



Capitol Report

League of Women Voters of Florida

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Jeanne Zokovitch, LWVF Legislative Program

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The League was in Tallahassee on March 18th - 20th for their 2007 LWVF Legislative Seminar. This year's seminar was geared around helping the League become better educated on LWVF program positions and legislative priorities. This year's seminar was very informative and a lot of fun! The League members at the Seminar attended a number of interactive workshops presented by an array of informative guest speakers, were able to meet with Representatives and Senators to lobby for League priority issues, and were also able to attend House and Senate Committee meetings. **Thank you** for all the League members who made it to the Seminar and all of the guest speakers, it was a huge success!

As the third week draws to an end, many of the League priority bills have yet to begin to move. The League's presence in Tallahassee this week likely helped gain some buzz surrounding the League's priorities and the bills which address these priorities. It is important that the League stays proactive and keep this attention on the League priorities. This week's Capitol Report contains some Action Boxes which provide League members with ways to take Action on bills that the League is tracking.

Reminder: Because new readers join us each week, a good portion of the Capitol Report will be redundant each week. To make it easy for loyal readers, all NEW information in the Capitol Reports will be in blue ink.

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2007 LEGISLATIVE SCHEDULE

Prior to the 2007 Legislative Schedule, a Special Session, 2007-A was held to focus primarily on Insurance and Hurricane Preparedness. After the Special Session, Interim Committee Meetings were held during January of 2007 and were concluded by February 23rd.

The 2007 Regular Session began on Tuesday, March 6th. March 2nd at 5:00 p.m. was the deadline for submitting draft bills and final bills had to be filed by noon the first day of session. The last day for regularly scheduled committee meetings is April 24th. The last day of the Regular Session is May 4th, 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 reviews important activities to date and highlights of events that occurred during this third week of the Regular Session.

It has come to our attention that there is a tracking service provided on the legislative webpage at <http://www.myfloridahouse.gov/Sections/MyHouse/myHouse.aspx>. All you have to do is sign up on the website and you will receive email alerts on certain bills. This is a great way to stay timely informed and take action.

Important information may also be accessed through the Internet at www.leg.state.fl.us. Other important websites include www.flsenate.gov and www.myfloridahouse.gov. League members are encouraged to consult these sites 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. The deadline for filing bills for introduction was March 6th 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, good government and constitutional issues were filtered through the House and Senate Judiciary and/or Ethics and Elections Committees.

Most major pieces of legislation on these issues 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 are assigned projects to work on in between Sessions, involving research and recommendations on diverse policy issues. Their reports go online 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 online 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 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 online 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 grassroots advocacy.

LEGISLATIVE TIP OF THE WEEK

What is a **linked bill**?

This year the League is tracking bills that are **linked** to other bills. A **linked bill** is a bill that will only be passed if the bill that it is **linked** to is passed within the same chamber. SB 834 proposes the "Restoration of Civil Rights Act". SB 834 is **linked** to SJR 836. SJR 836 proposes adding language to the Constitution for purposes of implementing the "Restoration of Civil Rights Act." Unless SB 834 passes through the Senate, there is no need for SJR 836. Thus,

SJR 836 is contingent to the passage of SB 834, so the two bills are **linked**.

LEAGUE PRIORITIES IN GENERAL

The LWVF Board at its September 8-9 Board meeting, using suggestions from local leagues, set two primary 2007 Legislative priorities: Government in Florida and Natural Resources in Florida. Specific issues within these priorities include: Election Law, Reapportionment, Amendment Process, Fiscal Policy, Tax Reform, Campaign Finance, Environmental Protection, and Resource Management.

The League has decided to once again hire a professional lobbyist, Jeanne Zokovitch with WildLaw to represent us on Government in Florida - Election Reform Administration, specifically on constitutional initiatives, election reform and voters' rights issues.

Additionally, volunteer point persons on the board or otherwise are being identified to assist Jeanne with these issues, to lead efforts on Growth Management and to address other lesser priority issues. To assist with these efforts the Tallahassee League is actively recruiting members to join the "Lobby Corps". For more information on the lobby corps contact Charlene Walker at cawalker7@comcast.net. Point persons for some of these issues have been identified as follows: Marilyn Wills, Constitutional Initiatives, Election Reform and Growth Management, marilynnwills@msn.com; Karen Burns, Election Reform, kburns1@tampabay.rr.com; and Charlene Walker, Growth Management, Water Resources, and Constitutional Initiatives, cawalker7@comcast.net. If you are interested in being a point person for any priority legislative issues, please contact Dianne Wheatley Giliottii, League President at wheatley@tampabay.rr.com or Marilyn Wills at the address above, or call the League office. LWVF also will work with like

minded civic organizations to lobby the legislature.

