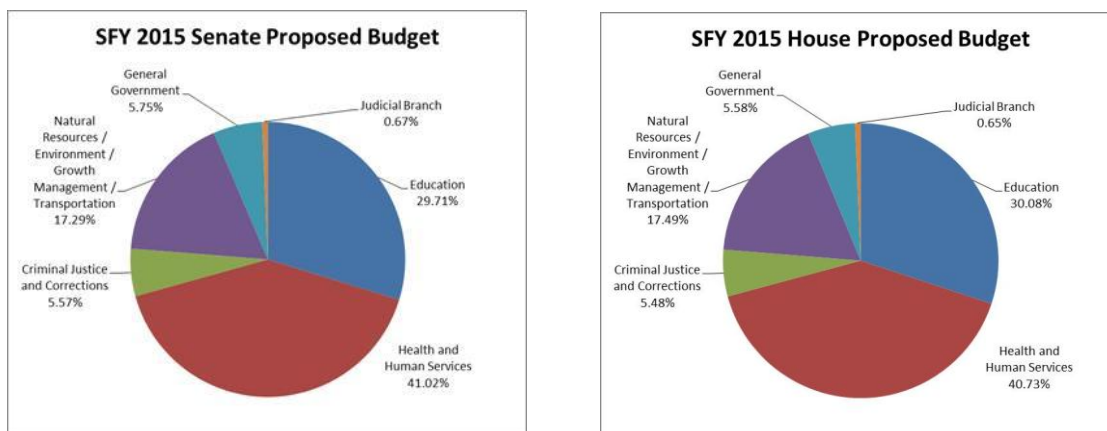


**WEEK EIGHT****APRIL 21-25, 2014****BUDGET CONFERENCE**

The eighth week of the 2014 Legislative Session began with the Senate and House hammering out the details of a proposed \$75 billion state budget during conference committee meetings. Members from both chambers assemble during conference to resolve any differences in their respective spending plans and come to an agreement on a balanced budget as the state Constitution mandates. Any budget items unable to be resolved by the conferees are "bumped" to the presiding officers of the House and Senate for settlement.

**SENATE v. HOUSE SPENDING PLAN**

The Senate and House proposed budgets for State Fiscal Year (SFY) 2015 total approximately \$74.9 billion and \$75.3 billion respectively, and represent a roughly \$1 billion increase over last year. The charts below display a comparison of the two proposed spending plans:



One of the largest components of the state spending proposals to be resolved during negotiations is education. The Senate is currently proposing \$18.95 billion for the K-12 education system, while the House is countering with \$19.04 billion. While both numbers represent an increase over last year's funding, they still fall short by \$200 per student of the record amount last appropriated 6 years ago. The education conference committee's negotiations blew up and all items were "bumped" to the chairs of the House and Senate Appropriations Committee.

As part of the budget negotiation process, I was selected to serve on the conference committee for Criminal and Civil Justice Appropriations and a member at-large for all of the conference committees. There are several challenges facing the conferees during budget negotiations. For instance, in the education conference committee, the Senate budget includes \$13 million which would result in the highly controversial decoupling of the joint FAMU-FSU College of Engineering after more than 30 years of successful partnership. The House budget does not. I strongly opposed the measure on the Senate floor, and remain opposed as negotiations continue.

### UPDATE ON EMPLOYEE DRUG TESTING

In 2011, the Governor executed an executive order that would have required random and warrantless drug tests for over 85,000 state employees. In 2013, the 11th U.S. Circuit Court of Appeals ruled against the executive order, and on Monday, the U.S. Supreme Court refused to hear Governor Rick Scott's appeal, delivering the highest affirmation that he cannot trample the rights of Floridians on a whim. The rejection was the latest setback to the Republican governor who, since taking office, has also tried to enforce similar random and suspicion-less privacy intrusions on Floridians receiving emergency assistance. That executive order, which I also opposed, was likewise declared unconstitutional earlier this year. In both cases, a federal judge found that the governor's actions violated 4<sup>th</sup> amendment protections against unreasonable searches and seizures.

