

Capitol Report 2017

For the week ending February 10, 2017

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Overview

The Florida legislature continues to prepare for the 2017 legislative session holding a fourth week of committee meetings this week. Common Cause Florida has several priority issues that are expected to receive attention during this year's regular session which begins on March 7th. Work on some of these issues has already begun during pre-session committee weeks in December, January and now February.

Since our last Capitol Report, [Governor Rick Scott](#) unveiled his proposed budget for the next fiscal year that begins July 1st. Scott's [budget](#) totals \$83.5 billion and it would cut \$618 million in taxes mostly on business, boost education funding and revive the state's economic development incentive program that was defunded by the legislature last year. Scott's budget recommendations put him at odds with both House Speaker [Richard Corcoran](#) and Senate President [Joe Negron](#) who have other spending priorities.

House Rules

While the beginning of the legislative session is less than a month away, Common Cause Florida has already seen impressive action on ethics reform by the new House Speaker. Shortly after he was sworn in as Speaker, Richard Corcoran announced significant changes to the [House rules](#) that Common Cause Florida supports. Corcoran says the new rules are meant to "change a political culture that is more beholden to special interests than to the people of Florida."

The most powerful rule that was adopted is one that requires each budget project to be filed as a stand-alone bill. That rule came under fire this week in the Florida Senate where a new "joint" rule was proposed that would ease the House restrictions while still limiting what negotiators can consider in conference committee meetings held to resolve budget differences. Under the proposed joint rule, conference committees could consider any items that were included in either the House or Senate budget, but any new proposals would have to be explained and the conference committee would have to offer an opportunity for public testimony.

There has also been talk that the Senate is considering suing the House over its original budget rule because Senate leaders are concerned it will lead to gridlock at the end of the session. That prompted Speaker Corcoran to say, "If they want to sue the House for fighting on behalf of the people for unprecedented levels of transparency, accountability and public scrutiny of pork barrel spending, I'll pay the filing fee."

Public Records

[SB 80](#) is a bad public records bill that has been filed by Senator [Greg Steube](#). The bill would weaken Florida's public records laws by stripping out a guarantee that people can recover

legal fees if they win a court fight to obtain records. Florida law now allows people to sue agencies for records and guarantees payment of legal fees if a lawsuit is successful. The bill would give a judge the option of awarding legal fees.

Steube argues the bill is necessary because the public records law is being abused by people who aren't really interested in public records, but are only interested in the fees they generate. Common Cause Florida and open government coalition partners including the [First Amendment Foundation](#) argue that the guarantee of attorney's fees is the only tool we have to enforce our public records laws when a government agency refuses to comply. The coalition is supporting [SB 246](#), a compromise measure by Senator [Rene Garcia](#) which would retain the guarantee of legal fees, but would allow fees to be denied if a judge determines the records request was made primarily to harass the agency.

This week, the [Senate Government Oversight and Accountability Committee](#) passed Senator Steube's bill along party lines with three Democratic members voting "no." The bill will be heard next in the [Community Affairs Committee](#). **Common Cause Florida is urging its members to contact the committee members and urge them to vote "no" on SB 80.**

Redistricting

Common Cause Florida voiced its opposition this week to another bad bill, [SB 352](#). The bill by Senator [Travis Hutson](#) would direct the courts to hold an "immediate" hearing in cases where a legislatively passed redistricting plan is challenged. It also say the court must render a decision as "expeditiously as possible." It goes on to "encourage" the court to hold public hearings on remedial maps and allow public testimony on any proposed map. Common Cause Florida opposes the bill as a violation of the separation of powers. Since when does the legislative branch of government get to tell the judicial branch how to do its job?

