

Meeting Minutes
Governmental Services Committee
Taxation and Budget Reform Commission
301 Senate Office Building
Tallahassee, Florida
Monday, February 25, 2008
8:30 a.m. – 11:30 a.m.

Committee Members: *Roberto “Bobby” Martinez, Chair, Barney Barnett, Martha Barnett, Mark Bostick, Talbot “Sandy” D’Alemberte, Bruce Kyle, Robert “Bob” McKee, Les Miller, Jr., Randy Miller, Jade Moore, James Scott*

Members Present:

Roberto “Bobby” Martinez, Chairman
James Scott
Bob McKee
Sandy D’Alemberte
Martha Barnett
Jade Moore
Randy Miller
Les Miller
Barney Barnett

Members Absent:

Mark Bostick
Bruce Kyle

Chair Martinez called the meeting to order at 8:50 a.m. Staff called roll and announced the presence of a quorum.

Minutes from the January 11 and January 25 Governmental Services Committee meetings were approved.

Chair Martinez allowed that the first item for discussion was CP 35 – Local Option Tax to Supplement Community College funding. He introduced the President of Miami Dade College, Dr. Eduardo Padron. Dr. Padron stated that he was in support of CP 35 and explained that the proposal was somewhat similar to a local option sales tax referendum passed by the voters of Dade County in 1992 that was allowed to expire in 1994.

Dr. Padron explained that CP 35 was different from the 1992 referendum because this proposal would allow for an increase in sales tax and ad valorem taxes for a period of no more than 5 years without the reauthorization from the voters.

Jane Gail Boyd took the podium in support of the measure, but explained that she had difficulties with some of the language. She brought up various issues regarding governance and the catchment or service areas of the community colleges.

Commissioner Les Miller suggested that, under the current language, a county that does not have a community college could pass a referendum for a local option tax without having an existing community college to spend it on.

Chairman Martinez agreed that there may be some issues that need to be ironed out, but that he would support the proposal and work to address those issues in the next committee and at the full commission.

Commissioner Martha Barnett moved to consider CP 35 and Commissioner Randy Miller seconded. The Chair asked staff for a roll call vote. The measure passed unanimously.

Chair Martinez announced that the next proposal up for consideration was CP 30, relating to the Class Size Amendment which would allow for flexibility by averaging the class sizes at the school-wide level and placing a cap of 5 students on each of the class size levels prescribed in the State Constitution (K-3 = 18, 4-8 = 22, and 9-12 = 25).

There was a brief discussion among several of the Committee members about keeping potential revenues saved by this proposal in the public education system.

The following speakers addressed the committee on this proposal: Pat McConnell and Marshall Ogletree.

Chair Martinez and Commissioner Scott had concerns about the legality of altering Constitutional intent through statutory changes.

The Chair asked if there was any debate on CP 30. Hearing none, he asked staff for a roll call vote. The measure was reported favorably by a vote of 5-3.

Chair Martinez introduced the next proposal on the agenda: CP 44 – Innovative Alternatives to Education Funding. Since Chair Martinez was the individual sponsor of this proposal, he asked Commissioner Scott to act as Chair for this discussion.

Acting Chair Scott recognized Commissioner Martinez to explain his proposal. Commissioner Martinez explained that CP 44 authorizes the state to fund innovative alternatives to the public school system that allow students to obtain a high-quality education. However, the public school system must be the state's principal means of educating children.

Chair Scott asked if members had comments or questions on CP 44. Hearing none, he asked if there were any members in the audience that would like to comment. Pat McConnell waived his time in support of the proposal.

Chair Scott asked the members if there was any debate on the measure. Hearing none, he asked Commissioner Martinez to close on his proposal. Commissioner Martinez opted to waive his closing remarks, and Chair Scott asked staff to call the roll. By vote of the committee, the measure was not adopted.

Chair Martinez explained to the committee that SR 37, SR 38, and SR 39 were proposals that came from Jim McDonough, former Secretary of the Department of Corrections, at the Governmental Services Committee meeting in Orlando several months earlier.

The Chair read a letter sent to him from Mr. McDonough regarding these proposals. In the message, McDonough suggested that it would be unfair to the incoming Secretary of the Department of Corrections if he came to the meeting to support these proposals. Therefore, he recommended that the items be temporarily postponed until further action could be taken on the measures.

Commissioner Les Miller indicated that he did not wish to see all of these items postponed, and suggested that the year-and-a-day proposal was of particular interest to him. He made a motion to reconsider the temporary postponement of SR 38. By a voice vote, the committee brought back SR 38 for reconsideration.

Commissioner Miller suggested that former Secretary McDonough had made a compelling point about SR 38 at the Governmental Services Committee meeting on Public Safety and Corrections in Orlando. He reminded the committee members about the cost savings to the State of Florida if the courts were unable to send lower level offenders to state prisons. Commissioner Miller moved that this proposal receive a vote to send it to the next committee of reference and Commissioner Scott seconded.

Chair Martinez asked staff to call the roll. The measure passed unanimously (8-0).

Chair Martinez indicated that the final proposal up for consideration was SR 36 on transportation funding. He noted that there was a late-filed amendment by Commissioner Randy Miller. Commissioner Barney Barnett made a motion to consider the amendment and Commissioner Randy Miller seconded.

The Chair asked Commissioner Randy Miller to explain his amendment. Commissioner Miller noted that this amendment would take sales tax revenues from the sale of motor vehicles out of general revenue and put it in the transportation trust fund.

Chair Martinez asked if there was any discussion on the amendment. Hearing none, he asked if there was any public comment. The following speaker addressed the committee on this proposal: Benjamin Browning.

Chair Martinez asked if the committee would like to be recognized in debate on the amendment. Hearing none, he asked for a voice vote. The late filed amendment was reported favorably.

The Chair asked if there was any public testimony on the proposal. The following speakers addressed the committee on this proposal: Bob Burleson and Doug Callaway.

Chair Martinez indicated that he had to leave to catch a plane and asked Commissioner Scott to act as Chair for the remainder of the meeting.

Chair Scott remarked that he did not think the statutory recommendations SR 37 and SR 39 were officially postponed and asked for a motion to temporarily postpone them. Commissioner Randy Miller made a motion and Commissioner Martha Barnett seconded.

Chair Scott allowed that the final item on the agenda was the approval of the committee report on the State Courts System. He asked Rob Shave, TBRC Analyst, to present the report and briefly explain it.

Mr. Shave explained that the contents of the report were obtained mainly from meetings held by the Governmental Services Committee including: the August 21 meeting in Orlando and the September 27 meeting at the Supreme Court Building. Mr. Shave allowed that other materials were acquired from Brenda Johnson, Director of Governmental Affairs for the State Courts System and Lisa Goodner, the State Courts Administrator.

Commissioner Martha Barnett pointed out that there was not a section including the recommendations in this report. After some discussion among members, Chair Scott asked for a voice vote on whether to include a recommendations section in the committee report on the State Courts System. By voice vote, the committee agreed to include a recommendations section in the courts report.

Chair Scott asked staff to call the roll. The Governmental Services Committee Report on the State Courts System passed unanimously (8-0).

There being no further business before the committee, the meeting was adjourned at 11:40 a.m.