



## **Week Seven Session Summary April 25, 2011**

### **LEGISLATIVE “SPRING BREAK” YIELDS A QUIET WEEK**

With the Legislature’s version of spring break last week, the Senate was almost entirely closed and the House had very limited activity. This is normal for the period around Passover and Easter. There was no action on any bills being tracked by the AFC.

### **CS830 BY THRASHER AND CS1021 BY DORWORTH REGARDING UNION DUES DEDUCTIONS**

Several AFC members have inquired about these two bills in the Senate and the House. The bills are designed to eliminate automatic payroll deduction of union dues in state agencies, if part of those dues is being used for political activity. The section of law impacted by this only refers to labor organizations (C4 under federal tax code) and would have no impact on organizations like the AFC (C6 under federal tax code). However colleges with union presence are very likely to have to deal with the changes to payroll deduction. Specifically, the bills will prohibit state, county, municipal, and special district employee payroll deductions for dues, uniform assessments, penalties, or special assessments of an employee organization. The AFC is not an employee organization, per se’, and we do not participate in any labor relations or negotiations.

The bills would prohibit public employee payroll deductions if those deductions are used for purposes of political activity, including contributions to a candidate, political party, political committee, committee of continuous existence, electioneering communications organization, or organization exempt from taxation under 501(c)(4), or s. 527, of the Internal Revenue Code. It does this by deleting the explicit authorization for “employee organizations” that are the exclusive bargaining agent for a unit of state employees to deduct membership dues. The new law would require an employee to execute a written authorization for the labor organization to use dues, uniform assessments, fines, penalties, or special assessments paid by an employee to make political contributions or expenditures.

### **FIREARMS BILLS CONTINUE TO CAUSE UNEASINESS**

To most people, the fact that there is even a discussion going on about firearms and one’s rights to carry them openly in public is bizarre enough. However, four bills that deal with firearms issues are making their way through the legislative process.

### **CS/CS45 by Gaetz and CS402 by Negrón regarding Storage of Ammunition**

These bills are not very controversial, but do impose the heavy hand of state government upon the local level to a certain extent. The bills are identical. They address issues regarding colleges’ storage of ammunition for Law Enforcement training. The bills would also prohibit knowingly and willfully regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized in state law and eliminates the authority of counties to adopt ordinances requiring a waiting period between the purchase and delivery of a

handgun. The bills also provide that public funds may not be used to defend unlawful conduct of any person charged with violation of this section of law, and levies substantial fines for governmental entities in whose service or employ these provisions are knowingly violated.

### **CS234 by Evers and CS/CS517 by Dorworth regarding carrying of Concealed Weapons**

These bills soften the public weapons carrying laws and will allow concealed weapon permit holders to openly carry their weapons, in addition to carrying it in a concealed manner. After significant pressure by the AFC and all other educational entities, college campuses were exempted. However, nonlethal weapons such as stun guns or Tasers, may be carried on campuses by registered owners.

All four of these bills aforementioned are moving forward for floor votes in their respective chambers.

### **OTHER KEY BILLS UP THIS WEEK IN COMMITTEE**

Several bills your AFC Legislative team has been working on and tracking are shaping up into final form and will be heard this week.

**SB1732** by Lynn regarding FCS Governance, role of HECC, and workforce programs – April 26 at 9:45am in Senate Budget Committee

**CS/SB1194** by Oelrich regarding CLAST, Articulation, and Bright Futures – April 26 at 9:45am in Senate Budget Committee

**CS84** regarding College Name Changes for St. Johns, Valencia, Gulf Coast, and Pensacola – In House messages awaiting floor readings

**SB2100** regarding Retirement laid picked up by House after mark up. In Senate returning messages awaiting conference

### **RE-APPORTIONMENT WILL HAVE A MAJOR IMPACT ON FLORIDA POLITICS (SOURCE: LOBBYTOOLS)**

After each decennial census, the Legislature is required to redraw the political boundary lines (redistricting) for the Florida House of Representatives, the Florida Senate, and Florida's Congressional districts to achieve one basic goal - population equality. Each chamber has its own committee and a joint committee handles the congressional redistricting. This responsibility is delegated to the Florida Legislature by the U.S. Constitution and the Florida Constitution. Redistricting is part of the activities of the 2012 Legislative Session and all three redistricting committees met briefly last week. Apportionment is the process of assigning seats in a legislative body among established districts.

Florida's political map appears destined to change in big ways next year -- with or without the controversial Fair Districts constitutional amendment. The U.S. Census data was delivered to the state of Florida and it shows that many Congressional and legislative districts either have too many voters in them -- or too few.

Florida has grown enough in the last 10 years to pick up two more seats in Congress, but even with the two extra seats the data released on Thursday shows several seats out of whack. Those seats that grew the fastest in the last 10 years are held by **U.S. Reps. Dennis Ross, Connie Mack and Rich Nugent**. The seats whose population dropped the most are held now by **U.S. Reps. Bill Young, Frederica Wilson and Corrine Brown**.

