



# Capitol Report

League of Women Voters of Florida

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With session starting on Tuesday, March 4<sup>th</sup>, the legislators have been busy - attending committee meetings two weeks ago and hurriedly filing bills before the deadline. Likewise, the League members across the state have been working hard and diligently to discuss League priorities with their local legislators.

This second Capitol Report of 2008 will focus on these recent activities and look ahead at what we expect. It will be the last Capitol Report prior to the start of session.

During Session, the Capitol Report will come out every Friday with that week's update and issues likely to happen the next week. Because not all Capitol Report readers are equally as avid, we will maintain some of the basic bones of the Report each week. To make it easier for those of you who are avid to keep up - new information will be in blue typeface. This has been determined the best way to accommodate all levels of readers and activists.

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## 2008 LEGISLATIVE SCHEDULE

Interim Committee Meetings have been held six weeks since October 2007. There was to be seven weeks of Interim Committee Meetings but the week of meetings scheduled in November 2007 was cancelled. The other weeks included meetings in October and December 2007 and the weeks of January 7<sup>th</sup> and 22<sup>nd</sup> and February 4<sup>th</sup> and 18<sup>th</sup> 2008.

The 2008 Regular Session will begin on Tuesday, March 4<sup>th</sup>. February 29<sup>th</sup> at 5:00 p.m. is the deadline for submitting draft bills and final bills must be filed by noon the first day of session. The last day for regularly scheduled committee meetings is April 22<sup>nd</sup>. The last day of the Regular Session is May 2<sup>nd</sup>, 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. There will also be a wrap-up report at the close of session.

Important information may also be accessed through the Internet at

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[www.leg.state.fl.us](http://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. 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 1800 bills have been filed for this Session already. The deadline for filing bills for introduction is March 4, 2008 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. Most major pieces of legislation of this issue not only went through these committees but originated with these committees. 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.

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- 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 2008 Legislative priorities: Government in Florida, Natural Resources & Sustainability and Civic Education. Under the first two there are priority subcategories as follows: under Government in Florida: Equitable Taxation, Redistricting, and Citizen Initiatives and under Natural Resources & Sustainability: Protection and Restoration of Water Supply, Coastal Management and Energy.

The League has decided to once again hire a professional lobbyist, Jeanne Zokovitch with WildLaw to represent us throughout the 2008 legislative session on some of the priority issues. Jeanne will also coordinate the Volunteer LWV of Tallahassee Lobbying Corps and Board and Off-Board Point Persons on Priority issues. [We would like to thank all of the League members who volunteered to be point persons during this year's legislative session.](#) Karen Burns ([kburns1@tampabay.rr.com](mailto:kburns1@tampabay.rr.com)) will be our point person for Election Reform, Terry Coble ([terryarose@bellsouth.net](mailto:terryarose@bellsouth.net)) will head up Fiscal Policy (Taxation); Caroline Emmons-Schramm ([carolinees@cfl.rr.com](mailto:carolinees@cfl.rr.com)) will focus on Transportation (Growth

management & related fiscal issues), Susie Caplowe ([susiecaplowe@comcast.net](mailto:susiecaplowe@comcast.net)) will be the point person for Water; Clara Anne Graham ([CAGRAMMY@comcast.net](mailto:CAGRAMMY@comcast.net)) will be the point person for Climate Change (Energy), Phyllis Brewer ([phylbillbrew@earthlink.net](mailto:phylbillbrew@earthlink.net)) will be the one for Health; and Marilyn Wills ([marilynwills@msn.com](mailto:marilynwills@msn.com)) will focus on Civic Education. Please contact a specific point person or Diane Wheatley ([wheatley@tampabay.rr.com](mailto:wheatley@tampabay.rr.com)) if you have any questions or are interested in helping. We could always use more help. Also, we are in the process of assigning issues to the Tallahassee Lobby Corps volunteers.

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 EQUITABLE TAXATION

The League supports a state fiscal structure that is equitable in its distribution of the tax responsibility and responsive to public needs. There were two special sessions last year in 2007, one in June and one in October, addressing taxation issues.

The League's priorities suffered a set back early on this January, as the proposed constitutional amendment, "amendment 1" was passed by the majority of voters. Amendment 1, which expands the homestead exemption and slowly phases out the "Save Our Homes" program, was opposed by the League due to its burden

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on local government services and its failure to consider ability to pay of taxpayers. The Florida Supreme Court rejected the initial proposed amendment as unconstitutional due to language problems existing in the bill. However, the amendment was revised during a special session. The League followed the progression of amendment 1 and continued to oppose the amendment through last week's election.

