

FLORIDA TAXATION AND BUDGET REFORM COMMISSION

IN RE: Committee Meeting

DATE: March 16, 2007

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Concluded at 2:18 p.m.

LOCATION: Morris Hall, House Office
Building Tallahassee, FL

REPORTED BY: LISA D. FREEZE, RPR
Notary Public

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MEMBERS OF THE COMMITTEE:

Hoyt "Barney" Barnett (by telephone)
Martha W. Barnett
Allan Bense
R. Mark Bostick (by telephone)
Talbot "Sandy" D'Alemberte
Mike Haridopolos
Mike Hogan
Julia Johnson
Bruce Kyle
Carlos Lacasa (by telephone)
Patricia Levesque
Alan Levine
Gwen Margolis
Roberto "Bobby" Martinez
Jacintha Mathis
John M. McKay
Robert "Bob" McKee
Lesley J. "Les" Miller, Jr.
Randy Miller
Jade Thomas Moore
Frank Peterman
Nancy J. Riley
Darryl E. Rouson
Ray Sansom
James "Jim" A. Scott
Susan Story
William Gregory "Greg" Turbeville
Kenneth "Ken" Wilkinson
Brian Yablonski

1 P R O C E E D I N G S

2 MR. LEMIEUX: If you could take your seats,
3 please. Good afternoon. Thank you for coming
4 today. This is the opening meeting of the
5 taxation and budget reform commission. My name is
6 George LeMieux. I'm the chief of staff to
7 Governor Crist. And on behalf of Governor Crist
8 and Senate President Pruitt and Speaker Rubio,
9 welcome and thank you for your service.

10 What we are going to try to provide for
11 you today is road map of your obligations to
12 try to get you started on your processes and
13 procedures as required by the constitution and
14 state statutes, and then turn the baton over to
15 you so that you can be organized and run and
16 fulfill your constitutional obligations.

17 You have a binder in front of you, or you
18 should have a binder in front of you, which I
19 will refer to in sort of this overview of your
20 responsibilities and the requirements.

21 And if you would first look at tab three,
22 that will give you a sense of the
23 constitutional authority. You are

24 constitutional officers of the State of Florida

25 upon taking the oath that you will receive from

1 Justice Quince in a few moments. And that
2 comes with a lot of responsibilities and a lot
3 of powers as the constitution sets forth. And
4 we will go through those today, both in terms
5 of the Sunshine Law, in terms of ethical
6 requirements, in terms of the obligations which
7 are put upon you by the constitution and
8 Florida statutes.

9 Let me just briefly go over what article
10 11, section six, which is provided for you in
11 tab three, charges you to do as the tax and
12 budget reform commission. You are charged to
13 examine the state budgetary process, and if you
14 look at subsection D it basically has this
15 overview, which I will summarize. You are
16 charged to examine the revenue needs and the
17 expenditure process of the state, the
18 appropriateness of the tax structure of the
19 state, the governmental productivity and
20 efficiency, constitutional limitations on
21 taxation, and expenditures at the state and
22 local level.

23 You are also charged to review policy as

24 it relates to the ability of the state and
25 local government to tax and adequately fund

1 governmental operations and capital facilities
2 and those requirements to meet the state's
3 needs during the next 20 years.

4 You are also asked to review the state's
5 comprehensive planning, budgeting, and needs
6 assessment process to determine whether the
7 resulting information adequately supports a
8 strategic decision-making process.

9 Finally you are asked to determine methods
10 favored by the citizens of the state to fund
11 the needs of the state, including alternate
12 alternative methods of raising sufficient funds
13 for the needs of the state, and measures that
14 could be instituted to effectively gather funds
15 from existing tax sources.

16 The constitution also says that you may in
17 your discretion hold public hearings as you
18 deem necessary. It requires you to issue a
19 report of your, of what you find and make to
20 the Legislature any recommendations for
21 statutory changes related to the taxation or
22 budgetary laws.

23 You are required to file with the

24 custodian of state records, which is the
25 Secretary of State, any proposals for changing

1 the constitution of the State of Florida, which
2 is ultimately the mandate of this organization
3 if the appropriate majority, two-thirds
4 majority of this organization, finds that there
5 should be changes to the constitution.

6 Now, under the size of this organization
7 there are 25 members and the constitution
8 provides that it requires a two-thirds vote of
9 the full commission to put something on the
10 ballot. And two-thirds does not mean a quorum,
11 it means two-thirds of the entire commission.

12 There are 25 of you who are voting members
13 for ex officio. We have put together a team of
14 mathematicians to figure out two-thirds of 25,
15 having been a lawyer and not knowing math, and
16 it came out to 16.6, which seems to be an
17 interesting number, so we're going to go with
18 17 as the number that you will need.

19 That's certainly something that you can
20 evaluate further when you obtain legal counsel,
21 but we believe that that's the appropriate
22 number of votes you need to put something on
23 the ballot.

24 You are authorized to hire personnel and
25 incur expenses, and there are funds that have

1 been appropriated for that purpose for this
2 budget year and we are recommending, along with
3 the cooperation of the House and Senate funds
4 for the following years.

5 You are entitled to per diem and travel
6 reimbursement in pursuit of your obligations on
7 this commission, and you will have an
8 administrative staff that you will hire
9 probably through your chairman, and they are
10 assigned to the state board of education where
11 they will be administratively housed.

