



Capitol Report

League of Women Voters of Florida

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Issue 2008, Vol. 5

March 21, 2008

This report focuses on the activities this third week of session. This week the committees were slow again at taking up League priority issues. The League is continuing to watch and where possible to tap into all the behind the scenes movements. With many shell bills in the mix relating to Energy and Elections, the League is aware that new language for many of these bills was offered in this week's committees and even more is going to be offered soon. This week was also the 2008 LWVF Legislative Seminar in Tallahassee. The Seminar was a great success this week and very informative. We enjoyed seeing many of you!

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 Report readers to keep up – new information will be in blue typeface, but this way new or less frequent readers can understand the context of the week's happenings.

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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 7th and 22nd and February 4th and 18th 2008.

The 2008 Regular Session began on Tuesday, March 4th. February 29th at 5:00 p.m. was 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 22nd. The last day of the Regular Session is May 2nd, 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 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 2000 bills have been filed for this Session already. The deadline for filing bills for introduction was March 4, 2008 at noon. However there are ways to get around this and some new bills may still show up. 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.

- 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) will be our point person for Election Reform, Terry Coble (terryarose@bellsouth.net) will head

up Fiscal Policy (Taxation); Caroline Emmons-Schramm (carolinees@cfl.rr.com) will focus on Transportation (Growth management & related fiscal issues), Susie Caplowe (susiecaplowe@comcast.net) will be the point person for Water; Clara Anne Graham (CAGRAMMY@comcast.net) will be the point person for Climate Change (Energy), Phyllis Brewer (phylbillbrew@earthlink.net) will be the one for Health; and Marilyn Wills (marilynwills@msn.com) will focus on Civic Education. Please contact a specific point person or Diane Wheatley (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 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.

House Speaker, Marco Rubio (R, 111), took an entirely different stance on tax issues this year. As session convened, Rubio aggressively asserted his desire for deeper property tax cuts. The contrast between the Senate and House's attitudes toward taxes should lead to some interesting results this session.

This divide has already been seen with **HJR 421**, a bill designed to amend further the Save-our-Homes benefits. **HJR 421**, filed by Representative Simmons (R, 37), has been storming through committees in the House rapidly. Just this week, on March 19th, it passed favorably as a committee substitute out of the Government Efficiency and Accountability Committee (12-0 vote). In contrast, **SJR 2758**, which is identical to **HJR 421**, has been referred to the Community Affairs, Finance and Tax, Education Pre-K – 12

Appropriations and Rules Committees but has not agendaed yet.

Further HB 1237 by Representative Gelber (D, 106) was heard on Thursday, March 19th by the House Government & Accountability Council. The League supports this bill that would close an existing tax loophole in Florida's system which allows companies in Florida to assign business profit gained in Florida to other states thereby avoiding Florida taxation. Chairman Attkisson devoted 1.5 hours of his Council's 2 hour meeting to present and debate HB1237 before it was defeated. There was a prearranged agreement that there would be presentations for and against, with questions and debate by Council members, but no time for public testimony. Attkisson did read the names of organizations submitting speaker cards for or against.

Rep. Gelber presented for about 1/2 hour, inviting two speakers to present with him (Jim ? who worked on taxation in the leg. in the 1970s and TK Wetherell (Pres. of Florida State)). Gelber also had a PowerPoint, which can be obtained from his website or the House Democratic Office.

Speaking against HB 1237 were the general counsel for COST and FI. Tax Watch.

The vote was along party lines, which is consistent with leadership's stance that there will be NO MORE REVENUE collected.

Members of the public were not allowed to speak but could hand in speaker cards and the chair read the names and affiliations denoting their respective positions on the bill. League Lobby Corps member, Rebecca Sager, was there and put in a card for the League showing our support.

Here is an excerpt from a letter from LWVF written by League Board Member and Fiscal Policy Point Person Terry Coble to the Council in support of Gelber's bill: "The League of Women Voters of Florida (LWVF) is of the opinion that there should be a tax on corporate income with uniform rates for all types of corporations. We also believe that taxation should be consistent with economic, environmental, social and other goals. Unfortunately, the effective rate of taxation on the income of corporations doing business in Florida is far from uniform, and many exemptions, credits and deductions have been enacted over the years. The League therefore urges the Council on Government Efficiency and Accountability to approve HB 1237, which is a step toward uniformity in Florida's corporate income tax system." We are working to get the full letter posted on the website.