Due to all the special attention taxation has received in between legislative sessions, Senate President Pruitt (R, 28) spoke out recently stating that "[i]f (senators) file a bill, I'm not going to stop anyone from filing a bill....If we share with them that there will be no leadership assistance with it, hopefully they'll know that there's no appetite over here." Thus, based on Senator Pruitt's statement it is likely there will be less activity on tax issues than some thought during this session.

#### **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, **SJR 1114**, has been filed by Senator Charlie Justice (D, 16), 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. **SJR 1114** has been referred to the Ethics and Elections Committee; Criminal and Civil Justice Appropriations, Transportation and

#### **Economic Development Appropriations, and Rules.**

Additionally, the League is assisting with efforts to collect signatures for the revised version of the citizen amendment on redistricting.

#### **CITIZEN INITIATIVES**

In the past few sessions, the League has 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. This increased role of the Legislature was troublesome to the League as it would dramatically curtails checks and balances in the Florida government system. With the passage of HB 537 with the amendment creating a petition revocation process and the veto of SB 900 the anti-citizen petition bill last year it is unclear what will be done on this issue this year. As bills addressing citizen initiatives arise, the League will oppose bills which limit citizens' right to constitutional initiatives and where appropriate advance the idea of a citizen statutory initiative.

#### **ELECTION LAW**

The League supports measures to advocate for fair methods of financing political campaigns.

The Senate Ethics and Elections committee discussed 4 election related bills last week at its February 20, 2008 meeting/workshop. The League's lobbyist, Jeanne Zokovitch, spoke on Senator Rich's (D, 34), Senator Charlie Justice's (D, 16), and Senator Steve Oelrich's (R, 14) bills at the workshop.

Senator Nan Rich's bill, **SB 880**, addresses mail in ballots. The bill revises the current law on mail in ballots and extends the option of mail in ballots to a board of

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county commissioners. **SB 880** has been referred to the Ethics and Elections Committee, Community Affairs, Judiciary, and Transportation and Economic Development Appropriations. The League supports this bill as it will improve access to the election process. Other states that have increased or instituted state-wide mail in options have dramatically increased voter turn out.

Senator Justice's (D, 16) bill, **SB 532**, creates prohibitions on the use of public funds by a local government entity advocating for a specific position in an issue campaign and has been referred to Ethics and Elections, Community Affairs, and Judiciary. In recent years many local Leagues have been disappointed in these extravagant expenditures taking a position on an issue which is supposed to be being decided by the voters. While we support issue education, the use of public funds to try to sway the outcome of such a campaign violates many League principles.

Senator Oelrich's (R, 14) bill is actually a bill and a joint resolution, **SJR 958/SB956**, repeals the "Florida Election Campaign Financing Act" and would remove the requirement of public financing of campaigns of candidates for elective statewide office who agree to campaign spending limits. The joint resolution would go to the ballot for an ultimate vote by the voters to remove this provision from our Constitution. The League strongly supports public financing as it levels the playing field to allow less-financed individuals to run for office and it is a successful campaign finance measure limiting overall spending in elections when used appropriately. In Florida in 2005 at the sunset of Session, reforms to Florida's public financing law were snuck through by majority leaders – these "reforms" astronomically raised the spending limits which would still allow a person to qualify for public financing. This has resulted in

huge election price tags and a backlash against public financing. However, this could easily be addressed by returning to more modest spending limits that achieve the goals of public financing. Proponents of this legislation are using the events since 2005 as a ruse for why public financing should be eliminated but truly they just don't believe in public financing options or the goals it achieves. **SJR 958/SB 956** has been referred to Ethics and Elections, Judiciary, Transportation and Economic Development Appropriations.

In the House **HJR 281/HB 277** by Rep. Hays (R, 25) are the companions to the Erich legislation discussed above. On Thursday, Feb, 21st, League lobbyist, Jeanne Zokovitch, addressed these measures at the House Ethics and Elections Committee educating the members that the system while flawed needed to be fixed not eliminated. The vote of House E&E was along party lines with the measures passing 4 to 3. Please thank Rep. Ausley (D, 9), Fitzgerald (D, 69) and Schwartz (D, 99) for the well informed comments. Those Reps voting for the bill were Rep. Sandy Adams (R, 33), Rep. Peter Nehr (R, 48), Rep. Pat Patterson (R, 26), and David Simmons (R, 37). The issue will need to come to the Economic Expansion and Infrastructure Council, next, where some members of the committee also sit so please let those members who voted for this that you would like them to vote against it at the Council.

