



FLORIDA AFL-CIO  
UNITED LABOR LOBBY



## LEGISLATIVE UPDATE

2007 FLORIDA LEGISLATURE

May 8th, 2007

Issue 7

# SB 900 “Lite” Passes the Legislature

## The Fight isn’t over till the Governor Signs the Bill



Well sports fans, you hung on through the bottom of the 9<sup>th</sup> inning and the other guys won...a little...but fear not...the game is not over yet and we are currently gearing up for an extra inning! SB 900, this year’s version of the Florida Chamber of Commerce’s attack on citizens’ ballot initiatives by making petition gathering impossible passed the Florida Legislature in the final hours of the 2007 Legislative Session, but the version which passed was a far cry from what the Chamber and their allies originally wanted.

The Chamber, the Florida Retail Federation and their allies in the legislature have been working a multi-front attack on the citizens’ initiative process ever since our successful passage of the minimum wage amendment proved that they could not control the ballot box the way they control the Legislature. This year, they proceeded with their statutory attack on the petition gathering process itself. Bills were filed in both the House and Senate (HB 7009; SB 900) that would place such onerous restrictions on petition gathering that grassroots groups would never be able get an issue on the ballot.

The House was determined to pass the worst petition bill they could craft. In fact, the effort was being led by Representative Dean Cannon, the future Speaker of the House, so our efforts focused on the Senate. On April 17<sup>th</sup>, the Senate Judiciary Committee, under the leadership of Chairman Alex Villalobos, adopted a strike-all amendment that scrapped all of the most egregious parts of the bill, leaving only a new signature revocation provision that would allow voters to repeal their signatures on previously signed provisions, a priority for Senator Posey, the bill sponsor. We have discussed at length in this publication the problems with the revocation process, but if this was all the Chamber got it would have been a victory. The amended bill was heard by the full Senate on April 27<sup>th</sup> and amid some fast paced confusion, an amendment by Senator Posey was passed that added a provision requiring signed petitions to be turned in to the local supervisor within 30 days of signing for the form to be valid. This makes it incredibly difficult for volunteers to gather and turn in forms on time. Even worse, this could lead to thousands of disenfranchised voters whose petitions could be discarded without them ever knowing it if they are turned in late. **Senators Aronberg, Bullard, Hill, Joyner, Justice, Margolis, Ring, Storms and Wilson realized what was happening and voted against the bill.** It went to the House where, on May 1<sup>st</sup>, Representative Pickens, a long-time opponent of the citizens’ initiative, stripped the Senate language and replaced it with the far more draconian House version. **It passed the House on May 2<sup>nd</sup> with a near party line vote. The only Democrats supporting the bill were Representatives Boyd, Brandenburg, Fitzgerald, Sands, Scionti, and Saunders. Republican Ed Homan crossed party lines and voted against the bill.**

*“SB 900” Continued on page 2*

### **“SB 900” Cont.**

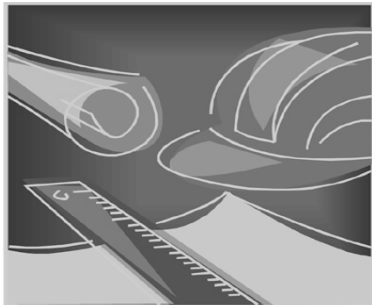
We worked furiously to line up enough support to ensure that when the bill came back to the Senate it would be defeated. We were unable to convince enough Republicans to vote the bill down outright, but we were able to convince enough members to strip the House language, replace it with the better (but still problematic) Senate language and send it back, hopefully setting up a back and forth bounce between the two chambers that would doom the bill in the final hours. Unfortunately, the House agreed to recede on their position and the legislation was passed by the House. **SB 900 has been ordered enrolled and could be sent to the Governor at any time. We are not conceding defeat however. Our coalition, which includes the League of Women Voters, The American Cancer Society, ACORN, Florida PIRG, Common Cause, Clean Water Action, the Sierra Club and many others are currently formulating a grassroots campaign to convince the Governor to veto this legislation. He has pledged in the past to protect the initiative process. Stay tuned for legislative alerts letting you know how you can help out!**