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 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. Thank you to all the League members who conducted interviews!

GOVERNMENT IN FLORIDA

➤ ELECTION LAW

A number of issues in this area are being addressed in this year's Legislature. Both the Senate and House Judiciary and Ethics and Elections Committees are key areas where these issues are being addressed. Recently, Senator Lee Constantine (R, 22), Chairman of the Senate Ethics & Elections Committee, filed over 14 proposed shell bills expressing legislative intent to reform the current election laws. All of the bills have been referred to that Committee, the Senate Committee on Judiciary, and the Senate Committee on Transportation and Economic Development Appropriations, yet only **SB 960** has thus far been placed on the Ethics and Elections committee agenda. But the bill was temporarily postponed.

Voting Process

One election issue at hand this Session is the voting process. There are proposed bills in both the House and the Senate urging for a system in every county that leaves a paper trail and even some bills calling for a statewide system to be put in place to create a unified voting system. Some bills to keep an eye on throughout the 2007 Session are **HB 43** sponsored by Representative Porth

(D, 96), which is identical to **SB 2242** by Senator Ring (D, 32); **HB 213** sponsored by Representative Hukill (R, 28), which is identical to **SB 1174** by Senator Dockery (R, 15); and **HB 377** sponsored by Representative Buchar (D, 88), **SB 342** sponsored by Senator Wilson (D, 33) and **SB 462** sponsored by Senator Siplin (D, 19), all of which propose some form of a paper trail, but which have no identical companion in the other chamber.

House bills **HB 43**, **HB 213**, and **HB 377** are referred to the House Economic Expansion and Infrastructure Council and the House Policy and Budget Council. The Economic Expansion and Infrastructure Council referred all three bills to the House Committee on Ethics and Elections, which is a Committee within that Council, but none of the bills have yet to be placed on the Committee's agenda.

All of the Senate bills have been referred to the Ethics and Elections, the Judiciary, and the Transportation and Economic Development Appropriations Committees. **SB 1174** has also been referred to Criminal Justice. While these bills have yet to be heard, the E&E Committee did hold a public meeting on elections issues during the final committee weeks pre-session and the League submitted both oral and written testimony during that hearing.

A rally was held Wednesday, March 21st in Tallahassee, in support of requiring voter verifiable paper ballots for all FL elections. The League had representatives at the rally who spoke in favor of the need for a paper trail and other League positions on the issue. Governor Crist has said he supports such efforts so the rally was a step toward trying to make the Governor follow through on this. No specific bills were backed at the rally but reforming the voting system has become a focus of many this session including the League.

The League also **supports** voting processes which give voters more access to the voting polls. **HB 391** allows supervisors of elections to make requests to the Division of Elections for additional early voting sites. More early voting sites means more citizen access to the voting polls. **HB 391**, sponsored by Richter (R, 76), passed unanimously out of the House Ethics and Elections Committee on Thursday, March 8th, and is now in the Economic Expansion and Infrastructure Council but has yet to be placed on the agenda. **HB 391** is identical to **SB 2560**, which is sponsored by Senator Posey (R, 24). **SB 2560** was introduced to the Senate on Tuesday, March 20th, and was referred to the Senate Ethics & Elections, and Transportation and Economic Development Appropriations Committees.

TAKE ACTION!

Please call in support of SB 2560 which is fresh on the Senators mind since it was just introduced and is aimed at giving voters more access to voting polls which is a cause that the League **supports**. Ask them to agenda and support SB 2560!

The Senators on the Senate Committee on Ethics and Elections are:

Chairman Lee Constantine (R, 22)
(850) - 487 - 5050
constantine.lee.web@flsenate.gov

Vice Chairman Charlie Justice (D, 16)
(850) - 487 - 5075
Justice.charlie.web@flsenate.gov

JD Alexander (R, 17) (850) - 487 - 5044
Alexander.jd.web@flsenate.gov

Jeff Atwater (R, 25) (850) - 487 - 5100
Atwater.jeff.web@flsenate.gov

Gwen Margolis (D, 35) (850) - 487 - 5121
Margolis.gwen.web@flsenate.gov

Steve Oelrich (R, 14) (850) - 487 - 5020
Oelrich.steve.web@flsenate.gov

Bill Posey (R, 24) (850) - 487 - 5053
Posey.bill.web@flsenate.gov

Nan Rich (D, 34) (850) - 487 - 5103
Rich.nan.web@flsenate.gov

SB 2300 is also considered similar and it has been referred to Senate Ethics & Elections, Government Operations, Judiciary and Transportation and Economic Development Appropriations Committees.

