

Meeting Minutes  
Taxation and Budget Reform Commission  
412 Knott Building  
Tallahassee, Florida  
August 17, 2007  
1:00 p.m. – 1:30 p.m.

**Members Present:** Allan Bense, Chair; Barney Barnett, Martha Barnett, Talbot “Sandy” D’Alemberte, Mike Hogan, Julia Johnson, Patricia Levesque, Gwen Margolis, Jacinta Mathis, John McKay, Robert “Bob” McKee, Lesley “Les” Miller, Jr. (by phone), Randy Miller, Jade Moore, Nancy Riley, James Scott, Vice-Chair; Susan Story, Greg Turbeville, Kenneth “Ken” Wilkinson

**Members Absent:** Mark Bostick, Mike Haridopolos, Bruce Kyle, Carlos Lacasa, Alan Levine, Roberto “Bobby” Martinez, Frank Peterman, Darryl Rouson, Ray Sansom, Brian Yablonski

Chair Allan Bense called the meeting to order at 1:00 p.m.

Staff called roll and announced the presence of a quorum.

The minutes of the July 20 meeting were approved as posted on the website by a voice vote.

Chair Bense asked staff to provide business cards for all members so that they can better let the public know about how to contact the commission office and website. He welcomed new staff members Ann Gordon and Rob Shave.

Before calling on General Counsel Tom Cibula to review a memorandum on member communications, Chair Bense indicated that he hoped the members would err on the side of caution in any communications process. He reiterated the importance of maintaining the credibility of the TBRC and urged that members refrain from direct communications. Mr. Cibula then reviewed the memorandum which outlines the state’s sunshine law in relation to electronic communications.

Members asked if it would be ok to have publicly noticed phone calls between one another. Mr. Cibula replied that it is legally permissible but must be weighed against prudence in maintaining the public’s trust in the body. When asked if this same test would apply to weblog communications, he replied that it would be the same. One commissioner asked if it was legal to respond to constituents who sent e-mails. Mr. Cibula responded that communication with members of the public by one or more members is not prohibited as it would be among members directly, but he cautioned against using the public as a filter for indirect communications between members. He noted that members may want to forward all responses to the commission staff to assure that a public record is maintained.

Commissioners asked for a sample standard response to constituents so that they could be sure that they were compliant with the law in their responses. Staff will prepare such a sample response. In addition, members asked for guidance in maintenance of public records. Members were reminded that in giving responses to the public, it should be clear that those responses are the opinions of the individual members, not of the entire commission.

Chair Bense then called on each of the committees for a brief report of their meetings. All committees except the Planning and Budgetary Processes Committee had held meetings on August 17 and reported on their group's activities. The Governmental Procedures and Structure Committee recommended that a copy of remarks made by Senator Don Gaetz at their meeting be made available to all commission members.

Chair Bense asked the members if they had any thoughts on whether suggested legislation should be presented for consideration to the 2008 legislature, or should be sent forth for consideration by later legislatures. The group expressed some concern about whether the commission's entire package of recommended legislation would be ready for the coming session, but agreed that if a recommendation had been thoroughly developed and was ready to be recommended forward that such action would be allowable. Any recommendations not yet fully vetted would be recommended for further review by future legislatures. The group agreed that it was important to be flexible in determining which recommendations should go forward for the 2008 session and which would better be sent forward for later consideration.

Staff presented the schedule for the Taxation and Budget Reform Commission's Public Hearings. Chair Bense reminded members that we understand that everyone will not be able to attend all hearings, but to try to attend those in their areas. The group discussed the importance of advance publicity for the meetings and the need to provide some guidance to the media in understanding the purpose and scope of the public hearings. Commissioner Margolis stressed the importance of making it clear that the group would not be taking a position on the January 29 ballot issue and that the issue is not the focus of the hearings. Commissioner D'Alemberte asked if the Florida Channel would broadcast the hearings. Staff indicated that the Florida Channel plans to do so.

There being no further business before the commission, the meeting was adjourned at 1:50 p.m.