## **Property Tax Reform Delayed: Time to Organize!**

By now everyone has heard that the Legislature gave up its push to implement sweeping property tax reform during the regular session. While we understand that many Floridians are struggling with high tax bills and need reform sooner than later, this is a positive development. The legislature was on the verge of turning a serious problem into an unmitigated disaster. The legislature is currently scheduled to begin a special session on property tax reform on June 12<sup>th</sup>, which gives the Florida AFL-CIO and our ad hoc coalition for responsible tax reform the opportunity to do what we do best...ORGANIZE! We will be working in the weeks ahead to develop a plan that meets all our principles – one that relies on careful, comprehensive reform rather than on one size fits all roll backs and other risky schemes that could decimate the quality of life in our communities. We will then work with all of our affiliates to build public support for the plan and work to see it implemented during the special session. We will keep you informed about our efforts as we go through this process.



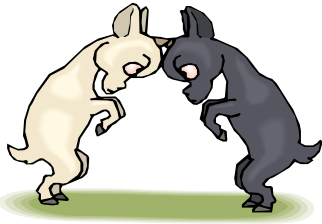
## **Jessica Lunsford Act Glitch Bill Passes**



The Jessica Lunsford Act was adopted to help protect Florida's kids from potential predators while attending school. Unfortunately, there were several issues associated with the law that have had unintentional consequences, especially to workers in the construction industry. Correcting these problems to allow law abiding workers to do their jobs while still protecting our children has been a priority for the Florida Building Trades and the United Labor Lobby for the past two years. **Legislation designed to accomplish this was finally passed by the Florida Legislature on May 2<sup>nd</sup> and Governor Crist has indicated he will sign it.** The law applies to any worker who has access to school grounds when students may be present. Fingerprinting for a level two

background screening is a requirement that has been established, and is administered in every county. In the past, when a worker moved from one county to another, a new fingerprinting and screening process had to be completed. The new law will establish a statewide system, allowing one screening that can be shared by all counties. In the past, the list of offenses that prevented school ground access was developed and interpreted differently from county to county. The new language standardizes such prohibitive offenses statewide and is more in line with the original intent of the Act. The Act was also being applied in some instances on new school construction projects where students are not present or nearby. The new language specifies that the Act applies to only those locations where students are or may be present.

**This is a major victory that will help all workers associated with school construction, maintenance and other services.**



# Messages From the Front Lines

## News from the Trenches of the Florida Legislature

### The Florida Energy, Aerospace and Technology Fund (F.E.A.T) - SUPPORT

**HB 7123** by Mayfield, Allen

One of Florida's most productive, sustainable and economically beneficial industries is space flight. Since the earliest days of Project Mercury, through the Gemini and Apollo programs and up until the present day Space Shuttle operations, space flight activities have created thousands of good, high wage jobs, most with the benefit of union representation. This is good economic development as opposed to the retail and tourism sector corporate handouts that have characterized the past 8 years of economic development policy in Florida. This massive energy policy legislation includes the creation and funding of the F.E.A.T program to encourage the future development of Florida's space industry. F.E.A.T is established within the Executive Office of the Governor and creates a partnership between the State of Florida, the Federal Government, Space Florida, Enterprise Florida and several work force related groups, including many of our affiliated unions. This program will identify and support growth opportunities in space flight and related industries, alternative energy development and production and energy infrastructure improvements. This is a major victory for Florida's workers, for the unions involved with this project and for Florida's economy as a whole.