Voter Education

Voter education is another initiative that has been receiving support. The negative campaigning that was seen throughout the elections last year distracted voters from focusing and learning the issues at hand. There have been mixed reviews by both Senators and Representatives during the League interviews over voter education legislation. Doubters of the ability to implement laws pertaining to voter education blame the potential costs as the main deterrent. While others see the necessity of voter education and support the cause but are not sure the best way to implement it.

Two bills, **HB 581**, sponsored by Representative Bendross-Mindingall (D, 109), and **SB 302**, sponsored by Senator Fasano (R, 11), relate to Student Voter Education. **HB 581** was referred to the House Committee on Ethics and Elections by the House Economic Expansion and Infrastructure Council. **SB 302** was passed favorably by the Senate Committee on Education Pre-K - 12 on February 2nd by a 6-0 vote. **SB 302** is now in the Senate Committee on Ethics and Elections. These bills will require voter education in the schools for high school seniors. The League **supports** both bills.

Felony Rights Restoration

Through the League's participation with the Florida Rights Restoration Coalition, it is clear that there are bills being drafted that would restrict which felons can seek to have their voting rights restored as well as legislation aimed at restoring rights.

Felony rights restoration has received early support from many Senators and Representatives. Representative Richard Macheck (D, 78) in a recent interview supported providing automatic restoration of rights to felons once all sentence requirements have been met. Restoration of felony rights is also receiving positive support from Representative Kelly Skidmore (D, 90). Representative Skidmore though has acknowledged possible difficulties in the restoration of rights to all felons, since there has been talk about limiting the restoration of rights for felons who were convicted of violent crimes.

There are three bills within the Senate which relate to Felony Voting Rights Restoration. Two of the bills which are linked together, **SJR 202** and **SB 204**, are sponsored by Senator Dawson (D, 29) and the other bill, **SB 466**, which is identical to **SB 204**, is sponsored by Senator Siplin (D, 19). All three bills have been referred to the Senate Committee on Ethics and Elections, the Senate Committee on Criminal Justice, and the Senate Committee on Judiciary. **SB 204** and **SB 466** require automatic restoration of voting rights 1 year after completion and satisfaction of all sentences; where completion and satisfaction of all sentences includes completion of incarceration, completing all non-monetary terms; and completing all conditions of community supervision.

Two House bills, **HJR 101** and **HB 103**, both sponsored by Representative Taylor (D, 84) are also related to Felony Voting Rights Restoration, but both bills were withdrawn prior to introduction.

There is also a bill in the House, **HB 761**, sponsored by Representative Taylor (D, 84), which proposes a "Restoration of Civil Rights Act". This Act will restore felons' civil rights (all but right to firearms) upon completion and satisfaction of the felons' sentence. The

Act limits those who can get restoration based on the crime they are convicted of, felons convicted of crimes enumerated in the act permanently lose their rights unless they receive clemency. A similar but not identical bill in the Senate, **SB 834**, sponsored by Senator Wilson (D, 33), has been referred to the Senate Committee on Ethics and Elections, the Committee on Criminal Justice, the Committee on Judiciary and the Committee on Transportation and Economic Development Appropriations. **SB 834** calls for restoration of civil rights except for voting. It is linked to **SJR 836**. **HB 761** has been referred to the House Safety and Security Council and the Policy and Budget Council. **HB 761** is linked to **HJR 705**. The League is tracking all of these but currently only supports **HB 761**.

Campaign Finance

The 2006 Legislative Session approved a bill which increased the amount of campaign money that was permitted. This Legislative Session will see bills proposed to roll-back last year's increase. The criticism that resulted from the amount of campaign money used in Florida's 2006 Elections has brought about proposed bills addressing campaign finance issues. **SB 734**, sponsored by Senator Justice (D, 16), **HB 393**, sponsored by Representative Randolph (D, 36), **HB 749**, sponsored by Representative Long (D, 51), and **SB 2808** sponsored by Senator Deutch (D, 30), which is identical to **HB 749** are bills pertaining to campaign funding and are bills the League will want to watch.

