

TALLAHASSEE WEEKLY REPORT

September 5-9, 2011

Legislative Budget Commission

The Joint Legislative Budget Commission approved an amendment to the state budget this week which would allow the state to spend \$3.4 million in federal funds for a home visiting program for at-risk families. This approval was seen as crucial in allowing the state to remain eligible for \$100 million from the Race to the Top program.

Republicans from the Senate on the committee voiced their displeasure over approving the grant. Governor Rick Scott has supported spending the \$3.4 million, even though it was funded through the Affordable Care Act, which the state is challenging in federal court. The House and Senate budget chairs, Representative Denise Grimsley and Senator JD Alexander, cited the importance of approving the grant in order to keep Florida in the hunt for the Race to the Top grant.

At the meeting, the committee also signed off on a new three year outlook for the state, which forecasts a budget surplus for next year. Economists have projected that the state will have \$274 million left over, even after spending on Medicaid, schools, and a deficit in the court system. The surplus also takes into account \$1 billion set aside for reserves.

Amy Baker, executive director of the state's Office of Economic and Demographic Research, warned the committee that the outlook is likely to change later this fall. Sales tax collections have fallen below estimates in July and August.

Redistricting

Federal District Court Judge Ursula Ungaro threw out a challenge by Congressman Mario Diaz-Balart and Congresswoman Corrine Brown to the recently passed Fair Districts constitutional amendments. Diaz-Balart and Brown say they will take their battle to the U.S. Supreme Court, if necessary.

The lawsuit states that only the Florida Legislature, not voters through a referendum, can control how districts are drawn.

In her ruling, Judge Ungaro sided with the Florida Secretary of State's office, the NAACP, the American Civil Liberties Union, and five individual Democratic legislators, all of whom contended that voters had the right last fall to initiate and approve the amendments to enact new rules, specifically Amendment 6 which applied to Congressional seats. Amendment 5, also one of the Fair Districts amendments, applies to legislative seats.

These amendments require that boundaries not be drawn to favor a political party or incumbent, that the districts should be compact rather than sprawling, and that districts cannot be designed to shut racial or language minorities out of the political process.

Public Service Commission

The Public Service Commission (PSC) hired Braulio Baez as their next executive director this week. Baez, an attorney from Coral Gables, served on the PSC from 2000-2006, which included time spent as chairman.

Baez was among three finalists interviewed by the PSC this week, joining Aster Adams, a division director at the Office of Ohio Consumers' Counsel.

While a couple of members of the commission were concerned with Baez's lack of management experience, others said he would bring passion to the job, along with an understanding of agency culture and the role of the commissioners.

Baez will earn \$125,000 in his new role.

2012 State Legislative Agenda

The 2012 state legislative agenda will be taken up at the September 20 meeting of the Board of County Commissioners. The agenda contains requests from various county departments, after consultation with Mayor Carlos Gimenez and his staff. The Office of Intergovernmental Affairs would be happy to answer any questions or concerns regarding the state agenda.

Dave Bitner

Dave Bitner, chairman of the Republican Party of Florida (RPOF), lost his battle to amyotrophic lateral sclerosis (ALS), also known as Lou Gehrig's Disease, this week. His death comes a week after he announced he would be resigning at the upcoming Presidency 5 presidential straw poll in Orlando.

Bitner served in the Florida House from 1992-2000. Upon leaving the legislature, Bitner established his own lobbying firm, Bitner and Associates.

Thom Rumberger

E. Thom Rumberger, general counsel of the Everglades Foundation and a key player in Florida elections issues, passed away this week from complications associated with diabetes. He was 79.

Rumberger had earned national exposure by representing the widow of Dale Earnhardt in opposing attempts by the news media to get copies of Earnhardt's autopsy photographs. He also represented the RPOF in 1992 during the redistricting process. He was a senior partner and founding member of Rumberger, Kirk, and Caldwell, and served as general counsel in Florida for the George Bush presidential campaigns in 1988 and 1992 and Bob Dole's campaign in 1996.

Rumberger represented Audubon Florida in Everglades court issues involving water quality and defending the U.S. Sugar Corp's land purchase by the South Florida Water Management District. Eric Draper, executive director for Audubon Florida, said Rumberger was their leader and a field marshal in many battles to save the Everglades.

Among Rumberger's survivors are his stepson Hayden Dempsey, who recently served as special counsel to Governor Rick Scott and his son-in-law Will McKinley, who is a member of Miami-Dade County's state lobbying team.

Political

- Former U.S. Senator George Lemieux, running for the Republican nomination to challenge U.S. Senator Bill Nelson received the endorsement this week of five state legislators: Senator Stephen Wise and Representatives Matt Gaetz, Jason Brodeur, George Moriatis, and John Tobia.
- Ann Herberger, a longtime political fundraiser who has worked closely with former Governor Jeb Bush and most recently on Tim Pawlenty's presidential campaign, has joined the presidential campaign as former Utah Governor Jon Huntsman. Herberger will serve as finance director.
- House Speaker Dean Cannon served as a "spin-room surrogate" for Governor Rick Perry during the Republican presidential debate held this week at the Reagan Library.

Bills Filed This Week

Below, please find a list of bills filed this week of possible interest to Miami-Dade County:

- HB 127, Assault or Battery on a Utility Worker, Rep. Weinstein - Defines term "utility worker"; provides for reclassification of certain offenses against utility workers. <http://www.flsenate.gov/Session/Bill/2012/0127>
- HB 131, Resident Status for Tuition Purposes, Rep. Grant - Provides that veterans of Armed Services of United States, including reserve components thereof, who attend physical location of public college, university, or institution of higher learning within state are residents for tuition purposes. <http://www.flsenate.gov/Session/Bill/2012/0131>
- HB 133, Assessment of Residential and Nonhomestead Real Property, Rep. Frishe - Limits review of changes to assessed or taxable value of real property resulting from informal conferences to review by DOR; excludes value of certain

improvements from assessed value of residential real property; specifies limitation on assessed value of residential real property; provides for application of assessment limitations; provides procedural requirements & limitations; requires nonrefundable filing fee for petition to value adjustment board; specifies additional exceptions to assessment of nonhomestead property at just value; defines term "placed on tax roll"; provides for continuity & apportionment of assessment limitations on combined & divided parcels; specifies when divided or combined parcels must appear as combined or divided on tax roll; deletes definition of terms "renewable energy source device" & "device"; repeals provisions relating to property tax exemption for renewable energy source devices; provides for application. <http://www.flsenate.gov/Session/Bill/2012/0133>

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