



DAILY BRIEF

From April 16, 2009

Both chambers took up their respective budgets on Thursday, but with completely different results. In a rare move, [Senate Minority Leader Al Lawson \(D-Tallahassee\)](#) expressed his desire for the Senate to be united on the budget and with little debate the Senate passed its budget and sent it over to the House. The House; however, met late into the night as debate on its budget was partisan and pointed at times. Democratic members objected to a number of items in the budget, especially the fee increases in the transportation section of the budget, which have been drastically increased. AIF opposes these fee increases as they will extract a heavy toll on a number of industries in Florida, mostly importantly Florida's truckers. The House will be meeting for most of the day on Friday before voting on its budget. The Senate, having passed its budget in one day, will not be holding session on Friday.

Both presiding officers also announced today that conference committees (those committees appointed to resolve the difference between each chamber on the budget) will begin meeting at 8:00 a.m. on Monday, April 20th.

Education & Workforce

Today, the [Senate Education Pre-K-12 Committee](#) approved (4-2) [SB 2654](#) Relating to High School Graduation by [Senator Thad Altman \(R-Melbourne\)](#). This is AIF's top education priority for the 2009 session. The bill raises high school graduation standards to ensure Florida's students are prepared to enter the increasingly competitive global economy. The initiative raises the bar on math and science requirements for high school graduation, as well as requires students to achieve a grade-level score on the 10th grade FCAT.

Opponents argued that increased standards would result in increased drop outs.

Barney Bishop, AIF's President and CEO, testified in support of the bill stating that "Florida's students need to graduate from high school prepared to successfully enter higher education and the competitive global workforce, where they will compete for highly skilled occupations with graduates from Cairo, Georgia and Cairo, Egypt. When an employer can't count on a high school graduate being able to read, write and compute successfully at a 10th grade level, something is wrong."



[SB 2654](#) will now be considered by the [Senate Education Pre-K - 12 Appropriations Committee](#).

AIF strongly supports increased standards for high school graduation so that students will graduate from high school ready for college and work. This bill increases the value of a Florida high school diploma – for businesses, for colleges, and most importantly, for the students of Florida.

Information Technology

Today, the Florida Senate unanimously approved (39-0) [SB 2574](#) Relating to Information Technology by [Senator Mike Haridopolos \(R-Melbourne\)](#). The bill deletes an obsolete provision relating to the duties of the Legislative Budget Commission, revises certain duties of the Agency for Enterprise Information Technology, and creates the Office of Information Security within said agency.

[SB 2574](#) will now be sent to the House for consideration.

AIF supports this measure because it addresses some of our concerns with the Agency for Enterprise Information Technology and makes improvements regarding the AEIT duties and the State Data Centers.

Space

Today, the Florida Legislature passed unanimously passed (114-0) [HB 69](#) Relating to Space Industry by Representative [Dorothy Hukill \(R-Port Orange\)](#).

A priority for Associated Industries of Florida, the Space Technology and Research Development Institute will be a university-based program, led by Embry-Riddle Aeronautical University, to provide research and development and policy analysis to improve the competitiveness of the space transportation industry in Florida.

The companion, [SB 888](#), by [Senator Evelyn Lynn \(R-Daytona Beach\)](#) has one more stop in the [Senate Ways and Means Committee](#).

As mentioned in AIF's Economic Stimulus Package 2.0, AIF fully supports diversification of the space industry through university-based and applied technology programs across the state.

Court Funding

The Senate passed (36-1) [SB 2108](#) Relating to State Court Funding by [Senator Ken Pruitt \(R-Port St. Lucie\)](#). This bill creates a better mechanism for funding of Florida's court system by placing more legislative oversight on the court fees and fines that are collected by the clerks of courts. This will provide more adequate funding directly to the court system, which will help ensure that cases are heard and decided quickly and more efficiently. The bill does not remove or terminate employees in the clerks of courts offices around the state as some had feared earlier in the committee process. This is a significant change in the state's court funding policy and process, and is the result of a lot of negotiation between the courts and clerks, as well as with the senators.

[SB 2108](#) will now be sent to the House of Representatives for consideration.

AIF strongly encourages the Florida Legislature to fund the court system adequately and swiftly at a level equivalent to the judiciary's status as the third equal branch of government. We would like thank Senator Pruitt for his leadership on this important policy matter.

Legal & Judicial

Today, the House passed [HB 215](#) Relating to Contingency Fees for Attorneys Hired by the Attorney General by [Representative Erik Eisnaugle \(R-Orlando\)](#) by a strict party line vote of 66-49. The bill provides for great transparency and accountability in the hiring of outside attorneys by the Attorney General and the Department of Legal Affairs. The bill prohibits the Department of Legal Affairs from entering into a contingency fee contract with a private attorney unless the Attorney General (AG) makes a written determination before entering such contract that contingency fee representation is both cost-effective and in the public interest. This bill requires the AG to request proposals from private attorneys to represent the Department on a contingency fee basis and requires attorneys to keep time records in increments of no greater than one-tenth of an hour. This bill prohibits contingency fee contracts entered into by the Department to exceed an aggregate contingency fee in excess of specified amounts. This bill prohibits a total aggregate contingency fee in excess of \$50 million, except when the AG determines, upon consultation with the Cabinet, that there are exigent or unusual circumstances or special legal knowledge or experience is required, and provides written evidence of this. Lastly, this bill requires copies of executed contingency fee agreements, as well as payment of contingency fees, to be posted on the Department's website.

The bill will now be sent to the Senate for consideration.

[HB 215's](#) Senate companion, [SB 1370](#) Relating to Contingency Fee Agreements by [Senator Mike Fasano \(R-New Port Richey\)](#) also saw action today passing the [Senate Governmental Oversight and Accountability Committee](#) on a 5 to 3 vote, which was also among party lines. There was very little debate or questions on the bill.

[SB 1370](#) will now be considered by the [Senate Criminal and Civil Justice Appropriations](#).

AIF SUPPORTS efforts to add transparency and accountability in the hiring of outside counsel by the Attorney General's office. This practice will ensure that tax dollars will be wisely spent and not wasted on costly attorney's fees.

Gaming

Today, the Senate passed [SB 788](#) Relating to Gaming Compact by [Senator Dennis Jones \(R-Seminole\)](#). The bill states that the compact executed by the Governor and the Seminole Tribe in 2007 is not approved or ratified and authorizes the Governor to execute a new compact with the Seminole Tribe to allow Class III gambling, which includes banked cards and blackjack. The bill also establishes minimum standards which, if incorporated in the new compact, would preempt the need for Legislative ratification as well as provides revenue sharing provisions.

Two amendments were adopted which:

- Clarified language so that revenue sharing from the Compact and the agreement would be deposited into the Educational Trust Fund; and
- Corrected a scrivener's error relating to revenue sharing payments to the State.

There was no debate on either amendment. Two additional amendments by [Senator Ted Deutch \(D-Delray\)](#) were withdrawn, and [Senator Dan Gelber \(D-Miami Beach\)](#) voiced his concern that the bill expands gambling too quickly. The bill was passed by a vote of 27 to 11.

AIF supports the enactment of a gaming compact with the Seminole Indian Tribe of Florida as long as Florida's existing pari-mutuel industry is allowed to provide additional gaming options so that this important industry in Florida can itself prosper and provide much needed revenue to the state. The revenue raised from the Seminole gaming compact will also go a long way in providing additional revenues.