### Truth in Government – SUPPORT

**SB 2196** by Villalobos

Truth in government? What a novel idea! This much needed legislation would have required all legislators, lobbyists, industry representatives and private citizens to swear an oath that the testimony they were offering to any legislative committee or other body was true and accurate to the best of their knowledge. The truth has become a very flexible concept at the Florida Legislature. In order for our leaders to make the best decisions and for the press to report the legislative process, the truth must be reintroduced to the system. This change would enhance the legislative process for everyone, but powerful Tallahassee insiders, who Senator Villalobos referred to as the "liars lobby" in a recent press account, worked to stop it. **SB passed the Florida Senate on April 26<sup>th</sup> with only Senators Dawson, Lawson and Siplin voting in opposition (huh?). The bill died in House messages on May 4<sup>th</sup>.**

### Teachers Lead Program - SUPPORT

Many people don't realize that teachers often have huge out of pocket expenses to get the classroom supplies they need to effectively do their jobs. Most would be shocked to see just how much this amount can be per month, sometimes running into hundreds of dollars. This legislation expands state sponsored stipends to ensure that our classroom teachers have the supplies they need without resorting to using their own money. These bills also expand the eligibility for the program to include public pre-K teachers, who had previously been excluded. This is a common sense, good education initiative. **SB 450 passed the both the Senate and the House on May 3<sup>rd</sup> and will be heading to the Governor's desk soon.**

### Special Risk Retirement for Forensic/Correctional Workers - SUPPORT

**SB 1684** by Lawson

**HB 655** by Coley, Richardson

This legislation has been a priority for the Florida AFL-CIO and ULL for years and would finally give the front line health care workers who treat dangerous mentally ill patients the special risk retirement status they deserve for the dangerous work they do. These workers are verbally and physically assaulted daily by the patients under their care, but while their managers have been given special risk status, they have never been. These bills would correct that injustice. **SB 1684 passed the Senate Governmental Operations Committee on April 24<sup>th</sup> but got stuck in General Government Appropriations due to budget concerns. HB 655 passed the House Government Efficiency and Accountability Council on April 11<sup>th</sup> but was never heard in the all powerful Budget and Policy Council.** The chief reason this issue was not finally addressed this year was a lack of revenue brought on by reduced consumer activity and diminished sales taxes. This provides an excellent example of Florida's risky tax base and why we need real comprehensive tax reform.

### **Increased Access to Flu Vaccines – SUPPORT**

**SB 2022** by Bennett, Rich

**HB 543** by Zapata, Planas, McKeel

One of the major challenges facing working families and the labor movement right now is a lack of affordable health care options. This has made health care one of the toughest issues at the bargaining table. While some form of universal health care is the answer, the Florida AFL-CIO has always sought to find policies that make incremental changes to the overall health care delivery system to lessen the burden until such time as we reach that goal. This legislation is one of those. These bills would enable pharmacists who have received extensive training to administer flu shots at their pharmacies, giving people a low cost, convenient option for getting their vaccinations. Many other states are already providing patients with these options and this has helped millions of people who would have otherwise not been vaccinated get the vaccines they need. Currently, Florida ranks 49<sup>th</sup> of the 50 states for the number of seniors and other higher risk patients that never get the shot – a problem that has led to many unnecessary deaths and emergency room visits, driving up health care costs for everyone. This bill met with considerable opposition from the Florida Medical Association (a group that routinely opposes low cost health care options that may hurt doctor profits). **SB 2022 passed the Senate on April 27<sup>th</sup>. The House passed HB 543 on April 22<sup>nd</sup>. SB 2022 was substituted by HB 543 and passed the Senate on April 30<sup>th</sup>. It has been enrolled and is headed toward the Governor's office.**

