (850)488-0635

Representative Flores introduced **HB 1263** and Senator Haridopolos introduced **SB1906** joint resolutions in their respective chambers proposing an amendment be placed on the 2010 ballot that would establish state and local government revenue limitations. These bills propose provisions similar to provisions passed in Colorado that have had to be suspended because they restricted the ability of local governments to raise revenue excessively. The League opposes these types of inflexible revenue restrictions on local governments and will continue to advocate for local governments to have a variety of

options for generating revenues to meet local needs. **SB 1906** was voted on favorably by the Community Affairs Committee and is on the Government Oversight and Accountability agenda for March 18th. **SB 1906** was taken up in the Governmental Oversight and Accountability Committee for a third week, but was again temporarily postponed during debate. It is on the agenda again next week, but it appears to be stuck in a committee chaired by the sponsor. **SB 1906** was agendaed but not considered in committee this week.

REDISTRICTING

The League supports single-member election districts that are equal in population, that provide access for minorities, are compact and, when possible, take local characteristics such as political and geographical boundaries into consideration.

A joint resolution, **SJR202**, has been filed by Senator Justice, which would address many of the League's concerns pertaining to redistricting. The bill proposes amendments to the constitution pertaining to redistricting and reapportionment. The bill would create an independent commission to set up redistricting plans. By having an independent commission draw the lines for districts will ideally alleviate concerns of gerrymandering and other political influences affecting redistricting.

Recently, the Supreme Court approved the proposed amendment language providing standards for the drawing of state and federal districts as satisfying the one issue requirement. The League is assisting with efforts to collect signatures to get these provisions on the ballot in 2010.

CITIZEN INITIATIVES

In the past few session, the League spoke out against proposed bills which

further limiting citizen access and elevating the role of the legislature in writing, rewriting and regulating the constitution have already been drafted for the upcoming session. For the past three sessions, the League has fought to keep restrictions on the initiative process from passing. The legislature was successful in getting the 60% amendment on the ballot, and it passed. The revocation process was put in place, and while we were trying to amend it, it was struck down in the Appeals Court.

As bills addressing citizen initiatives arise, the League will oppose bills that increase moneyed interests' strangle-hold on the initiative process and where appropriate advance the idea of a citizen statutory initiative.

Rep. Dorworth filed **HB 497** requiring registration, fees and training for paid petition circulators. The League will be following this bill closely because it would cause problems immediately for the Fair Districting initiative and for other initiatives the League supports. **HB 497** passed out of Governmental Affairs Committee on March 18th despite the League and others pointing out serious constitutional violations in the bill. Rep. Dorworth amended the bill to remove some of the more egregious provisions, but the League still has concerns about several provisions that we are trying to work with him to resolve. We continue to watch for a companion bill to emerge in the Senate.

The staff for the Senate Ethics & Elections Committee has developed companion language for **HB 497** to amend onto **SB 956** when that bill is taken up next week.

League members should contact Rep. Dave Murzin, chair of the Economic Development & Community Affairs Policy Council, asking him not to agenda HB 497

until the problematic provisions have been addressed. For example, the bill should not discard a citizen's verifiable signed petition, but should have an enforcement mechanism that provides an incentive for the paid petition gatherer to comply.

Election Law

Rep. Hays sponsored **HJR 81** to place an amendment on the 2010 ballot to repeal the public campaign financing program citizens voted to establish in 1998. Linked to this bill is **HB 83**, which terminates the public campaign financing program once constitution no longer requires one. **HJR 81 and HB 83** have been acted on favorably by the Government Affairs Policy Committee and the Economic Development & Community Affairs Policy Council. The Transportation & Economic Development Appropriations Committee passed this bill favorably out of committee. **HB 83** was amended to roll back the amount of matching funds to 2005 limits adjusted for inflation. The League supports this change to the program, but continues to object to the overall effort to eliminate public campaign financing. Both bills passed out of the Full Appropriation Council on Education & Economic Development on March 23rd. We continue to watch for this to be placed on the House calendar.

