

TALLAHASSEE WEEKLY REPORT

August 22-26, 2011

Department of Corrections

Governor Rick Scott named Ken Tucker as his new secretary in the Department of Corrections (DOC). Tucker, who was serving as deputy commissioner for the Florida Department of Law Enforcement (FDLE), replaces Edwin Buss. Buss was forced out by Governor Scott, who cited a “clash over management and philosophy styles”.

Some recent stories in the media have detailed how the governor’s office raised conflict-of-interest questions over the bid process being used to privatize health care services for prison inmates. The governor’s office also objected to a decision by DOC to sign a contract with MSNBC which would have allowed the news outlet to film episodes of its prison reality series, *Lockup*, at a prison in the Panhandle.

Department of Elder Affairs

Governor Rick Scott announced this week that Charles Corley would become the permanent secretary of the Department of Elder Affairs. Corley had been serving as interim secretary since then-Secretary Doug Beach’s resignation in June 2010.

Prior to Corley being named interim secretary, he had served as Beach’s deputy secretary and chief of staff. He first joined the agency in 2000 after spending time as a hospital administrator.

Public Service Commission

The Public Service Commission (PSC) narrowed down its list of candidates to become the agency’s next executive director to three. They include: Braulio Baez, an attorney from Miami and former Chair of the PSC; Aster Adams of the Ohio Office of Consumers’ Counsel; and Chris Hart, a former Hillsborough County Commissioner. The PSC is seeking to replace Timothy Devlin who resigned in May.

The interviews are tentatively scheduled for September 6-8.

Florida Supreme Court

The Florida Supreme Court ruled this week that a new drug cocktail to be used during an execution would not cause any undue pain or suffering. The ruling clears the way for the execution of Manuel Valle, who was convicted of killing a Coral Gables police officer

in 1978. Governor Scott signed Valle's death warrant on June 30, with the execution initially scheduled to take place on August 2.

Valle's attorneys appealed in circuit court, citing concerns over the effectiveness of pentobarbital, the drug the state planned to use in place of sodium thiopental in its three-drug sequence used for executions. Valle would have been the first inmate executed with this new drug. The previous drug used is no longer manufactured. His attorneys claimed the substitution of one barbiturate for another might leave Valle conscious for his execution, causing him pain and constituting cruel and unusual punishment. He was granted a stay of execution until September 1 in order for the circuit court to conduct an evidentiary hearing on the claim.

A Miami-Dade circuit court judge had ruled earlier this month that the state can use the new drug. The Supreme Court then lifted the stay and found that expert witnesses called for the hearing failed to prove the drug would leave him conscious.

The Governor's office has yet to announce when the execution would be held. It would be the first execution in Florida since February 2010.

Worker Compensation Fraud

State insurance fraud regulators announced this week that a new scheme involving money services businesses and shell companies is bilking the government out of taxes and costing workers compensation companies lost premiums in the amount of \$438 million. Over two dozen people met with Office of Financial Regulation Commissioner Tom Grady, Office of Insurance Regulation General Counsel Belinda Miller and the statewide prosecutor's office to discuss the operations that allow uninsured subcontractors to rent workers compensation insurance policies from a shell company.

State Chief Financial Officer Jeff Atwater stated that he is hopeful that bringing a group of stakeholders together for an ongoing dialogue would help develop solutions for this threat.

Jim Greer

A judge in Orlando refused to throw out criminal charges against former Republican Party of Florida Chairman Jim Greer this week. Greer's defense team claimed that prosecutors and agents with the FDLE had failed to follow the law as they built their case.

Greer still faces charges of secretly setting up a shell company, then using it to funnel \$125,000 into personal bank accounts. His attorneys traveled to Tallahassee this week to depose House Speaker Dean Cannon, Senator John Thrasher (who replaced Greer as party chairman) and General Counsel Jason Gonzalez.

Political News

- Texas Governor Rick Perry has been endorsed by House Speaker Dean Cannon, Senator Don Gaetz (in line to be Senate President for the 2012-2014 term), Representative Matt Gaetz, Representative Clay Ingram, and Representative Jeff Brandes in his bid for the Republican nomination for President.
- Former state House Majority Leader Adam Hasner landed the support of Sally Bradshaw and Kathleen Shanahan, two of former Governor Jeb Bush's key political operatives, in his bid for the Republican nomination to challenge U.S. Senator Bill Nelson in 2012.

Calendar

- Week of September 19 – Interim Committee Meetings
- Week of October 3 – Interim Committee Meetings
- Week of October 17 – Interim Committee Meetings
- Week of October 31 – Interim Committee Meetings
- Week of November 14 – Interim Committee Meetings
- Week of December 5 – Interim Committee Meetings
- January 10, 2012 – Opening Day of 2012 Session