HB 1237's companion bill is SB 2766 by Senator Ted Deutch (D, 30). SB 2766 has been referred to these committees: Commerce; Finance and Tax; General Government Appropriations; Education Pre-K - 12 Appropriations. This many committee references are a sure sign that the Senate will not allow this bill to get any legs this session. Also, with Rep. Gelber's bill being voted down it becomes near impossible for it to be the subject of an amendment to any other bill.

Also, on Monday, March 17th the Taxation & Budget Reform Commission met to consider and propose a number of constitutional amendments on these issues. A modified version of former Senator John McKay's long-time plan was wrapped up in an amendment that also addresses several priorities of House Speaker Marco Rubio (R,111). The plan is being called the "tax swap" plan. More on this and other results by the Commission will be forthcoming in later issues.

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, but has yet to be placed on any agenda. Additionally, there is no companion legislation in the House which significantly reduces the likelihood of this legislation going anywhere.

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.

HB 1201 was heard this week in the House Ethics and Elections bill. This bill known as the Secretary of State's election reform package appears to largely be a tightening up of various election systems. Included in this is language regarding the petition and petition revocation processes. League volunteer legislative advocate and board member, Marilynn Wills, attended the meeting. However, because the lengthy bill was unveiled only the night before and it was clear that we had little traction with this committee that we would wait and attempt to reform this bill at later stops and on the Senate side. The bill passed out of the Ethics and Elections Committee with 2 amendments by a unanimous vote on March 13th. [The bill is now in the Economic Expansion and Infrastructure Committee.](#)

A Senate companion has not yet been identified but **SB 866** by Senator Constantine (R, 22) is a shell bill which has been identified as the likely vehicle for these issues. **SB 866** was on the Senate Ethics & Elections Committee agenda on Tuesday, March 11th but was temporarily passed without language or discussion. Marilynn was also present at this meeting. Further, we have been told that these bills will become the "kitchen sink" and that we should expect to see more negative amendments to it as it moves forward including significant restrictions on the petition process being again advocated by the Chamber of Commerce and Senator

Posey (R, 24). **SB 866** was on E&E's agenda this past week but the meeting was cancelled. We have been told that this is, as we expected, to be the companion to HB 1201. We have requested that the sponsor and committee try to make a draft available soon to give time before it is agendaed. It will likely be agendaed next week but as of today we still have no draft. We will need to review its language as soon as it is available.

On Thursday, March 20th the House Ethics & Elections Committee took up HB 903 by Representative Dorworth (R, 34). This bill is another one of the Florida Chamber of Commerce's highest priorities again this year and attempts to further burden the citizen initiative process. The bill is aimed at only paid signature gatherers and while the League knows we do not pay signature gatherers many of the initiatives we have supported have had to in order to even possibly be successful in the climate that has chilled citizen and volunteer involvement because of the many burdens effected in numerous bills aimed at this process in the last few years. League VP Marilynn Wills spoke against the bill with others but the bill was approved by all members present. It will next go to the Economic Expansion & Infrastructure Council. Its Senate companion is SB 2340 by Senator Posey (R, 24) which has been referred to Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations, but not yet agendaed. As of right now the E&E meeting is being shown as cancelled but that might be changed tomorrow so watch closely for that committee's agenda for this and other LWVF priority bills.

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 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 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. [This bill was addressed in the Talking Points handed out to Leaguers at Seminar on Monday.](#)

HB 429 by Rep. Fitzgerald (D, 69) is the identical companion bill to **SB 880**. It has been referred to the House Ethics & Elections Committee and the Economic Expansion and Infrastructure Council, but has not been placed on any agenda.

Senator Justice's 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. The bill has now been co-sponsored by Sen. Atwater (R, 25), Sen. Posey (R, 24) and

Sen. Gaetz (R, 4). This bill was also the subject of one of the Talking Points given to Leaguers at Seminar.

