



# Capitol Report

League of Women Voters of Florida

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The first week of the 2007 Legislative Session is now behind us. As the committees began meeting, some of the bills the League is watching this session were addressed while others are on the docket are awaiting discussion at future committee meetings.

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 23<sup>rd</sup>.

The 2007 Regular Session began on Tuesday, March 6<sup>th</sup>. March 2<sup>nd</sup> 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 24<sup>th</sup>. The last day of the Regular Session is May 4<sup>th</sup>, and the Legislature has the prerogative of extending the Regular Session or later calling a Special Session if it does not complete its work on schedule or has an issue which it wants to address prior to the next regular session.

## LEGISLATIVE INFORMATION

Updates on League legislative issues will be provided on a regular basis through the Capitol Report, which is published most weeks during the Session. **This issue is the first issue of the Regular Session. The issue reviews important activities to date and highlights of events that occurred during the first week of the Regular Session.**

Important information may also be accessed through the Internet at [www.leg.state.fl.us](http://www.leg.state.fl.us). Other important websites include [www.flsenate.gov](http://www.flsenate.gov) and [www.myfloridahouse.gov](http://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

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committee hearing the bill; this is particularly true of bills sponsored by the chair of the committee.

**Bills:** Roughly 1500 bills have been filed for this Session. The deadline for filing bills for introduction was March 6<sup>th</sup> 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 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.

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## LEGISLATIVE TIP OF THE WEEK

### What is a concurrent resolution?

This year the League supports a concurrent resolution pertaining to Equal Rights for Men and Women. A **concurrent resolution**, signified by SCR or HCR, is a resolution (a bill that is not subject to action by the Governor, to the constitutional one-subject limitation, or to the constitutional title requirements) that is adopted by both the House and the Senate. A **concurrent resolution** is limited to procedural legislative matters, redistricting, and ratification of federal constitutional amendments. Once a **concurrent resolution** is adopted by the House and Senate, the legislative officers sign the resolution and since the concurrent resolution is a resolution, it is presented to the Secretary of State by passing action by the Governor.

## 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 Growth Management. 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](mailto: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](mailto:marilynnwills@msn.com); Karen Burns, Election Reform, [kburns1@tampabay.rr.com](mailto:kburns1@tampabay.rr.com) and Charlene Walker, Growth Management, Water Resources, and Constitutional Initiatives, [cawalker7@comcast.net](mailto: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](mailto: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) filed over 14 proposed Senate bills expressing legislative intent to reform the

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current election laws. All of the bills have 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, yet none of the bills are currently on the Committee agendas.

## **Voting Process**

Another 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), HB 213 sponsored by Representative Hukill (R, 28), 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.

House Bills 43, 213, and 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.

Both Senate Bills 342 and 462 have 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. While these bills have yet to be heard, the 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.

## **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.

## **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 Machek (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

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(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 SB 202 and SB 204 are sponsored by Senator Dawson (D, 29) and the other bill, SB 466, 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.

Two House bills, HB 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.

## Reapportionment

The League supports reapportionment reform. A joint resolution SB 1352 sponsored by Senator Steven Geller (D, 31) relates to legislative apportionment and proposes standards for reapportionment. Currently SB 1352 seems to be the only bill addressing reapportionment, but there is still time before the deadline for introducing new bills so there is the possibility more bills on this issue will arise. [SB 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.](#)

## 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 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 would restrict citizen access to the Constitution without providing access in an alternative way.

## 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.

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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 (discussed in the next section) could greatly affect the citizen statutory initiative process by creating burdensome restrictions on gathering signatures.

### **Initiative Petition Requirements**

Further, since 2005, the League and other organizations have grappled with more onerous requirements on citizen’s 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, it is the League’s understanding that this issue is the subject to three stand alone bills this session, which may be why it is not included in SB 900. SB 738, sponsored by Senator Oelrich (R, 14), HB 559 (identical to last year’s SB 720), 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. The League **opposes** these bills as well as SB 900.

[On Thursday of this week 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.](#)

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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 seems to include 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.

On Thursday 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.

Also on Thursday, 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 and Bucher voting against the proposed committee bill.

### **Fiscal Policy**

Two bills 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 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.](#)

### **➤ 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), and HB 749, sponsored by Representative Long (D, 51) 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 with no word of when the bill will be replaced on the agenda. The bill was also referred to the Senate Committee on Community Affairs and the Senate Committee on Judiciary. Both HB 393 and 749 were referred to the House Committee on Ethics and Elections but have yet to be placed on the Committee's agenda.](#)

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➤ **Equal Rights for Men and Women**

There is a concurrent resolution in both the House (HB 8003) and the Senate (272) to ratify the proposed amendment to the Constitution of the United States relating to equal rights for men and women. HB 8003 has yet to be referred to any House Committees or Councils, but SB 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.

**GROWTH MANAGEMENT / NATURAL RESOURCE PROTECTION**

➤ **Environmental Protection**

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. Bills in both chambers, HB 535 and SB 1474, are trying to expand the protection of Lake Okeechobee. Also HB 197 and SB 392 are identical bills trying to expand 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.

➤ **Resource Management**

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 as although the title implies incentives for good actors the text of the bills generally allow 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 Committee's agendas.

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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](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 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*

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