### BILLS ON WATCH

- **Senate Bill 744 Motor Vehicle Insurance and Driver Education for Children in Care** by Senator Detert which would direct the Department of Children and Families (DCF) to create a program to pay specified costs of driver education, licensure, and motor vehicle insurance for a foster child who meets certain qualifications, passed unanimously in the Appropriations committee.
- **Senate Bill 1666 Child Abuse and Child Welfare Services** by Senator Sobel would improve the quality of child investigations conducted by the Department of Children and Families. For instance, the bill mandates immediate investigation in the event of deaths or major incidents involving children with a previous history with DCF investigations. It would also define "medical neglect" when investigating cases involving children with intricate medical histories. The bill passed unanimously in the Appropriations committee.
- **Senate Bill 1114 Retirement** by Senator Simpson is the latest attempt to dismantle the state's \$135 billion pension system - one of the top performing pension systems in the country. The goal, backed by the likes of the billionaire Koch brothers' Americans for Prosperity, to shift state employees such as our teachers and firefighters into far riskier and potentially much more expensive, private systems. Despite bipartisan opposition, the bill narrowly passed the Appropriations committee in a 10-8 vote.
- **Senate Bill 1030 Low-THC Marijuana and Cannabis** by Senator Bradley allows for low-THC content of medical marijuana for patients who have been treated for six or more months for severe and chronic seizures or muscle spasms. The bill passed favorably in the Appropriations committee.
- **Senate Bill 1512 Students with Disabilities** by Senator Stargel creates the "Personal Learning Scholarship Accounts" for students with a disability in Kindergarten through 12th grade. The bill would create standard diploma requirement for students with disabilities while simultaneously eliminating the special diploma. I voted against the bill in the Appropriations committee.
- **Senate Bill 742 Racing Animals** by Senator Sobel would mandate mandatory detailed reports from the track veterinarians concerning all injuries to greyhound racing dogs. The reports will be signed under oath and a false report may result in a fine of \$1,500 for a first time violator and \$3,000 or more for any ensuing violations. The bill passed favorably in the Appropriations committee.

### ACTION IN THE SENATE CHAMBERS

The Senate convened on Wednesday, April 23 and will continue to meet every day until the end of the 2014 Legislative Session on May 2nd. The Senate took up several measures relating to background screening, allowing the selection of an honorary state poet laureate, and boosting state speed limits (which I oppose because of safety concerns). Additionally, the Senate took up **Senate Bill 162 Offenses Against Unborn Children** by Senator Stargel. The legislation creates a new, separate offense for criminal conduct causing injuries to or the death of a fetus, no matter the stage of development or viability. Equally troubling, there is no requirement to show intent on behalf of the person accused of the offense, i.e., that the defendant knew the woman was pregnant and deliberately committed the offense despite the pregnancy and with an intent to

### Committee Assignments

Appropriations Subcommittee on Criminal and Civil Justice, Vice Chair;  
 Joint Committee on Public Counsel Oversight, Chair; Appropriations;  
 Appropriations Subcommittee on General Government; Ethics and Elections;  
 Health Policy; Judiciary; Transportation;  
 Select Committee on Indian River Lagoon and Lake Okeechobee Basin

harm the fetus. The proposed legislation came in response to the case of Reme Lee of Tampa, whose former boyfriend, John Andrew Welden, is serving 13.8 years in a federal prison for giving her a drug without her permission that resulted in a miscarriage. Although I am an advocate for increasing women's protections from domestic violence, I opposed the legislation because I believe that there are severe flaws, such as lack of "intent" contained in the measure.

Also this week, Senator Braynon sponsored an amendment to **Senate Bill 384/ House Bill 7035 Juvenile Sentencing** that addresses Florida's incarceration of juveniles in light of recent U.S. Supreme Court rulings. The amendment removes the mandatory minimum sentence for all crimes except first-degree murder, and creates two categories for sentence review: 15 years for non-homicide, and 25 years for homicides cases. The measure also clarifies that the only youth not eligible for review are those who have previously committed a violent felony and subsequently commit a first-degree murder. By requiring a judge to take into account certain factors, the legislation is intended to bring Florida in line with the U.S. Supreme Court decisions in *Miller v. Alabama* (2012) and *Graham v. Florida* (2010), especially 8<sup>th</sup> Amendment protections of the U.S. Constitution. The bill passed unanimously on the Senate floor and now is awaiting a vote in the House.

### VISITORS TO THE CAPITOL



(L-R) Natasha Goodley, Christine Henderson, Senator Joyner,  
 St. Petersburg Councilmen Wengay M. Newton Sr., and Tanya Johnson

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