HB 195 by Rep. Long (D, 51) and co-sponsored by Rep. Homan (R, 60) is a similar bill. It has been referred to the Ethics & Elections Committee, the Economic Expansion & Infrastructure Council and the Policy & Budget Council but has yet to be placed on any agenda.

Senator Oelrich's (R, 14) bill is actually a bill and a joint resolution, **SB 958/SJR956**, 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. **SB 958/SJR 956** has been referred to Ethics and Elections, Judiciary, Transportation and Economic Development Appropriations. These pieces of

legislation were passed by the Senate Ethics & Elections Committee on Tuesday, March 11th where Marilyn and League allies spoke again against the bill. The vote was reported as 5 to 1, but we believe that that may not be accurate because both Senator Justice and Senator Margolis spoke strongly against the bills and several committee members were not in attendance. **SJR 956** shows a 4 to 2 vote. Both bills will [next be going to the Judiciary Committee; it is not currently on their proposed agenda for the 25th. We have confirmed that the votes were correct from E&E as Senator Justice believes that if the JR fails the statutory bill will be moot. After discussing with us, he is going to look into a staff opinion on whether or not that is correct. Talking Points showing why the League opposes these measures were also given out at Seminar.](#)

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. [HJR 281/HB 277 were passed out of the House Economic Expansion & Infrastructure Council on March 20th. Both bills passed by a 9 to 4 vote with Representatives,](#)

[Bucher \(D, 88\), Cusack \(D, 27\), Fitzgerald \(D, 69\), and Reed \(D, 59\) opposed to the bills. The League again spoke in opposition to these measures. They will both be headed for the Policy and Budget Council in the following weeks.](#)

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. There is no identified companion in the House for this bill, but it could be taken up as an amendment on other related issue bills.

Another issue among election reform this session focuses on the need to develop a better way to monitor election results. Florida's current audit provision is seen as problematic even by state officials, but recently Secretary of State Kurt Browning stated that he does not think this is the year to make these types of changes. Despite Browning's hesitation, many are pushing for these audit changes to be approved this legislative session. Different activist groups, including Florida Voters Coalition, have been working hard at getting bills filed and language add/changed to make sure that Florida's audit process is addressed this session. One bill, **SB 2544**, has been filed by Senator Justice (D, 16) and calls for tougher post-election audit requirements. Senator Justice seems hopeful that a reformed audit procedure will be a result of this year's legislative session but he said he "understands the reality of what we are proposing in an election year." Despite the unlikelihood of reform happening this year Senator Justice at least hopes this bill will both help push discussions among Florida lawmakers as well as continue to remind them of the need for an improved audit

provisions. **SB 2544** has not been referred to any Senate Committees yet. The League has decided to support this legislation as it currently exists. Last year, the League was the lead organization that achieved some improvements in HB 537's audit language and asked that additional audit issues be considered in the 2008 session.

HB 1521 by Rep. Sasso (D, 32) is the identical house companion for this bill. It has been referred to the Ethics & Elections Committee, the Economic Expansion & Infrastructure Council and the Policy & Budget Council but has yet to be placed on any agenda.

Further many shell bills have again been filed this session relating to elections. Again Senator Constantine (R, 22) has filed many of them. One the League has already tagged as a bill to watch is **SB 1230**. The bill has been referred to Ethics and Election; the Judiciary; Transportation and Economic Development Appropriations, and Rules. Also, **SB 866** by Senator Constantine is another election shell bill and we believe this may be the companion for **HB 1201** discussed previously. (See section on initiatives above.)

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 against 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. One piece of legislation this session that addresses Commissioner Bronson’s concerns is **HB 547**. **HB 547** was filed by Representative Kreegle and was a proposed committee bill of the Environment & Natural Resources Council. It was on the Environment & Natural Resources Council’s agenda on Wednesday, March 5th. The Council passed the bill favorably with a council substitute. **HB 547** has already been placed on the Policy & Budget Council’s agenda for its March 11th meeting next week. **HB 547** was passed unanimously by the Policy & Budget Council on March 11th and has now been placed on the House calendar.

SB 1208 is the companion bill to **HB 547**, but is not identical. **SB 1208** was filed by Senator Gaetz (R, 4). It has been referred to the Environmental Preservation and Conservation Committee, the Community Affairs Committee, and the General

Government Appropriations Committee. It has not yet been agenda-ed.