Sen. Haridopolous sponsors the identical resolution and bill, **SJR 566** and **SB 564**, in the Senate. The Senate Ethics & Elections Committee and the Transportation and Economic Development Appropriations Committee voted favorably to move this resolution forward. When both bills were taken up in the Policy and Steering Committee on Ways and Means March 19th, **SB 564** was amended to roll back the amount of matching funds to \$6.25 million for a gubernatorial or \$3 million for a cabinet race; this amendment raises certain

constitutional issues which may have helped cause it to be temporarily postponed before a vote could be taken. **SJR 566** passed favorably out of the Committee. **SJR 564** was amended in the Policy and Steering Committee on Ways and Means on March 26th, but the meeting on March 27th when the vote on the bill would have occurred was cancelled. **SJR 566** is waiting to be placed on the agenda in the Rules Committee. **SJR 564** was pulled from the Policy and Steering Committee on Ways and Means and given directly to the Rules Committee.

The League opposes repealing the public campaign financing program; we believe that citizen owned elections are the best way to ensure open elections with maximum citizen participation in the political process. We also feel this program helps to hold down campaign costs by providing an incentive to candidates who chose to abide by spending limits to receive public money and that it serves the electorate by preventing individuals and corporations from gaining undue influence over elected officials.

The Senate Ethics and Elections Committee chair, Sen. Alexander, issued a bill this week proposing several election reforms in **SB 956**, which will be taken up by the committee on March 31st. **Thanks to all the calls about this bill the Ethics and Elections Committee meeting this week was canceled and committee staff spent the week revising the bill language. The League met with staff several times to discuss problems with the bill language. SB 956** was placed on the agenda for April 7th, but the new language was not released in time for the bill to be heard at that meeting. We expect to continue to have opportunities to impact the final language of the bill expected to be taken up by the Committee on April 16th.

League members should contact the committee members to express concerns about provisions in this bill that would restrict the access by voter rights groups to provide legal advice to voters who are waiting to vote or in the polling location. We also have problems with changes the bill proposes to campaign contributions immediately before elections and to limit types of ID's acceptable at the polls.

Contact :

[Senator Carey Baker \(D 20\)](#)
[Senator Alex Diaz de la Portilla \(D 36\)](#)
[Senator Mike Fasano \(D 11\)](#)
[Senator Andy Gardiner \(D 9\)](#)
[Senator Arthenia L. Joyner \(D 18\)](#)
[Senator Nan H. Rich \(D 34\)](#)
[Senator Garrett Richter \(D 37\)](#)
[Senator Charlie Justice \(D 16\)](#)

Education in Florida

Legislators attempted to reduce the influence of the FCAT scores on the grading of schools during the 2008 legislative session. There was a large education bill passed during the last session, but there were other bills that would modify use of the FCAT that never made it out of committee. We may see more activity along those lines during the 2009 session.

The League will support legislation that supports a reliable accountability system for measuring achievement of all students, supports high standards for teacher certification and compensation. And where appropriate oppose legislation that decreases the role of the state in funding of the public school system or does not fully finance programs mandated by the state.

The House and Senate education related appropriations committees all released their preliminary budget drafts this week, significant revisions are expected.

CIVICS EDUCATION

The LWVF seeks to restore the historic civic mission of our schools. The key to strengthening civic education is improving state and local policy support for it. The League of Women Voters of Florida has made civic education a legislative priority for the last three sessions.

Representative McBurney has introduced **HB 13** including social studies as a subject tested on the FCAT; it has no companion bill in the Senate. Senator Wise, Chair of Pre-K - 12 Appropriations Committee, filed **SB 2174** as the identical bill to **HB 157** and similar to **HB 13**. **HB 13** passed favorably out of the Pre-K – 12 Policy Committee. **HB 13** was placed on the PreK – 12 Appropriations Committee agenda for April 2nd, but was temporarily postponed.