### **Railroad Trespass - OPPOSE**

**SB 320** by King

**HB 9** by Mahon, Kravitz, Richardson

This legislation grants broad new exemptions for the railroad industry in terms of safety and liability on their tracks and property. The bills will eliminate the need for railroads to post no trespassing signs on their property warning people of the risk and will make them exempt from liability in cases where a person is injured or killed on railroad land. Our railroad workers were strenuously opposed to these bills because they see the safety risks on railroad property and know that these changes will lead to more injuries, more deaths and less accountability from the big railroad companies. There were four main problems with the bills. First, they did not directly address who is permitted on Posted or Not Posted railroad property, leaving an open door to possible harassment of union members, especially during organizing drives. Second, they did not specify minimum requirements for the number of railroad police or the geographic area that individual officers are responsible for monitoring. Third, the legislation did not do anything to increase funding for Operation Lifesaver, an educational program voluntarily funded by the railroads designed to teach children about the hazards surrounding rail lines. Finally, most of Florida's rail lines are not fenced, and many have no signage describing the areas around rail lines as private property that poses many dangers. The Florida AFL-CIO and ULL worked hard on this issue and we almost won. **SB 320 was initially killed in committee but was brought back on a procedural technicality. SB 320 was replaced by HB 9 and only narrowly passed the Senate with a 20-19 vote. The bill was sent back to the House and we succeeded in getting enough votes to reconsider the bill. The Senate requested that the House return the bill but that request was denied. HB 9 was enrolled on April 27<sup>th</sup> and is headed to the Governor's office.**

### **Building Florida's Film Industry - SUPPORT**

**SB 96** by Saunders

**HB 1325** by D. Davis, Llorente, Murzin, Peterman, Porth, Robaina, Zapata

Florida has historically been the third largest film production center in the United States, but that rank is falling rapidly thanks to increasing competition from other countries and U.S. states that have implemented aggressive film production incentive programs. Governor Charlie Crist, in his State of the State address on March 6<sup>th</sup> said, "I ask that you give us the tools to spur economic development for the film and space industries. In my budget I have proposed 75 million dollars of tax credits to enhance Florida film making—a clean and vital industry which creates high paying jobs while spotlighting our beautiful state." A strong film industry creates sustainable, high paying jobs with good benefits, and in most cases with the benefits of union representation. This legislation creates three separate programs to strengthen the film industry and appropriates \$75 million over 3 years split between the programs. **HB 1325 was passed by the Senate on May 2<sup>nd</sup> and by the House on May 3<sup>rd</sup>. There was a signing ceremony by the Governor on May 3<sup>rd</sup>.**

# Florida Finally Gets a Paper Trail

## With Some Dirty Little Secrets



The Florida AFL-CIO has long supported changes to our voting systems that include verifiable paper ballots to back up electronic voting machines. Well, we got it, but the Republican majority slipped in numerous provisions designed to benefit their party at the expense of fair elections. In reporting about HB 537, the big elections bill that includes paper back-up, Howard Troxler of the St. Pete Times wrote, "But I gotta tell you, the Legislature tacked so much extra junk onto this sucker that it looks like a frat-house refrigerator door - and the contents are just about as unknown and dangerous." Some of these provisions include:

- The bill changes the third party voter registration in an attempt to nullify our ongoing and thus far successful court challenge to this unconstitutional law. This jeopardizes our ability, and that of other grassroots groups, to register new voters.
- The bill includes similar provisions to SB 900 regarding petition gathering for ballot initiatives, making it harder for citizen groups to put issues on the ballot.
- HB 537 moves Florida's presidential primary from March to the end of January. Many have extolled the benefits of this change, but it does pose serious risks to the democratic process. Early front-runners with loads of cash on hand will have an incredible advantage over other candidates who have often gone on to be the best nominee. This could hurt labor's chances of finding real pro-worker candidates. This is a mixed bag.
- The bill changes Florida's "resign to run" law, making it possible for Florida politicians to keep their jobs while simultaneously running for federal office. This will undoubtedly lead to situations where the Florida Legislature is held hostage by wannabe federal office holders.
- HB 537 greatly restricts who can file complaints to Florida's Elections Commission, making an already incredibly weak process even weaker.
- It changes the structure of executive committees for the political parties, giving state party leaders almost absolute power.
- New restrictions are placed on political committees and other fundraising entities that may or may not hurt labor unions and other member based organizations. Legal opinions thus far have indicated this should not be a problem, but we are continuing to investigate.