Other bills related to water issues that the League is following are:

SB 1634 filed by Senator Bennett and is identical to **HB 1503** (filed by Rep. Aubuchon). The bills amend Florida Statutes section 514.023 by adding provision which require DEP to identify source(s) of water pollution which contaminants the water and prohibits beach swimming. The League feels that this bill is a good start but needs strengthening. But as you will see below with **HB 1329** (Transportation section) this bill could face issues with regards to its financial impact in the face of this year’s budget cuts. This has been referred to Health Regulation; Environmental Preservation and Conservation; General Government Appropriations. A good sign that **SB 1634** will be supported is that **HB 1503** its companion bill was passed unanimously with amendments by the House’s Environmental Preservation Committee on March 19th. **HB 1503** is now in the Environment and Natural Resources Council.

The League also supports **HB 31**, which is identical to **SB 2078**. The bills create a governmental study of Florida’s springs and provide goals for the study. The League supports these bills but do not feel like the bills in their current form provide much “legal bite.” The bills will need to be strengthened and amended with stronger language to have a real impact. **HB 31** is co-sponsored by Reps. Boyd (D, 11) and Jenne (D, 100). It has been referred to the House Committee on Conservation & State Lands; Environment & Natural Resources Council; and the Policy and Budget Council. **SB 2078** was filed by Sen. Oelrich and referred to the Senate Committees on Environmental Preservation and Conservation;

Community Affairs; General Government Appropriations.

The League is also following a number of bills which the League opposes. These bad bills negatively affect the direction the League follows pertaining to water issues. The League will review the bills further and look for ways to oppose them and speak against them in the coming weeks. The bills are: **HB 1267** and its companion bill **SB 2352**; **SB 2060**; **HB 761**; **HB 147**; and **SB 2406**. More to come in the next issue pertaining to these bad bills.

COASTAL MANAGEMENT

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

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 20th 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. This bill is linked to **HB 897** by Rep. Mayfield (R, 80) which was passed unanimously by the Environmental Preservation Committee on March 12th.

HB 897 was also unanimously passed as a council substitute out of the Environmental and Natural Resources Council on March 19th. The bill will next likely head to the Policy and Budget Council for discussion. The bills are also linked to **SB 1094** by Senator Haridopolos (R, 26). The bill is referred to Environmental Preservation and Conservation; Military Affairs and Domestic Security; Regulated Industries; General Government Appropriations committees. It has not been placed on any agenda.

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 7th. 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.

On Thursday, March 6th, in the Senate Environmental Preservation & Conservation Committee, DEP presented the Governor's plan for energy conservation. Governor Crist was in attendance at the meeting. The energy plan was workshopped at the meeting and the committee agreed to work on amendments and present the bill next

week. The goal is to pass the bill draft out of the committee the week after next. The Bill is **SB1544**. Senator Saunders said that the bill language will be available by next week. The League is eagerly anticipating the Governor's plan for energy conservation and will keep an eye on and analyze **SB 1544** as the language is revealed. **SB 1544** was again workshopped in the EP&C Committee and many amendments were offered; seven of these passed and eleven were temporarily passed. Those that will likely be massaged and brought up again. At first blush (which is difficult because the language comes out so soon before the meetings and is always changing) the League is likely to support this bill generally but may work to get some tweaks and also to fight off bad amendments. League lobbyist, Jeanne Zokovitch, has been present at all of these meetings, is following it closely and working with allies to understand all of the nuances. **SB 1544** was on the Environmental Preservation and Conservation Committee's agenda on Wednesday, March 19th. The Committee unanimously passed the bill as a committee substitute with a handful of amendments. League lobbyist, Jeanne Zokovitch, spoke to the committee for information only taking on position on the whole bill. Her testimony focused on aspects of the bill that are of concerns to the League that are unclear or that we believe will be under threat as it moves forward due to language in the House. Specifically, these included citizen participation opportunities in power plant decision-making, governance issues by various state agencies, impacts on low income individuals, and the need to fully evaluate environmental, health and economic impacts on subsidizing alternatives so that we move forward positively.