HB 1293 which would further define the criteria for graduation and includes provisions for an alternative diploma (GED) passed out of the Joint Council on appropriations for Education and Economic Development after much debate. It was placed on the House Calendar on April 3rd. The companion, **SB 2654**, is on the Education Pre-K -12 Committee agenda for April 7th. **SB 2654 was temporarily postponed on April 7th.**

HB 157 and **SB 0450** require DOE to encourage school districts to adopt service-learning programs in K-12. **HB 157** moved favorably out of the Pre-K-12 Policy Committee and will be heard next in the Education Policy Council. **HB 157** passed favorably out of the Education Policy Committee. **We watch for this to be placed on the House calendar.**

The League supports legislation which requires civic education in middle school as well as enhancing civic education in high school. The League believes that for our system of representative democracy to

be healthy, we need citizens who understand what it means to participate in governing themselves, actually engage in that self-governance, have the knowledge to do it well and appreciate the complexities of the process and understand how it works.

SOCIAL POLICY IN FLORIDA

FINANCING AND DELIVERY OF HEALTHCARE

During the 2008 legislative session, the League joined with other groups to promote the “Health Care Consumer’s Right to Information Act.” Passed by the legislature in 2008, the bill will take transparency an important step forward. LWVF will continue to work with the Health Check Coalition on health issues and providing health care to all citizens of Florida.

The House and Senate Health Care Appropriations Committee both released their preliminary budget drafts this week, significant revisions are expected.

Sen. Gaetz introduced **SB 556**, which abolishes the Medicaid Low-Income Pool Council. **SB 556** was on the Health Regulation Committee agenda but temporarily postponed on February 18th. **SB 556** passed out of the Health Regulation Committee on March 4th after a Committee Substitute. **SB 556** passed favorably out of the Health and Human Services Appropriations Committee on March 19th. **SB 556** is on the April 7th Policy & Steering Committee on Ways and Means agenda. **SB 556 passed out of the Policy & Steering Committee on Ways and Means and is waiting to be placed on the Senate calendar.**

SB 620, introduced by Sen. Oelrich redefines the term “health facility” to allow additional types of health facilities to receive assistance. **SB 620** was moved favorably out of the Health Regulation Committee on February 18th. **SB 620**

moved out of both the Community Affairs Committee on March 3rd. **SB 620** was placed on the Special Order Calendar on March 31st and was passed by the Senate on April 2nd. The companion, **HB 573**, is on the House Calendar for a second reading. The Senate Health and Human Services Committee and the House Health and Family Services Policy Council are closely watching for potential funds to come from the Federal Economic Stimulus package.

While a few Committee bills and language substitutions for shell bills have been offered in the past few weeks, Committees in both chambers are hearing substantially fewer bills this year. Much of the Legislative attention is focused on budget and revenue issues. We continue to monitor key bills and watch committee substitutes to ensure that the League priorities are raised where appropriate.

As more bills are filed, the League will continue to identify bills which address the above League priorities. Throughout the 2009 Legislative Session, the League will track the bills which address the League priorities, and will participate actively for or against such bills depending on the League's stance on the bill.

EQUAL RIGHTS FOR MEN & WOMEN

While not a priority for the League this session because of the unlikelihood of anything significantly happening with this, ERA remains an overall League priority. Once again there is a resolution in the

house (**HCR 8003**) and one in the Senate (**SCR 1008**) to ratify the proposed amendment to the United States Constitution relating to equal rights for men and women. Senators Joyner, Rich, Smith and Sobel are sponsoring **SCR 1008** and Representatives Planas is sponsoring **H8003**. League members can contact their legislators and ask them to sign on to these two.

WATCH FOR YOUR *CAPITOL REPORT* EACH FRIDAY OF THE SESSION FOR NEWS ON PRIORITY ISSUES AND WHAT YOU CAN DO TO HELP.

FOR FURTHER INFO:

The newsletter is available at the LWVF's website: <http://www.lwvfla.org/>

C. Heather Walker, Legislative Advocate

Heather is a Staff Attorney with WildLaw in their Florida Office. WildLaw provides a variety of legal and professional services to communities and grassroots organizations working on environmental issues in the public interest. Heather will be representing the League this session on some of the priority issues and writing and publishing the Capitol Report, as disseminated by the LWVF Tallahassee office.

GET INVOLVED! MAKE A DIFFERENCE!

**FOR UPDATES ON OR COPIES
OF PROPOSED LEGISLATION,
CALL LEGISLATIVE INFORMATION
1-800-342-1827 OR VISIT
THE FLORIDA ONLINE SUNSHINE
HOME PAGE AT www.leg.state.fl.us.**