SB 734 was placed on the Senate Committee on Ethics and Elections on March 8th but was temporarily postponed. The bill was replaced on the committee agenda for Tuesday, March 20th. **SB 734** was passed unanimously with one amendment. The League supports **SB 734** and testified to that effect at the committee. **SB 734** prohibits local governments from

spending public funds in support or opposition to an issue, referendum or amendment that is before the voters. **SB 734** prohibits local governments from expending public funds for political advertisements for the above purpose. The bill was also referred to the Senate Committee on Community Affairs and the Senate Committee on Judiciary.

SB 2808 has been referred to the Senate Committee on Ethics and Elections, Committee on Judiciary, and the Committee on Transportation and Economic Development Appropriations but has yet to be placed on any committee agenda.

Both **HB 393** and **HB 749** were referred to the House Committee on Ethics and Elections but have yet to be placed on the Committee's agenda.

➤ FLORIDA CONSTITUTION

Reapportionment

The League **supports** reapportionment reform. A joint resolution **SJR 1352** sponsored by Senator Steven Geller (D, 31) relates to legislative apportionment and proposes standards for reapportionment. The bill requires that a bi-partisan commission should be chosen to come up with a reapportionment plan with a new plan begin devised at least every ten years. **SJR 1352** lays out many different criterion that the commission's reapportionment plan must include in order for it to be valid. One such criterion would be that the districts should be as equal as in population as practically possible. Once the commission creates a plan for reapportionment, it must submit the plan for judicial review. The League **supports** this joint resolution's efforts to create a fair and justice system for establishing voting districts. **SJR 1352** has been referred to the Senate Committee on Ethics and Elections, the Senate Committee on Judiciary, and the Senate Committee on

Transportation and Economic Development Appropriations. There is currently no House companion for this joint resolution.

Constitutional Amendment Process

A related issue getting much discussion this Legislative Session is the constitutional amendatory process. In Florida, citizens can bring ballot measures to amend the Florida constitution and have done so in an increasing number of instances in recent years. While the League believes that there should be limits to what can be in the constitution we recognize that there must be some other mechanism for direct access to make law when the legislature refuses or is unable to address the will of the people. Unfortunately, recent efforts to reform the constitutional amendatory process are not aimed at retaining the people's access via other means, but only at removing the existing access via constitutional amendments. The League **opposes** bills that would dramatically curb citizen access.

Also, bills that are commonly called the "Subject Filter Bill" are **opposed** by the League as well, because these bills restrict citizen access to the Constitution without providing access in an alternative way.

Initiative Petition Requirements

Further, since 2005, the League and other organizations have grappled with more onerous requirements on citizens' petition initiatives and we expect additional attacks this year. Last year the League saw two bills the League opposed, SB 1244 introduced by Senator JD Alexander and SB 720 introduced by Senator Bill Posey, die last year due to unfavorable votes.

SB 1244 created a high level of government regulation on petition gathering groups and adversely impacted public interest initiative efforts. The bill would have been onerous and costly due to the low burden of proof it

sets for those who wish to contest the validity of petition signatures. SB 720 was comparable to SB 1244 but included even more restrictions on the petitioning process, such as private property restrictions.

This year, a similar bill, **SB 900** proposed by Senator Bill Posey (R, 24) is on the docket. **SB 900** is a little more restrictive than SB 1244 but not as restrictive as SB 720. **SB 900** does not have language like SB 720 discussing the ability of private property owners to prohibit any activity on that property that supports or opposes initiatives.

However, this issue is the subject to three stand alone bills this session, which may be why it is not included in **SB 900**. **SB 736**, sponsored by Senator Oelrich (R, 14), **HB 559** and **HB 233**, both sponsored by Representative Brown (R, 5) all give complete discretion to commercial and private property owners to disallow persons on their property for any reason at all. Like **SB 900**, the League **opposes** these bills.

The Senate Ethics and Elections Committee passed **SB 900** with only 3 members (Democrats Justice, Margolis and Rich) voting against it. There was extensive testimony against the bill including by League Legislative Advocate Jeanne Zokovitch. Senator Margolis specifically referenced the League's testimony as she explained why she opposed this measure. **SB 900** is now currently in the Committee on Judiciary but not on the agenda yet.

TAKE ACTION! - URGENT!