In the House Energy Committee this week, PCB ENRC 08-01 was workshopped. This

workshop included presentation by various agencies regarding proposed changes to the Public Service Commission, DEP and other agencies' roles in energy issues. The League is reviewing this language but does have concerns about areas where we believe public participation is being marginalized. Next week additional segments of the bill will be workshopped including the governance issues and energy efficiency. The bill was again workshopped in the Energy Committee on March 12th where presentations and some limited public comment were taken. League lobbyist, Jeanne Zokovitch, was again in attendance and following closely. This bill was again discussed in the Energy Committee on March 19th where League lobbyist, Jeanne Zokovitch was in attendance. There were more than a dozen amendments and the meeting packet was revised three times that day prior to the meeting. A handful of people spoke on nuanced issues but mostly people were struggling to keep up with the moving target as it was being amended. PCB ENRC 08-01 has become a proposed committee substitute for **HB 457**. **HB 457** by Representative Dorothy Hukill (R, 28) was workshopped on March 19th by the committee; it is a smaller Energy bill which focuses on renewable technology.

Also, in the Senate various other energy bills were on committee agendas all filed by Senator Constantine (R, 22) including: **SB 310**, **SB 560** and **SB 316**. **SB 310** was unanimously passed by the Senate Agriculture committee on Thursday, March 6th. **SB 310** is now in Communications and Public Utilities. Likewise, **SB 560** was passed favorably out of the Community Affairs committee by a 9-0 vote. **SB 560** was on the agenda at the March 18th Regulated Industries meeting. The bill passed unanimously as a committee substitute. It is now in the Environmental Preservation and Conservation Committee. **SB 316** which was unanimously passed by

the Governmental Operations Committee, is now headed for the General Government Appropriations committee. The League is reviewing various parts of all of these energy bills which were being circulated behind the scenes. Other Energy bills identified are: **HB 23, HB 229, HB 1165, HB 1413, SB 308, SB 312, SB 314, SB 412, SB 562, SB 2422, SB 2250 and SB 2850**. All of these bills have some type of energy provisions. Some of these will move alone and some will be combined into some of the major pieces of legislation.

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. Although SB 662 has been withdrawn, similar bills have been filed and referred to committees, they are **SB 2050** and **HB 1093**. **SB 2050**, filed also by Senator Bennett (R, 21), has been referred to the Community Affairs Committee and the Finance and Tax Committee. **HB 1093** filed by Sands (D, 98) has been referred to the Economic Development Committee, the Economic Expansion and Infrastructure Council, and the Policy and Budget Council.

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 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.

Secretary Pelham presented to the Senate Community Affairs Committee on Thursday, March 6th. League lobbyist Jeanne Zokovitch was present and asked the Secretary to include the League in further stakeholder discussions on his legislative agenda. Specifically, on Thursday the Secretary spoke about his citizen participation provisions and transportation concurrency. It appears that there will be language that seeks to improve the citizen participation role in the comp plan process however transportation concurrency may only get addressed by provisions that would require a study of a new system that would address the deficiencies in the existing system which relies on impact fees, concurrency and proportionate share requirements. Growth management issues were workshopped in

both the House Infrastructure and Economic Development Committees this week including some presentations by Secretary Pelham. Also, we understand that Sec. Pelham has new proposed language out and we are attempting to get this before next week. [Secretary Pelham was warmly received at LWVF Seminar's Monday dinner. He spoke at length about various DCA Legislative Priorities. Current versions of language he is attempting to get heard by committees can be found on the DCA's website at \[www.dca.state.fl.us\]\(http://www.dca.state.fl.us\). The League supports many of these and will be engaging and evaluating further as the language moves forward into bills.](#)

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. **HB 991** has a companion bill, **SB 2276**, filed by Senator Lynn (R, 7). Neither has been placed on agendas.