The data for the state Senate shows nearly half -- 16 out of the 40 seats -- is above or below the ideal size for new districts by a double-digit percentage. Those senators whose seats grew the most and are now too large are held by three Central Florida senators: **Ronda Storms, Paula Dockery and Alan Hays**. The senators whose districts are too small include **Sens. Dennis Jones, Arthenia Joyner, Chris Smith** and newly-elected **Oscar Braynon**.

The deviation in House districts is even greater. More than half of the seats in the 120-member House show a 10 percent or more gap from the ideal size. Forty seats are below the idea size by 10 percent or more, while 24 seats are above the idea size by 10 percent or more. Among those whose seat is the most out of line is **Rep. Will Weatherford**, R-Wesley Chapel. Weatherford is the chairman of the **House Redistricting Committee** and is in line to become the next House Speaker. Weatherford has nearly 86,000 more voters -- or 54.7 percent -- above the ideal size. The House member whose district is the biggest above the ideal size is **Rep. Stephen Precourt**. Some of the House members whose districts are far below the ideal number include **Reps. Clay Ford, Reggie Fulwood, Larry Ahern, Ed Hooper, Jim Frishe, Jim Boyd, and George Moraitis**. Three of the members on that list live in Pinellas County, meaning it is likely that the county could lose a state House seat.

Even before the new numbers were announced there was the prospect of wide changes in districts because of the passage of **Amendment 5** and **Amendment 6**, the Fair Districts amendments. The amendments mandate that legislators must draw compact districts that do not favor incumbents or members of a political party. Two incumbent members of Congress and the Florida House have filed a legal challenge to the amendment that deals with congressional districts.

#### **FROM THE NEWS SERVICE OF FLORIDA WIRE**

With their Senate colleagues taking the week off to observe Passover and Easter, House members this week did some heavy lifting as the Republican-led chamber pushed through controversial measures on growth management and elections over a cacophony of dissent from Democrats who could do little but pound their chests. Championing it as an anti-fraud measure, House leadership placed tighter restrictions on get-out-the vote groups and made it tougher for voters who have moved to cast ballots that count. Democrats said the elections bill was a thinly veiled attempt to say “No You Can’t” to the re-election of President Barack Obama.

While clamping down on the elections process, the chamber also voted along party lines to ease growth restrictions on local governments by allowing city and county officials more flexibility in determining what their communities will look and rolling back state oversight that has come under fire. But despite their considerable clout, legislative leaders have been unable to come to agreement on the dimensions of the budget playing field, a disconnect that has stalled negotiations again and prompted even the most optimistic leader to warn lawmakers not to make too many plans for the month of May.

Gov. Rick Scott, Florida’s marketer in chief, brought his message of hope to the Panhandle this week, dining on seafood, slathering on sunscreen and strolling on sugar sand beaches all the while urging tourists to return a year after a fire, explosion and 87-day spill from the BP Deepwater Horizon oil rig shut down the region at a cost of more than \$1 billion in tourism related revenue alone.

#### **ELECTIONS**

The 157-page election bill ([HB 1355](#)) cleared the House on a 79-37 vote after hours of questions and spirited debate over two days. It still needs Senate approval. Republican backers say the measure is a continuation of efforts dating back a decade to improve the state’s election process and guarantee registered voters- and only registered voters – can cast their ballots and have them count. “Don’t you understand the damage you’ve done to everybody’s vote when you don’t guard the system?” asked Rep.

Dennis Baxley, R-Ocala, who sponsored the measure.

But Democrats continued to slam the bill as little more than an attempt to undermine Obama's re-election effort in 2012 by making it more difficult for the demographic that elected him – particularly young people in college – to cast their ballots in what is expected to again be a crucial swing state. “It is my sincere hope that my former colleagues in the Senate reject this assault on Florida's democratic process and defeat this effort to suppress the voting rights of all Floridians,” Democratic Party Chairman Rod Smith said.

### **GROWTH MANAGEMENT**

The House passed a bill Thursday on a largely party-line vote that overhauls the state's 25-year-old growth management laws. Republicans have complained for several years that that has slowed growth in the state. A similar growth bill passed in 2009 but has been tied up in court. Under the bill ([HB 7129](#)), which still needs Senate approval, growth issues are largely left up to counties and cities, including whether to require developers to pay for roads, schools, parks and other infrastructure improvements. Backers say the current state oversight is “unnecessary and burdensome” at a time when the state's economy is sputtering. The bill also eliminates a state-mandated review of all changes to comprehensive plans. The Senate version ([SB 1122](#)) which makes similar changes, is now awaiting action in the Senate Budget Committee.