Call and email Senator Alex Villalobos (R, 38) the Chair of the Judiciary Committee and ask him to not agenda this bad bill, SB 900 which would restrict citizen access to the amendment process.
(305) 222-4160 (Miami)
(850) 487-5130 (Tallahassee)
villalobs.alex.web@flsenate.gov
(305) 22-4162 (FAX)

Additionally, the House Ethics and Elections Committee held a workshop previously to discuss a draft proposed committee bill on this same subject. The first draft of this bill includes SB 720 from last year as well as some of the other private property provisions in other bills discussed above. During the workshop, concerns were raised about both the private property provisions and the petition revocation process within the bill.

Last week the House E&E Committee also took up a bill related to this issue, **HB 559** which would restrict petition gatherers from seeking signatures on private property. Some indicate that the bill was toned down from earlier versions, but the League and other civic groups still oppose this bill. The bill passed the Committee unanimously. After passing out of the House E&E Committee, **HB 559** is now in the House Economic Expansion and Infrastructure Council. **HB 559** now has a bill similar to it within the Senate, **SB 1920** sponsored by Senator Fasano (R, 11). It has been referred to the Senate Committee on Ethics and Elections and the Committee on Commerce. It is on the Senate Ethics & Elections Committee's agenda for Tuesday March 27th at 12:30.

TAKE ACTION!

Call and email the Senate Ethics & Elections Committee and ask them to vote against this bill, **SB 1920**, that would curb citizen participation in various election processes. The Senators on the Senate Committee on Ethics and Elections are:

Chairman Lee Constantine (R, 22) (850) 487-5050 constantine.lee.web@flsenate.gov

Vice Chairman Charlie Justice (D, 16) (850) 487-5075
Justice.charlie.web@flsenate.gov

JD Alexander (R, 17) (850) 487-5044
Alexander.jd.web@flsenate.gov

Jeff Atwater (R, 25) (850) 487-5100
Atwater.jeff.web@flsenate.gov

Gwen Margolis (D, 35) (850) - 487 - 5121
Margolis.gwen.web@flsenate.gov

Steve Oelrich (R, 14) (850) - 487 - 5020
Oelrich.steve.web@flsenate.gov

Bill Posey (R, 24) (850) - 487 - 5053
Posey.bill.web@flsenate.gov

Nan Rich (D, 34) (850) - 487 - 5103
Rich.nan.web@flsenate.gov

HB 233, which is identical to **SB 736** and would create much of the same restrictions as **HB 559**, was referred to the House Committee on Courts and the Safety and Security Council. **HB 233** was placed on the House Committee on Courts agenda for Wednesday, March 14th but was temporarily postponed at the meeting. We understand that the sponsor TP'd the bill because he was informed that at least 4 members of the committee would be opposing it. Strong opposition to this bill aimed at those committee members took place in the days before the meeting.

TAKE ACTION!

HB 233 is probably on the agenda for the House Safety & Security Council sometime next Wednesday. The League **opposes** this bill because of its negative affect on petition initiatives. The bill would allow owners of commercial premises open to the public, to order persons off the property if the persons are engaged in activities the owner deems detrimental to the commercial purposes. This allows owners to discriminate based on whether the owner supports or opposes a certain initiative. **Please call in opposition to HB 233.**

House Safety & Security Council:

Rep. Charles Dean, Chair
(850) 488-0805, (352) 860-5160,
charles.dean@myfloridahouse.gov

Rep. Dennis Ross Vice Chair
(850) 488-2270, (863) 701-1400,
dennis.ross@myfloridahouse.gov

Rep. Sandra Adams
(850) 488-0468, (407) 977-4020,
sandy.adams@myfloridahouse.gov

Rep. Jim Frishe
(850) 488-9960, (727) 518-3902,
james.frishe@myfloridahouse.gov

Rep. Luis Garcia
(850) 488-9930, (305) 325-2501,
luis.garcia@myfloridahouse.gov

Rep. Dorothy Hukill
(850) 488-6653, (386) 424-2365,
dorothy.hukill@myfloridahouse.gov

Rep. Marcelo Llorente
(850) 488-5047, (305)273-3200,
marcelo.llorente@myfloridahouse.gov

Rep. Mark Mahon
(850) 488-4171, (904) 359-6090,
mark.mahon@myfloridahouse.gov

Rep. Mitch Needelman
(850) 488-2528, (321) 984-4848,
mitch.needelman@myfloridahouse.gov

Rep. Frank Peterman
(850) 488-0925, (727) 552-1370,
frank.peterman@myfloridahouse.gov

