

STATE CAPITOL BRIEFS (MID-DAY EDITION) – FRIDAY, APRIL 24, 2009
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HOUSE TAKES UP OIL DRILLING DEBATE

The House on Friday began a debate into whether the state should ultimately allow oil drilling leases in Florida waters, which has been banned for years. The bill (HB 1219), by Rep. Charles Van Zant, would allow the governor and Cabinet to decide on leases.

The News Service will have a story on the issue later Friday.

BRODY CLAIMS BILL GETS FULL SENATE APPROVAL

A \$30.7 million award for a Broward man, paralyzed after he was hit by a sheriff's deputy speeding to work, was approved by the Florida Senate Friday. The record-setting claims bill would go to the care of Eric Brody, who for the past 11 years has been confined to a wheelchair with severe brain damage and limited ability to speak. The bill would also allow the Brody family to pursue a bad faith claim against the Broward County Sheriff's insurance company, since the company has largely refused to pay the claim since the accident, potentially keeping the sheriff's office and Broward County off the hook.

PUBLIC FINANCING WOULD GO AWAY

If voters agree, Florida's public campaign finance system would be a thing of the past under a proposed constitutional amendment (HJR 81) ready for a final House vote. Voters in 2010 would be asked to get rid of the "political welfare" backers say the current system has created by providing statewide candidates with matching taxpayer dollars if they agree to spending caps. "This is a terrible waste of taxpayers dollars," said Rep. Alan Hays, R-Umatilla, and sponsor of the bill. The measure drew fire from Democrats on the floor of the House Friday. They said the system levels the playing field and criticized the Republican-led Legislature for earlier attempts to increase how much candidates could get in public financing. Public financing allows poor people to run, Democrats said. "Do you believe that anyone should be allowed to run for office?" Rep. Joe Gibbons, D-Hallandale Beach, asked of Republican supporters of the measure. The House didn't take a final vote on the resolution, but that could come as early as Monday. The proposal would still need Senate approval as well.

SADOWSKI CAP REMOVED IN AUBUCHON BILL

An effort to remove a limit on how much of a particular trust fund can be spent

on affordable housing was added Friday to a House bill that is now ready for a final vote in the chamber. The measure (HB 161), sponsored by Rep. Gary Aubuchon, R-Cape Coral, was readied for a final vote, which is expected early next week. The issue is the Sadowski Trust Fund, which uses documentary stamp taxes to pay for affordable housing transactions. Since 2006 spending of the money from the fund has been capped at \$243 million, which affordable housing advocates want to change. The cap allows the state to move any money that comes in above that amount to other places in the budget, as it did in January, when \$190 million from the housing trust fund was part of a package of budget cuts and trust fund sweeps. The immediate effect of removing it wouldn't have any effect at the moment, because advocates say the amount of money in the fund won't hit the cap until about 2013. The provision lifting the cap is also in a Senate bill (SB 1042) but there are efforts in that chamber to remove the proposal before it gets to the floor.

SALTWATER CANE POLE FISHING AMENDMENT LEADS TO CLOSE VOTE
With all the weighty issues diving lawmakers, who knew that one of the closest votes all year would come on a procedural vote involving whether people fishing with cane poles in salt water should be exempt from having to pay for an expensive fishing license. As the House debated a wide-ranging Fish and Wildlife Conservation Commission bill (HB 1423) on Friday, an amendment by Rep. Jimmy Patronis, R-Panama City, that would create an exemption from having to get a saltwater fishing license if one fishes from the shore or a dock with a cane pole, caused enormous consternation. As backers of the bill tried to reel it in, floor managers tried to get the amendment postponed. The House ended up having to take a vote on whether to postpone consideration of the amendment and let the bill move forward without it. The vote was 52-51 to postpone consideration of Patronis' amendment, meaning cane pole fishermen would still need licenses for saltwater fishing. They aren't currently required to get a license for freshwater fishing.

TOBACCO APPEAL BOND LIMIT BILL READY TO FINAL HOUSE VOTE
A bill that would limit how much the tobacco industry must put up as a bond as it appeals what could be thousands of verdicts against it in Florida is ready for a final vote in the House. The House gave preliminary approval to the bill (HB 7153) Friday and could take a final vote early next week, though the measure is still waiting for a Senate vote as well. The large tobacco companies are facing the prospect of potentially millions in losses from claims filed by about 9,000 smokers in the state. The smokers initially won a class-action suit against the industry, but the Florida Supreme Court decertified the class, throwing out a \$145 billion verdict against the industry, but allowing plaintiffs to sue individually. Losing parties in lawsuits must put forward a bond while they appeal a case. In 2000, the Legislature limited what they had to put up as a bond while it appealed to \$100 million. The bill would apply the same \$100 million bond limit for the

industry in appealing verdicts against the industry in cases brought by individual plaintiffs. The bill would have the bond posted with the Supreme Court, which could then use the interest on the bond. The Legislature's interest is in protecting the tobacco companies from bankruptcy, said the bill's sponsor, Rep. Ellyn Bogdanoff, R-Fort Lauderdale, because that would preclude them from being able to pay into the state's settlement from its lawsuit against the industry. There have been concerns about plaintiffs who might sue after the companies have already reached the \$100 million limit, but Bogdanoff said the trial bar and the tobacco companies have already started talking about what can be done to make sure those people get paid. Bogdanoff said it would likely be two or three years before the cap was reached. "I'm not even sure they're going to get there," she said.

DOSAL EMPLOYEES TAKE DAY OFF, TRYING TO SMOKE OUT BUDGET RUMORS Employees of Florida's only cigarette maker, Miami-based Dosal, shut the plant down Friday and bussed to Tallahassee to try to convince lawmakers to leave them alone. The workers hit the Capitol as lawmakers were reportedly making their company a part of the budget-balancing debate. Dosal has been targeted for possible adding to the state's collection of settlement dollars from the industry – it wasn't part of Florida's original settlement with cigarette makers. Another possibility would have the state taxing the company because of that.

HOUSE COULD TAKE UP ELECTIONS BILL, MAY BE STRIPPED OF CONTROVERSY

Several lawmakers and lobbyists say the House will likely make major changes on Friday to the omnibus elections bill that emerged late in the session and became highly controversial while angering several groups, from the ACLU to the black caucus. House leaders told reporters that it would become less controversial. The bill (HB 7149) has more than 100 amendments filed for consideration.

BILL CONTEMPLATES AGENCY TO OVERSEE ASPIRE REPLACEMENT, PEOPLE FIRST

Senate legislation seeking to create a new agency to oversee the state's accounting system was approved unanimously Thursday by the Senate Ways and Means Committee, but its future isn't clear heading into the final week of the session. The Agency for Enterprise Business Services, which would be in the Department of Financial Services, would be created by the bill (SB 2088). The bill is highly procedural, rearranging functions of the state's financial management system. But some of the roles the bill would give the new agency would be to oversee the creation of a replacement for the ASPIRE accounting system that Chief Financial Officer Alex Sink suspended two years ago, saying the over-budget and frequently delayed accounting program couldn't be saved. Senate staff estimate that project has cost the state \$96.5 million. The agency

also would likely take over the job of renewing, changing or replacing the contract for the state's personnel information subsystem. The contract for PeopleFirst, which began August 2002, will expire in August 2011. A total of \$350 million is committed through the current contract period. The agency would answer to the governor and Cabinet under the bill, sponsored by Sen. JD Alexander, R-Winter Haven.

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