Many House Democrats fear the bill will spawn congestion and postpone needed public services by reducing state oversight of growth planning decisions. They argue that growth hasn't been slowed by the state, but by the economy. “We've never had a lot of complaints until the last couple of years when, because of the economy, all of the developments stopped,” said Rep. Ron Saunders, D-Key West. “Here we are, overreacting to the economy by trying to wipe out state oversight for growth management.”

### **BUDGET TALKS STALL**

The House may have made short work of some controversial issues this week but not all sledding was good. House and Senate negotiators still have no agreement on funding allocations for specific parts of the budget.

The House has made an offer to the Senate on how much each part of the budget – education, health and human services and so on – should get. But so far, they're not in agreement on those broad category amounts, with two weeks and two weekends to go before the scheduled end of the session. “Today, I think we're still where we were yesterday, which is we're making some progress, but progress is sort of in the eye of the beholder,” a usually optimistic House Speaker Dean Cannon, R-Winter Park, told reporters on Thursday. “I still am confident that we'll get done on time, but I'm not guaranteeing that we'll get done on time.”

Among the biggest bones of contention between the two spending plans is how deeply to cut Medicaid spending. The Senate has taken deeper cuts and proposes changes to Medically Needy, an optional program, by cutting hospital and pharmaceutical benefits. The Senate is also proposing deeper cuts to hospital rates. Waiting in the wings is Gov. Rick Scott, who said repeatedly this week that he still expects some type of corporate income tax cut to emerge from budget talks. Legislative leaders have said such cuts may not be in the cards, but this week an amendment emerged that would cut the corporate tax rate. The proposal, part of a tax bill ([SB 1236](#)) slated to be heard in two committees this week, could provide the governor the tax break he wants.

## **UNIONS PUSH BACK ON BARGAINING VOTE**

Stung by a series of bills on employee pensions and the collection of union dues, a coalition of unions representing 20,000 employees pushed back this week. Union leaders representing workings in Orange, Volusia and Seminole Counties said they will withdraw union funds from banks that have aligned themselves with the Florida Chamber of Commerce in the fight to limit or prevent unions from being able to automatically deduct dues from public employee paychecks. The Florida Chamber has also been a huge advocate of the Florida retirement system reforms.

The Chamber aired television ads this week calling for passage of the measures ([SB 830](#) and [HB 1021](#).) The unions have targeted Bank of America, PNC Bank, Regions Bank, SunTrust and Wachovia, whose executives sit on the Chamber's board of directors. They have urged their members to do the same with their personal accounts. "We are all under attack and will respond by choosing to take our business elsewhere," said Chris Sherburne, president of the Orange County firefighters union.

The Florida Chamber shrugged off the threat. "While the latest union stunt may grab headlines, it fundamentally demonstrates the union leadership's lack of understanding of how the economy works and how private sector jobs are created," said Mark Williams, president and CEO of the Florida Chamber.

## **"THE FISH TASTE GOOD"**

Putting on his barker hat, Gov. Rick Scott spent two days in the Florida Panhandle this week, marking the first anniversary of the BP Deepwater Horizon oil spill disaster by eating seafood and walking along Florida's Panhandle beaches in the hopes of luring visitors back to the region that relies on tourists and lost more than \$1 billion in tourism business alone following the disaster. Signs of life are returning to the region, which should benefit from an infusion of an additional \$30 million in marketing money released by BP last week to bring new visitors and coax back the faithful who last summer went somewhere else and liked what they saw.

"The positive is, if you talked to people, bookings are up and our beaches are spotless. The fishing is good and the seafood tastes great," Scott said Wednesday during a stop in Destin. "We were on a trajectory last year before the oil spill. We want to get back to that point."

State officials also announced an additional \$1 billion BP-backed effort to restore beaches, wetlands and other coastal ecosystems in all five Gulf states damaged or destroyed by the spill. Florida will get \$100 million up front and be eligible for millions more under the agreement reached between the company and environmental officials from the states and the federal government. But not all is rosy along the sun-backed coastline. Businesses and individuals are still awaiting payment from the Gulf Coast Claims Facility, which was set up to pay benefits to folks who lost businesses and their livelihoods due to the spill. Claims administrator Ken Feinberg has paid out nearly \$4 billion in claims from the \$20 billion fund, but many business owners say they've yet to see a check.

## **YOU MAY ASK, "WHAT CAN I DO?"**

We encourage all AFC members to become knowledgeable and active advocates for the AFC. Please follow the following rules of engagement:

1. Be knowledgeable of the issues.
2. Write a letter, send a fax or email, or call YOUR local legislative delegation to express your concerns regarding any bill
3. Be polite and professional.

4. Be a registered voter with a voting record. They know!
5. Remember, you not only represent your college, but also the AFC.
6. Do not use college resources to communicate with your legislative delegation. Use your own computer, phone, fax, or email, and do it away from campus.
7. It's never too late to get involved. Support your college's AFC Chapter.