Rep. Yolly Roberson
(850) 488-7088, (305) 650-0022,
yolly.roberson@myfloridahouse.gov

Rep. Maria Sachs
(850) 488-1662, (561) 266-6645,
maria.sachs@myfloridahouse.gov

Rep. William Snyder
(850) 488-8832, (772) 221-4904,
William.snyder@myfloridahouse.gov

Rep. Nick Thompson
(850) 488-1541, (239) 335-2411,
nick.thompson@myfloridahouse.gov

Rep. Perry Thurston
(850) 488-1084, (954) 762-3746,
perry.thurston@myfloridahouse.gov

SB 736 was referred to the Senate Committee on Commerce, Committee on Criminal Justice, and the Committee on Judiciary.

TAKE ACTION!

SB 736 is placed on the Senate Committee on Commerce agenda for Tuesday, March 27th at 9:00 am.

Call the Senate Commerce Committee and ask them to Vote against SB 736 as it would curb citizens' access to civic processes!

Sen. Alex Diaz de la Portilla, Chair
(850) 487-5109, (305) 643-7200,
portilla.alex.web@flsenate.gov

Sen. Charlie Justice, Vice Chair
(850) 487-5075, (727) 217-7970,
justice.charlie.web@flsenate.gov

Sen. Victor Crist
(850) 487-5068, (813) 975-6658,
crist.victor.web@flsenate.gov

Sen. Rudy Garcia
(850) 487-5106, (305) 364-3191,
garcia.rudy.web@flsenate.gov

Sen. Evelyn Lynn
(850) 487-5033, (386) 238-3180,
lynn.evelyn.web@flsenate.gov

Sen. Jeremy Ring
(850) 487-5094, (954) 917-1392,
ring.jeremy.web@flsenate.gov

Sen. Burt Saunders
(850) 487-5124, (239) 417-6220,
saunders.burt.web@flsenate.gov

Sen. Gary Siplin
(850) 487-5190, (407) 297-2071,
siplin.gary.web@flsenate.gov

Also a few weeks ago, the House Economic Expansion and Infrastructure Council took up the PCB proposed in last week's House E&E regarding petition gathering limitations. PCB EEIC07-01 passed with only Representative Cusack (D, 27) and Bucher (D, 88) voting against the proposed committee bill. The bill was then filed and given the bill number **HB 7009**. **HB 7009** was referred to the House Policy and Budget Council and has yet to be placed on the Council's agenda.

Citizens' Statutory Initiatives

One alternative way is authorizing citizens to propose and adopt statutes. An issue in Florida has been that many issues that are being offered as constitutional initiatives could also be addressed as statutes. A

statutory initiative process would allow voters, by collecting a sufficient number of signatures on a petition to propose and adopt statutes. The statutory initiative process is usually much like the constitutional initiative process but with lower thresholds for signatures. If a statutory initiative process is implemented, citizens would be given another outlet for influencing the laws of Florida.

During the 2007 interim, the Senate Judiciary Committee conducted an Interim Project (Project 2007-134) which addressed the "Options for Authorizing Citizens to Propose and Adopt Statutes." The recommendations from the project report reviews the main pros and cons with the issues: a possible reduction of the amount of legislative matter flowing into the FL Constitution but a possible overall increase in the number of initiatives proposed each year. The Committee suggested that if the Legislature decides to implement a statutory initiative process, the process should involve the Legislature in a manner that would minimize the negative aspects of the statutory initiative process.

A citizen statutory initiative process would likely allow more citizens to have the ability to propose laws by requiring a less onerous process than the constitutional amendatory process. While no bills have been filed there is some indication that this issue will be the subject of a bill or joint resolution or as an amendment to either of these, this Session. The League worked with Common Cause to advance the discussion about the need for a citizen statutory initiative last year. It is likely that we will work to do the same this session. However, for a citizen statutory initiative to be effective it must include citizen safeguards and not be restricted by overly burdensome restrictions on the process. Several bills being presented this year on citizen petition initiatives (as discussed in the previous section) could greatly affect the

citizen statutory initiative process by creating burdensome restrictions on gathering signatures, which although currently aimed at the constitutional amendment process could also be applied to a citizen statutory initiative process.

➤ Finance & Taxation

Fiscal Policy

Two bills linked to each other sponsored by Senator Hill (D, 1) in the Senate, **SB 476** and **SB 478**, lay out requirements for Financial Impact Statements. These bills would extend the requirement of supplying a financial impact statement to all amendments or revisions to the Florida Constitution, not just those amendments or revisions that are proposed as citizen initiatives.