Other issues related to growth management and sustainability in which the League has an interest relate to state wide planning and funding for transportation, including transit. In this year of budget constraints Trust Funds will be particularly vulnerable to raiding to meet current revenue needs. The League has consistently opposed accessing revenue from Trust Funds to meet for annually recurring expenses. The Florida Department of Transportation (FDOT) Plan of Work, which contains funding for current and projected transportation projects, including public transportation and commuter rail is an especially tempting target because it contains funding from the

Transportation Trust Fund for transit projects slated to begin in Central Florida and ongoing transit in South Florida. This could jeopardize, among other items, the Central Florida Commuter Rail project, developed by a regional partnership of the Federal Government, FDOT and Orange, Osceola, Seminole and Volusia counties, which is poised to connect the four Central Florida counties. Funding for transit is long-term, strategic, environmentally sound investment because Florida cannot build its way out of congestion with roads alone. Support and development of public transportation and transit promotes sound land and resource management, creates transportation options for the present and future which will improve mobility statewide, supports energy conservation and protection of water and air quality, all League priority concerns this Session. Funding for the FDOT Plan of Work will be included in one of several shell bills filed by Senator Baker, as Chairman of the Senate Transportation Committee. However, action to support passage of the Plan of Work without changes or withdrawal of funds for other purposes and protection of the Transportation Trust Fund would not be premature.

TRANSPORTATION PLANNING

In legislation which also touches on fiscal policy issues, **SB 1688**, filed by Senator Baker (R, 20), would establish a Florida Transportation Revenue Study Commission which would study state, regional and local transportation needs within the State of Florida and to develop recommendations for the Legislature to meet those needs. The commission would be required to report by January 1, 2010, and submit findings and recommendations on, the stability of existing revenue sources, funding needs of Florida's intermodal system, suggest changes to existing funding programs, new and innovative transportation funding options that can be used by the state and local

governments, and support equitable distribution of transportation revenues. The bill has been referred to the Transportation Committee; Community Affairs; Finance and Tax; Transportation and Economic Development Appropriations. **SB 1688** was on the Transportation Committee agenda for March 18th and was passed by a 7 to 1 vote with 2 amendments. The bill is now in Community Affairs. **HB 1329** and **1399** are identified as linked to this bill, but not identical. These bills are linked to many other bills as well. This means that we will need to closely follow to see that good ideas are not combined with bad policy. **HB 1329**, filed by Glorioso (R, 62), is in the Economic Expansion and Infrastructure Committee. **HB 1399** just passed favorably out of the Infrastructure Committee with amendments. The vote was 9 to 1 with only Representative Bucher voting against the bill. The bill faced recent changes prior to the vote. Representative Aubuchon had to scale back the impact of the bill because DEP at the last minute projected the original bill would cost around \$2 million. Representative Aubuchon aware of the tight budget was forced to lessen the impact of the bill for it to have any chance at being enacted. The bill received support from Rep. Randolph, who during discussion of the bill questioned DEP's estimate and was confused as to "why there should be such a large cost for something many people think is already being done. "

COUNTY TRANSPORTATION TAXATION

SB 1626, filed by Senator Alexander (R, 17) would modify the Charter County Transit System Surtax. At present, the surtax may only be levied by counties which have adopted a charter prior to January 1, 1984, i.e. Broward, Duval, Hillsborough, Miami-Dade, Pinellas, Sarasota and Volusia. The surtax may only be levied upon approval of a majority of the county electorate. **SB 1626** would

change the name of the surtax to the Charter County Transportation System Surtax, allow funds to be utilized by a transit authority as well as an expressway or transportation authority and expands eligibility for the tax to all counties with charters. The bill has been referred to Transportation; Community Affairs; Finance and Tax; Transportation and Economic Development Appropriations. **SB 1626** has been placed on the Transportation Committee's agenda for March 25th at 9 am.

An identical bill, **HB 747** has been filed in the House by Representative Ross (R, 64). **HB 747** has been referred to Government Efficiency & Accountability Council, and Policy & Budget Council. **HB 747** was passed on March 12th by the Committee on Urban and Local Affairs and is now in the Government Efficiency & Accountability Council.

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. **SB 112** was reported favorably out of Education Pre-K-12 on March 12th and is now in Ethics & Elections. 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 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.

Another bill which addresses civics education is **SB 2570**, filed by Senator Wise. The bill is comparable to **HB 393** and also aims to include social studies as part of the FCAT. **SB 2570** has not been referred to any committees as of yet.

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 8001**) and one in the Senate (**SCR 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.

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