

UNDERSTANDING THE LEGISLATIVE PROCESS





Who's Who?

▣ Florida Cabinet

- Rick Scott, Governor - www.flgov.com
- Carlos Lopez-Cantera, Lt. Governor - www.flgov.com
- Pam Bondi, Attorney General - www.myfloridalegal.com
- Jeff Atwater, Chief Financial Officer - www.myfloridacfo.com
- Adam Putnam, Commissioner of Agriculture - www.doacs.state.fl.us
- All members of the Cabinet are Republicans
- Cabinet was reconfigured in 1998 and reduced from 8 members to the present 5 members

Who's Who?

- ▣ State Agencies & Departments
 - There are 28 State Agencies & Departments, including the Department of Education, all of which report to the Governor.
 - The leader of each Agency is appointed by the Governor EXCEPT the Commissioner of Education who is appointed by the State Board of Education.
 - The members of the State Board of Education are appointed by the Governor and are subject to confirmation by the Senate.



Who's Who?

- ▣ State Board of Education
 - Gary Chartrand -- Chair
 - John Padget – Vice Chair
 - John Colón
 - Marva Johnson
 - Rebecca Lipsey
 - Michael Olenick
 - Andy Tuck
- ▣ Commissioner of Education
 - Pam Stewart



Who's Who?

- ▣ Florida Senate
 - President – Andy Gardiner
 - President Pro Tem – Garrett Richter
 - Majority Leader – Bill Galvano
 - Minority Leader – Arthenia Joyner
 - Website: www.flsenate.gov
- ▣ 40 members
 - Serve 4 year staggered terms
 - Current composition is 26 Republicans and 14 Democrats
 - 21 Committees and 6 Subcommittees



Who's Who?

- ▣ Florida House of Representatives
 - Speaker of the House – Steve Crisafulli
 - Speaker Pro Tem – Matt Hudson
 - Majority Leader – Dana Young
 - Minority Leader – Mark Pafford
 - Website: www.myfloridahouse.gov
- ▣ 120 members
 - Serve 2 year terms
 - Current composition is 81 Republicans and 39 Democrats
 - 10 Committees and 25 Subcommittees



Legislative Session

- ▣ In most cases, each regular Legislative Session convenes on the 1st Tuesday after the 1st Monday in March and runs for 60 calendar days.
- ▣ For 2015, the Legislature is scheduled to convene on March 3 and adjourn on May 1.



Bill Statistics

- ▣ Typically, about 2000 bills are filed for consideration during the Legislative Session
- ▣ In 2014, 1811 bills were filed. Of these:
 - 264 passed;
 - 254 of **the** bills that passed were signed into law by the Governor;
 - 1 was vetoed by the Governor;
 - 9 were filed with Secretary of State.



Bill Statistics

- ▣ There are usually about 350 bills filed each year that relate to PreK-12 education.
- ▣ About 30 of these education related bills passed in the 2014 Session.
- ▣ Typically, about 10% of the education related bills filed each year are passed during each Session.



General Appropriations Act

- ▣ The General Appropriations Act (aka GAA or budget) is the only bill that the legislature is constitutionally required pass during session.
 - If a budget is not passed, the session will be extended, or Special Session will be called.
 - The budget must balance – expenditures may not exceed revenues.
 - The Appropriations bill, and the related Implementing bill, remain in effect for one fiscal year.



Writing a Bill

- ▣ All bills must be written or reviewed by Bill Drafting and then filed for introduction with the Clerk of the House or Secretary of the Senate by noon on the first day of the Legislative Session.
- ▣ Senate Bills are designated “SB” and are even numbered; House bills are designated “HB” and are odd numbered.
- ▣ Most bills filed in one chamber will have a “companion bill” filed in the other chamber.
- ▣ All bills must contain a title that provides the general topic of the bill, an enacting clause, and an effective date.



Writing a Bill

- ▣ House members are limited to filing 6 bills.
- ▣ Bills may be developed by a Committee as a Proposed Committee Bill (PCB). PCBs are identified by the initials of the proposing committee and numbered in chronological order of their introduction by the committee.
- ▣ A legislator will sometimes file a “shell bill” to meet the filing deadline(s). A shell bill typically states “the Legislature intends to revise laws relating to . . .” but offers no specifics.



Acting on a Bill

- ▣ All bills must be “read” three times in the chamber before a final vote on passage in the full chamber.
- ▣ A vote of 2/3 of the members in the chamber is needed to waive 1st, 2nd, or 3rd Reading.
- ▣ A bill is rarely read in its entirety. Generally, each reading provides only the bill number and bill title.
- ▣ A vote of 1/3 of the members in the chamber is needed to have the entire bill text read in full.



Acting on a Bill – 1st Reading

- ▣ 1st Reading is usually accomplished by publication of the bill in the chamber's Journal. The Speaker or President then refers the bill to one or more committees and/or subcommittees having oversight of the subject of the bill.
- ▣ The committee/subcommittee chair determines if and when a bill will be placed on the agenda for consideration.
- ▣ Bills may only be heard in one committee at a time and must be heard in the committees in order of reference.