SB 476 and **SB 478** have been referred to the Senate Committee on Ethics and Elections, the Senate Committee on Finance and Tax, and the Senate Committee on General Government Appropriations. As of yet, neither bill has been placed on a Committee agenda.

Tax Reform

The League **supports** local governments having the ability to provide local funding sources to address infrastructure needs. One bill within the Senate, **SB 2056**, sponsored by Senator Storms (R, 10) is aimed at providing conditions that limit non-ad valorem tax revenues which local governments must comply with in order to be eligible to share revenues. This bill has yet to be referred to any of the Senate Committees.

Statement of Finance & Taxation Policy

Due to the increased prioritization by the Legislature this session on Fiscal Policy and Taxation issues, the League Board decided

at Seminar to try to elevate our participation on this issue during the 2007 Session. Efforts are being made to address this in the most efficient and effective way possible. To guide those activities we have developed the following positions for the 2007 Legislative session:

League Canons of Sound Taxation

📁👉 **Equity of taxation according to ability to pay**

📄👉 **Adequacy of revenue**

3. Stability, flexibility, elasticity

4. Administration, compliance, efficiency

5. Consistency with economic, environmental, social and other goals

League Overall Position: Support a state fiscal structure that is equitable in its distribution of the tax responsibility and responsive to public needs.

The League believes that the state of Florida has an infrastructure deficit and that state service levels and the quality of life are declining. We assert that sufficient state taxes should be levied to begin the process of achieving these goals. We maintain that the state's primary reliance on sales taxes as a source of revenue is regressive in nature and that the state needs to re-examine its many sales tax exemptions, excluding food and medicine, legislated to date.

At the local level, the League believes that local governments should have available a variety of options for generating revenue to meet local needs; and that formulas for state revenue sharing should take into consideration population and local revenue bases.

The League's overall position on Florida's finance and taxation system is based on two overriding principles:

(1) The state's taxation system should be equitable, i.e., it should not unfairly burden part of the population; and (2) The taxation system should result in sufficient revenues to adequately respond to the people's needs.

The need for an equitable tax structure has led the League to take the following positions:

Support review of all sales tax exemptions & super-majority of both houses to re-enact
Oppose the homestead tax exemption and increases to it
Support changing the homestead tax exemption into a three-level graduated tax
Oppose casino gambling and state lottery
Oppose increases in sales taxes
Support state personal income tax
Support state corporate income tax
Support for property tax relief when taxes on housing exceed a set percentage of income

The need for the tax system to result in sufficient revenues to meet people's needs has led the League to take the following positions:

Support of long range planning and projections on budget needs
Support creation of a statewide Tax Reform Commission
Support adequate funding of programs to meet people's needs
Capture taxes on remote sales through internet commerce
Equip local governments with the revenue tools to address community-based needs
Support allowing local governments to enact a 1 cent sales tax by referendum
Oppose super-majority requirement for referendums adding new taxes and fees to state constitution
Oppose limitations on how state and local governments can tax
Oppose limit on local property assessment increases to 3 percent per year.

SOCIAL POLICY IN FLORIDA

➤ Equal Rights for Men and Women

There is a concurrent resolution in both the House (**HCR 8003**) and the Senate (**SCR 272**) to ratify the proposed amendment to the Constitution of the United States relating to equal rights for men and women. **HCR 8003** has yet to be referred to any House Committees or Councils, but **SCR 272** has been referred to both the Senate Committee on Ethics and Elections and the Senate Committee on Judiciary. The League **supports** all efforts in advancing equality between men and women as well as **supports** the state of Florida taking a national stance for the equal rights of men and women.

TAKE ACTION!

Please call House Speaker Marco Rubio (R, 111) and tell him why there is no constitutional problem with the Florida Legislature ratifying the ERA!

(850) 488-1450 Tallahassee
(305) 442-6939 Miami
marco.rubio@myfloridahouse.gov

NATURAL RESOURCES IN FLORIDA

➤ Resource Management

This year the League is **supporting** public policies that promote conservation of freshwater and its availability for environmental, public supply, agricultural, industrial and mining uses on a priority basis with the environment and public supply first. On February 20th the Senate's Environmental Preservation and Conservation Committee was given a presentation on the need for both Lake Okeechobee Protection and Everglades Restoration. Identical bills in both chambers, **HB 535**, sponsored by Representative Williams (R, 75) and **SB 1474**, sponsored by Senator Saunders (R, 37), are trying to

expand the protection of Lake Okeechobee. Also **HB 197**, sponsored by Representative Machek (D, 78) and **SB 392**, sponsored by Senator Saunders (R, 37), are comparable bills aimed at expanding the Everglades restoration efforts.