Senator Mike Fasano (R, 11) also had a bill brought up during the Senate Ethics and Election workshop, **SB 118**. **SB 118** has been referred to Ethics and Elections, Governmental Operations, and Judiciary. The League is not clear yet on its stance pertaining to this bill but will try to decipher the bill's implications prior to the start of session.

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## **NATURAL RESOURCES & SUSTAINABILITY**

Energy and environmental issues have been hot topics for the proposed bills this session. As more bills are filed, the League suspects that there will be some bills concerning different League priorities addressing natural resources and sustainability.

### **WATER SUPPLY**

The League supports public policies that promote conservation of freshwater and its availability for environmental, public supply, agricultural, industrial and mining uses on a priority basis.

Currently an ongoing working group is periodically meeting to design and craft legislation to protect springs from pollution, development. There is a draft of legislation offered by Senator Saunders that is aimed at this purpose.

Once again water wars are amongst us, so watch for legislation that will tag waterways for water resources and find ways to sustain water supplies for current users; the tug of war continues between all users and consumers of water. The legislation will answer questions such as who will get theirs first and by what means?

Ocean outfall wastewater discharge from pipes is damaging our coral reefs and the legislature is paying attention. Senator Saunders, Chairman of the Senate Environmental Preservation and Conservation Committee, held a workshop during the December Interim Committee week and staff from DEP, Broward County and Miami-Dade County presented their case. According to Palm Beach County Reef Rescue, the National pollution permits for all of the south Florida outfall pipes have or are about to expire and this is a violation of Federal law. The sewer plants have not and cannot meet the level

of proof required by the Clean Water Act and will continue to operate in violation until enforcement action is taken. The Florida Legislature needs to weigh in and no doubt they will.

Ocklawaha River restoration is a heartbeat away. DEP's application to remove the Rodman Dam is complete, but there is one issue still remaining, according to St. Johns River Water Management District, "the Silver River has significant nitrate and phosphorous loading in it and it dumps into the Rodman, which acts as kidneys, cleaning the effluent that comes from Silver River, prior to the water making its way to the St. Johns River. So the District is trying to figure out how to clean up Silver River to avoid impacts." DEP's permit doesn't have an expiration date and when asked by Senator Saunders whether the River will be restored, the District replied: "Yes, but do we know timing and have the mechanisms in place to get it done? Don't know, have a lot of studies going on and we need that data to sustain a decision to remove the dam."

We fought the fight of aquifer storage and recovery a few years ago and won. We stopped Governor Bush and the legislature from dumping untreated water into our aquifers. So, because of the severe droughts, we need to "be on the lookout" for possible legislation similar to the ASR bills from 2000 or 2001 that would allow untreated groundwater to be injected into the aquifer. Commissioner of Agriculture Charles Bronson referenced this recently and the need "now more than ever" to pass this type of legislation so we can deal with the drought conditions.

### **COASTAL MANAGEMENT**

The League supports intergovernmental stewardship of and fiscal responsibility for the Florida coast.

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Currently two bills address different aspects of the Florida coast. **HB 221** filed by Representative Garrett Ritcher (R, 76) is written to protect the Florida coastline from oil and gas drilling along Florida's coast. **HB 221** was placed on the February 20<sup>th</sup> agenda of the Committee on Energy but was temporarily deferred. The bill has also been referred to the Environment and Natural Resources Council and the Rules and Calendar Council. **HB 221** is similar to **SB 426** filed by Senator Mike Bennett (R, 21) and has been referred to the Senate Committee on Environmental Preservation and Conservation.

Another bill, **SB 326**, filed by Constantine is entitled the Clean Ocean Act. It is aimed at involving the Department of Environmental Protection at the ports. This bill has been referred to Environmental Preservation and Conservation, Military Affairs and Domestic Security, Regulated Industries, and General Government Appropriations.

## **ENERGY**

Energy is one of the most addressed issues of the 2008 legislative session thus far. Governor Crist is very progressive on energy issues. Last session he vetoed bills that did not go far enough in addressing the energy issues of the state. The Florida Energy Commission addressed both the Senate and House during the interim meetings of January 7<sup>th</sup>. The Florida Energy Commission has set 7 goals which it recommends the legislature should address. The goals are: restructure energy policy governance, increase energy efficiency and conservation efforts, maximize renewable energy resource development, enhance energy related education and research, strengthen energy supply and delivery infrastructure, respond to climate change, and out year issues. The House and Senate have seemed to be persuaded by

the goals and recommendations since there are an abundant amount of bills that have been filed thus far concerning energy issues.

## **GROWTH MANAGEMENT**

The League supports governmental action that results in sustainability. Sustainability means that the results will meet the needs of the present generation without endangering the ability of future generation to meet their own needs.