The bill was heard this week in the Senate Judiciary Committee. Common Cause Florida Board member Peter Butzin read a statement in opposition to the bill on behalf of the [League of Women Voters of Florida](#). Common Cause Florida also sided with the League in opposition. The bill passed with one dissenting vote and will be heard next in the [Ethics and Elections Committee](#). **Common Cause members should contact Committee Chair Senator [Kathleen Passidomo](#) and ask her not to agenda SB 352.**

The [House Oversight, Transparency and Administration Subcommittee](#) held a meeting to discuss campaign finance regulation this week. The Committee heard presentations from the Florida Division of Elections and the Florida Elections Commission. The committee meeting packet which contains the slide presentations can be found [here](#). No legislation was considered at the meeting.

Legislation

Common Cause Florida is currently tracking a number of bills that have already been filed for the coming legislative session. They include:

- [HB 41](#) and [SB 774](#) – This bill would create an independent commission responsible for legislative and congressional redistricting.
- [HJR 51](#) and [SJR 74](#) – These joint resolutions would propose a constitutional amendment that, if passed by voters, would automatically restore the voting rights of non-violent ex-felons, once they have completed the terms of their sentences. Common Cause Florida supports these bills.
- [HB 53](#) and [SB 270](#) – These bills would statutorily provide for the automatic restoration of voting rights and some other civil rights to former felons.
- [SB 72](#) – This bill would allow driver’s license applications and identification card applications to serve as voter registration applications. Common Cause Florida supports this bill.
- [SB 80](#) – This is a bad public records bill that would make attorney’s fees “discretionary” in successful public records lawsuits. Common Cause Florida opposes this bill.
- [HB 105](#) and [SB 544](#) – These bills require Supervisors of Elections to allow submission of an affidavit to cure signature discrepancies on vote-by-mail ballots. Common Cause Florida supports these bills.
- [HB 117](#) and [SB 426](#) – Requires an independent audit of voting systems in random precincts before certification of an election rather than after.
- [HJR 121](#) – Provides for legislative review of judicial rulings declaring a legislative act void. Common Cause Florida opposes this bill.
- [SJR 138](#) – Proposed constitutional amendment requiring supervisors of elections be elected.
- [HB 159](#) and [SB 758](#) – Gives a candidate an additional 48 hours to pay a qualifying fee if for some reason a check is returned.
- [SB 224](#) – Related to voting assistance, poll watching and voter solicitation.
- [HB 231](#) and [SB 366](#) – Provides for nonpartisan elections for state attorneys and public defenders.
- [SB 242](#) and [HB311](#) – Providing for the election of the president by popular vote.
- [SB 246](#) – This is the compromise public records bill that was agreed to last year as an alternative to Senator Steube’s bad public records bill.
- [SB 306](#) – This bill would raise the conflict of interest bar for the legislature and prohibit legislators from voting on issues that benefit themselves.
- [SB 352](#) – This is a bad redistricting bill that attempts to require the courts to hold expedited hearings on any challenge to a legislatively drawn map and “encourages” the court adopt certain procedures. Common Cause Florida opposes this bill.
- [HB 409](#) – requires supervisors to establish an election alert system informing voters of changes in polling.
- [HB 445](#) – Provides public records exemption for certain voter registration information.

- [SB 508](#) and [HB 519](#) – Relating to automatic tabulating equipment and recounts.
- [HB 521](#) and [SB 726](#) – Allows an absent elector to vote by personally delivering a vote by mail ballot to an early voting site.
- [HJR 565](#) – Provides a constitutional amendment to automatically restore a felon’s right to vote three years after completion of sentence.
- [SB 598](#) – Relating to provisional ballots.
- [SB 602](#) – Allows preregistered voters to vote in the presidential preference primary if they turn 18 before the general election.
- [HB 707](#) and [HB 709](#) – These bills direct the Secretary of State to enter into agreements with other states to maintain the statewide voter registration system.
- [HJR 7001](#) and [HB 7003](#) – This joint resolution and bill propose a six-year ban on former legislators, elected officials and appointed officials from lobbying state government after leaving office.

Capitol Report will be filed weekly when the legislature holds committee meetings and during the legislative session. We will let you know if there is any recommended action that can be taken by Common Cause members that would be helpful to our lobbying efforts.

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