Both **HB 535** and **HB 197** were referred to the House Environment and Natural Resource Council and the House Policy and Budget Council. The House Environment and Natural Resource Council referred both bills to the House Committee on Environmental Protection. **SB 1474** was referred to the Senate Committee on Environmental Preservation and Conservation, the Senate Committee on Agriculture, and the Senate Committee on General Government Appropriations. **SB 392**, was on the March 8th agenda of the Senate Committee on Environmental Preservation and Conservation and passed favorably by a 6-0 vote. **SB 392** was also referred to the Senate Committee on General Government Appropriations and was placed on this Committee's agenda for Thursday, March 15th where it was amended as a Committee Substitute and passed favorably, unanimously. **SB 392** was placed on the Special Order Calendar on Wednesday, March 21st, was read a 2nd time, and the amendments were adopted.

Environmental Protection

The League **supports** efforts to promote the management of natural resources as interrelated parts of life-supporting ecosystems. Two similar bills **HB 297**, sponsored by Representative Boyd (D, 11), and **SB 738**, sponsored by Senator Oelrich (R, 14), were filed which create "Florida's Incentive-Based Permitting Act." The League has opposed bills in the past which were similar or identical to these bills because although the title implies incentives for good actors the text of the bills generally allows more leeway for polluters, not

incentives for actual good actors. The League will expect to oppose these measures this year unless they are dramatically amended. Past years have seen opposition to these bills from the Florida Department of Environmental Protection (DEP) itself, who is responsible for issuing and enforcing these permits.

HB 297 was referred to the House Committee on Environmental Protection and the House Policy and Budget Council. **SB 738** was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on General Government Appropriations. Neither bill has yet to be placed on any of their respective Committees' agendas.

Additionally, the House Environmental Protection Subcommittee passed PCB ENRC 07-04 on March 7th. This PCB is similar to the other two bills, but is less offensive to the League and the Environmental Community. The League and others still have concerns with this version of the bill, but for the first time think it may be in a form where it could be acceptable with some changes. Unfortunately, industry has come out on the exact opposite side and is shopping an amendment to the PCB that would eviscerate the intent of the program. The bill is expected to be heard at the Environmental and Natural Resource Council soon. [There has been no further word yet pertaining to this PCB and whether it will become a bill for House consideration.](#)

EDUCATION IN FLORIDA

➤ CIVIC EDUCATION

The League **supports** efforts and legislation which places standards and emphasizes the importance of civic and government education. The League believes an educational foundation in both civics and the government will result in more involved adults.

Two identical bills, **HB 451** and **SB 1214**, specify a uniform core curricula for education majors. A uniform core curricula will ensure will that teachers will have a solid foundational background in both civics and government to educate the students in. The bills require each education major to have 12 hours in social science which must include civics and government.

HB 451, sponsored by Representative Proctor (R, 20), has been referred to the House Committee on Postsecondary Education and the Schools and Learning Council. **SB 1214**, sponsored by Senator Wise (R, 5), has been referred to the Senate Committee on Higher Education, the Committee on Education Pre-K-12, and the Committee on Higher Education Appropriations. Neither bill has been placed on a committee agenda yet.

Former Governor Bob Graham and former Florida Congressman Lou Frey gave key testimony before the Senate Education Committee on Wednesday. Senate Education Committee Chair Don Gaetz has filed **SB 1234** which addresses a number of key recommendations from the white paper "Enlisting A New Generation of Florida Citizens" endorsed by both Congressman Frey and Senator Graham. The bill was passed unanimously by the committee. **SB 1234** calls for the establishment of a Florida Strategic Center for Civic Education and inclusion of civics on FCAT. According to Senator Graham, the Governor has committed to fully funding the measure, and the Florida Council for the Social Studies stated that a similar bill is expected to be filed in the House in the near future.

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:

For additional League issues and other League Information please visit our website: 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 and related issues in the public interest. Jeanne will be representing the League this session on election reform issues and writing and publishing the Capitol Report, as disseminated by the LWVF Tallahassee office.

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.