One part of growth management concerns impact fees. Impact fees are fees imposed on a development to alleviate strain the development will place on the surrounding area, such as burdens the development will create on infrastructure issues. The League supports development that supports its own impacts. **SB 662**, filed by Senator Bennett, requires notice to be provided if impact fees are imposed or raised but not if the fees are decreased or eliminated.

Secretary Tom Pelham (a long time League supporter), who was appointed by Governor Crist on January 8, 2007 as Secretary of the Florida Department of Committee Affairs, promotes citizen rights in growth management in his "Citizen's Planning Bill of Rights" which is up for discussion this legislative session. Some say that Sec. Pelham's ideas on growth management address concerns of many supporters of the ill-fated ballot measure Hometown Democracy. While the League did not endorse the amendment the failure to allow citizen input in growth management in Florida and the failure of the system as a whole to accurately plan for Florida's growth, its implications and costs, are great concerns of the League's which we believe may get addressed in Pelham's ideas. Hometown Democracy would require voters to approve any change in a county's growth plan. Sec. Pelham's bill does not require a public vote

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on all growth management changes but does restrict and add limitations to a local government's ability to make changes to its comprehensive plan as well as require community hearings on proposed changes. We will continue to evaluate this as it moves forward.

A bill that will run slightly in conjunction with Sec. Pelham's growth management plan is Representative Dorothy Hukill's (R, 28) bill, **HB 991**, "Voice of the People Act." **HB 991** requires public input at all local meetings. Hukill believes citizen input in government official decisions produces better results. This bill has implications in Growth Management as well as the League's priority Government in Florida – look for updates on it in either section.

## **CIVICS EDUCATION**

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.

After the League was successful in its attempt to introduce civics education into the middle school curriculum in Florida, we hoped to build on our victory in the last session. However, many of the bills relating to education never made it out of committee during the 2007 session. Senator Mike Fasano (R, 11) has introduced a bill (**SB112**) with companion bill (**HB309**) co-sponsored by Representatives Dorothy Bendross-Mindingall (D, 109) and Ed Homan (R, 60) that encourages each district school board and county supervisor of elections to cooperate in providing voter education to high school students who are in grade 12.

It is a voluntary program for public and nonpublic high schools. The voter education must include information concerning: (a) how to register to vote and preregister (b) the operation of voting machines (c) how, when, and where to vote (d) the importance of voting. The program is required to provide students with the opportunity, sufficient information, and the time to complete and hand in to the supervisor of elections applications for voter registration. **SB 112** has been referred to Education Pre-K - 12, Ethics and Elections, Education Pre-K - 12 Appropriations. And **HB 309** has been referred to the House's Committee on Ethics and Elections, Economic Expansion and Infrastructure Council, and the Policy and Budget Council. We continue to monitor these bills.

Representative Charles McBurney (R, 16) has introduced (**HB 393**); it has no companion bill in the Senate. It specifies student performance standards that must be used for civics education; establishes Florida Joint Center for Citizenship to promote civic learning & engagement; requires Commissioner of Education to include social studies as part of FCAT. In a session that is determined to cut the budget, this bill will have a hard time getting out of committee; it did not get out of committee during the 2007 session. **HB 393** has been referred to the Schools and Learning Council and the Policy and Budget Council.

On Thursday, January 31, Civics education received a huge boost from Governor Crist. Alongside Former US Senator Bob Graham and Former US Representative Lou Frey, Governor Crist proposed to allocate \$3.4 million in his education budget to strengthen civic education. This move could likely help push bills which address civics education through the committees during this year's session. The League is very excited about this recent

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development, but the League's primary priority is to get civic education curricula in the schools and will work to de-couple curricula from the Institution should funding matters against defeat the Institution concept.

As more bills are filed within the next few days, the League will continue to identify bills which address the above League priorities. Throughout the 2008 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 (HB 8001) and one in the Senate (SB 362) to ratify the proposed amendment to the United States Constitution relating to equal rights for men and women. Senators Margolis and Joyner are sponsoring SB 362 and in the House, Representatives Brandenburg, Cusack, Fitzgerald, A. Gibson, Jenne, Kiar, Kriseman, Long, Port, Robaina, Schwartz, Vana and Zapata are

sponsoring H8001. League members can contact their legislators and ask them to sign on to these two bills if they have not already done so.

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/>

#### **Jeanne Zokovitch, Legislative Advocate**

*Jeanne is a Senior Staff Attorney with WildLaw in their Florida Office. She also Directs WildLaw's Assisting Communities with Environmental Solutions Program (ACES). WildLaw provides a variety of legal and professional services to communities and grassroots organizations working on environmental issues in the public interest. Jeanne 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!**

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