Acting on a Bill – 1st Reading

- ▣ Committee/Subcommittee staff prepare a staff analysis of each bill to be heard by the Committee/Subcommittee.
- ▣ Public testimony is often offered during committee hearings. Those wishing to testify on a bill or subject under consideration must complete a simple form.
- ▣ The Committee/Subcommittee has the right to limit the amount of time available for public testimony.



Acting on a Bill – 1st Reading

- ▣ Bills may be amended with a majority vote.
- ▣ Amendments may travel with the bill to the next committee of reference or, more often, the amendments will be incorporated into the bill to create a Committee Substitute, or CS, for the bill (for example, CS HB 101). If a subsequent committee of reference also approves amendments that are incorporated into the bill, the bill becomes a CS for CS for the bill (for example, CS/CS HB 101).



Acting on a Bill – 1st Reading

- ▣ Each bill that passes a committee of reference will be reported favorably, favorably with amendments, or favorably with a committee substitute. Each bill that does not pass a committee of reference will be reported unfavorably and is unlikely to move any further in the process.
- ▣ Once the bill has passed favorably in all of the committees of reference, the bill is placed on the Calendar and is available for 2nd Reading.



Acting on a Bill – 2nd Reading

- ▣ Even after a bill has been placed on the Calendar, it still may not ever be considered on the floor of the chamber.
- ▣ In order to be considered on the floor, the bill must first be placed on the Special Order Calendar by the committee responsible for developing the Special Order Calendar. Typically, this is the Rules Committee (Senate) or Rules and Calendar Committee (House).



Acting on a Bill – 2nd Reading

- ▣ 2nd Reading occurs when a bill on the Special Order Calendar is introduced, read (by title), explained, and any amendments are considered.
- ▣ Amendments to bills on 2nd Reading are passed by a majority vote.
- ▣ If amendments are adopted, the bill is ordered to be “engrossed” which means that the amendments are incorporated into the bill.
- ▣ Once this process is complete, the bill is available for 3rd Reading.



Acting on a Bill – 3rd Reading

- ▣ 3rd Reading usually occurs at least one day after 2nd Reading.
- ▣ The bill is read, explained, any amendments are considered – approval of any amendments requires a 2/3 vote – and the bill is debated. The sponsor may then make a closing statement prior to voting on passage of the bill.
- ▣ Passage of a bill requires a majority vote.
- ▣ Once this process is complete, the bill is available for consideration in the other chamber.



Acting on a Bill

- ▣ Once a bill has passed in one chamber, it is sent to the other chamber for consideration -- the bill is said to be “in Messages” to the other chamber.
- ▣ Upon receipt of a bill in the second chamber, the bill is introduced (1st Reading) and referred to committees.
- ▣ Once the bill reaches the floor of the second chamber, the chamber typically calls up its own companion bill and considers both versions together.



Acting on a Bill

- ▣ The second chamber may:
 - Approve the bill from the first chamber without amendment – in this case, the bill has passed the Legislature and is ordered enrolled;
 - Approve the bill from the first chamber with amendments – in this case, the bill must be sent back to the original chamber (and is said to be in “Returning Messages”) to consider the bill as amended.
- ▣ If the bill is returned, the original chamber may:
 - Concur with the bill as amended – in this case, the bill has passed the Legislature and is ordered enrolled;
 - Further amend the bill – in this case, the bill must be sent back to the other chamber to consider the bill as further amended;
 - Refuse to Concur with the bill as amended – in this case, the bill is either “dead” or a Conference Committee may be appointed to work out the differences between the bills.



Acting on a Bill

- ▣ A Conference Committee is almost always needed to resolve the differences between each chamber's version of major bills, especially Appropriations bills.
- ▣ Once the Conference Committee has resolved the differences between each chamber's version of the bill, it issues a Conference Committee Report which contains the agreed upon text of the bill.
- ▣ The Conference Committee Report is presented to each chamber which must then adopt the Report in its entirety and without amendment in order to pass the bill.



Acting on a Bill

- ▣ Most bills that pass the Legislature must be presented to the Governor for action.
- ▣ If the Governor receives the bill before the end of the Session, the Governor usually has 7 days to act on the bill. If the Governor receives the bill after the Session adjourns, the Governor has 14 days to act on the bill.
- ▣ If the bill is not vetoed, all bills that pass during the Session will become effective on the 60th day after adjournment, upon the Governor's signature, or upon the effective date(s) specified in the bill.



Final Points to Ponder

- ▣ No amount of advocacy during the Legislative Session can make up for a lack of advocacy during the rest of the year.
- ▣ “Whenever the people are well-informed, they can be trusted with their own government.”
--Thomas Jefferson
- ▣ “Lobbying is not a bad thing.”
-- Jack Abramoff