The bottom line here is this. Many organizations who we consider allies have been working on this issue ever since the advent of electronic voting machines. Governor Crist made a campaign pledge to pass a bill giving the voters a verifiable paper trail. The questions surrounding the 2004 elections in Ohio and the problems surrounding the still contested election in U.S. House District 13 in 2006 have made the need for paper ballot back-ups even more critical. This is why the Republican majority loaded this bill with these controversial provisions. They knew this was a must pass bill for the Governor and the Democratic minority. There is little chance that the Governor will veto this bill; he has already promised to sign it. **However, as much as we want to have a paper trail to ensure transparency and fairness in elections, we can't support this legislation and are investigating all options. We will keep you informed.**

## Mark Your Calendars!

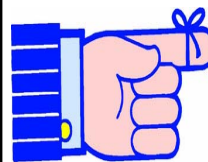
### The 2007 Florida AFL-CIO Biennial Convention



Preparations for this year's convention are already well underway and this year's event is shaping up to be a great one! The Convention will be held at the beautiful **Tradewinds Resort** on the awesome **St. Pete Beach** on **October 1<sup>st</sup> – 3<sup>rd</sup>**. Registration, Executive Board meetings and other pre-convention meetings will be held on **September 30<sup>th</sup>**.

Every seat on the Florida AFL-CIO Executive Board is up for election. Credentials for the Convention will be mailed by July 3<sup>rd</sup> so watch your mail boxes!

## Don't Forget!



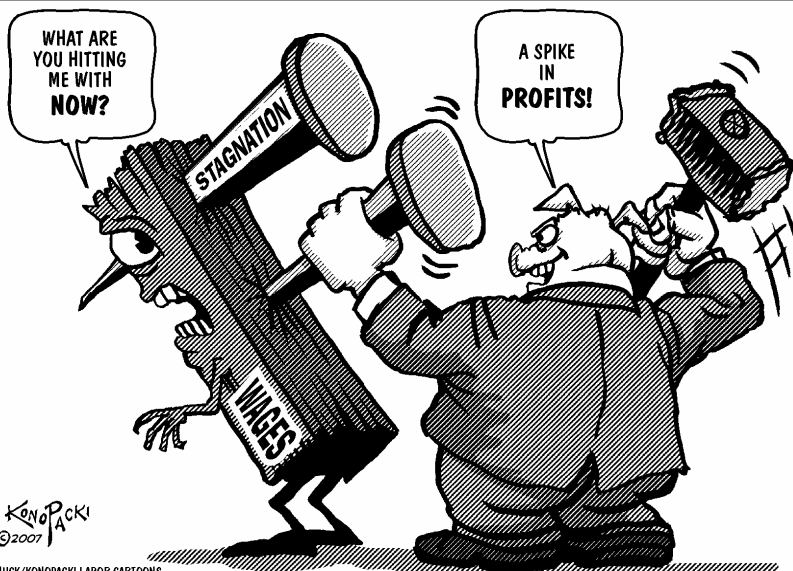
This final issue of our 2007 Legislative Update is just a taste of what's to come.

Our full 2007 Legislative Session Report including key votes, legislative rankings and detailed analyses of what passed will be mailed out in about six weeks.

## Employee **FREE CHOICE** ACT

The Push is still on for the Employee Free Choice Act to protect the rights of all workers to get a voice at work through union representation. Go online and find out how you can help or call us at (850) 224-6926.

[www.aflcio.org](http://www.aflcio.org)



Legislative Update  
PUBLISHED BY THE FLORIDA AFL-CIO  
135 South Monroe Street  
Tallahassee, FL 32301  
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