12 You also have the power to issue subpoenas
13 if you deem necessary pursuant to state
14 statute.

15 In terms of your time lines, you must
16 file, if you do vote by two-thirds for any
17 changes to the constitution to be put before
18 the people, you must file with the Secretary of
19 State those revisions by May 8th of 2008. And
20 there is a tab in your binder which contains
21 this time line.

22 And you are charged to cease your
23 operations no later than June 30th of 2010.

24 From today that means you have roughly 14

25 months to submit any constitutional proposals

1 for the 2008 general election ballot.

2 Just a couple of housekeeping measures.
3 Some of you are elected officials, members of
4 the judiciary. You do not violate the dual
5 office-holding prohibition by serving on this
6 commission. You normally would but there is a
7 specific exemption in the state constitution
8 for service on this constitutional commission.

9 You will be required to take an oath, the
10 same oath that our elected officials take, and
11 that will be administered shortly.

12 You are bound by the code of ethics for
13 public officers and employees found in Florida
14 Statute 112.313. There will be a presentation
15 on that today. You will probably, I would
16 presume, want to seek more information about
17 that at your coming meetings.

18 You are required to file financial
19 disclosure forms if you have not done so
20 already. And I would encourage you to file
21 those if you haven't done so this coming week.

22 And I also wanted to let you know that in
23 the past there have been websites that have

24 been dedicated to the work of these type of
25 bodies. There is still one posted for the last

1 full constitutional revision commission. That
2 can be found at www.law.fsu.edu/crc, and we can
3 provide that website to you.

4 There will be a transcript created as you
5 can tell from the young lady to my left of
6 today's proceedings.

7 In conclusion, before I ask for the role
8 to be called and ask for Justice Quince to
9 swear you in as officers, I wanted to say that
10 I think everyone here realizes the important
11 work you are about to engage in.

12 I think I can speak on behalf of the
13 governor and the Senate president and the
14 speaker, because I know they have made these
15 comments publicly, that the people of our state
16 are suffering under taxes and there's really
17 could not have been a better time for this
18 commission to have come forward for our
19 constitution.

20 So good luck in your work. We are here to
21 support and help you. Members of the
22 governor's staff along with cooperation from
23 the House and Senate have done our best to

24 organize this meeting today, and we'll help in
25 the transition as you select a chairman, as you

1 hire staff.

2 We are here and available to you to
3 provide whatever help that you need to get you
4 on your way, and understanding that today is
5 really a transitionary meeting until you have
6 selected your officers and are able to fulfill
7 your obligations.

8 With that I would like to ask Carolyn to
9 call the roll.

10 MS. TIMMANN: Hoyt "Barney" Barnett.

11 MR. BARNETT: Present in Colorado.

12 MS. TIMMANN: Martha Barnett.

13 MS. BARNETT: Here.

14 MS. TIMMANN: Allan Bense.

15 CHAIRMAN BENSE: Here.

16 MS. TIMMANN: Mark Bostick.

17 MR. BOSTICK: Here on the phone.

18 MS. TIMMANN: Talbot "Sandy" D'Alemberte.

19 Sandy D'Alemberte.

20 (No response.)

21 MS. TIMMANN: Senator Mike Haridopolos.

22 SENATOR HARIDOPOLOS: Here.

23 MS. TIMMANN: Mike Hogan.

24 MR. HOGAN: Here.

25 MS. TIMMANN: Julia Johnson.

1 MS. JOHNSON: Here.

2 MS. TIMMANN: Bruce Kyle.

3 MR. KYLE: Here.

4 MS. TIMMANN: Carlos Lacasa.

5 MR. LACASA: Here on the phone.

6 MS. TIMMANN: Patricia Levesque.

7 MS. LEVESQUE: Here.

8 MS. TIMMANN: Alan Levine.

9 MR. LEVINE: Here.

10 MS. TIMMANN: Senator Gwen Margolis.

11 SENATOR MARGOLIS: Here.

12 MS. TIMMANN: Roberto "Bobby" Martinez.

13 MR. MARTINEZ: Here.

14 MS. TIMMANN: Jacintha Mathis.

15 MS. MATHIS: Here.

16 MS. TIMMANN: John McKay.

17 MR. MCKAY: Here.

18 MS. TIMMANN: Robert "Bob" McKee.

19 MR. MCKEE: Here.

20 MS. TIMMANN: Randy Miller.

21 MR. MILLER: Here.

22 MS. TIMMANN: Leslie "Les" Miller. Leslie

23 "Les" Miller.

24 (No response.)

25 MS. TIMMANN: Jade Thomas Moore.

1 MR. MOORE: Here.

2 MS. TIMMANN: Representative Frank Peterman.

3 REPRESENTATIVE PETERMAN: Here.

4 MS. TIMMANN: Nancy Riley.

5 MS. RILEY: Here.

6 MS. TIMMANN: Darryl Rouson.

7 MR. ROUSON: Here.

8 MS. TIMMANN: Representative Ray Sansom.

9 Representative Ray Sansom.

10 (No response.)

11 MS. TIMMANN: James "Jim" Scott.

12 MR. SCOTT: Here.

13 MS. TIMMANN: Susan Story.

14 MS. STORY: Here.

15 MS. TIMMANN: William Gregory "Greg"

16 Turbeville.

17 MR. TURBEVILLE: Here.

18 MS. TIMMANN: Kenneth "Ken" Wilkinson.

19 MR. WILKINSON: Here.

20 MS. TIMMANN: Brian Yablonski.

21 MR. YABLONSKI: Here.

22 MS. TIMMANN: Twenty-six members are present.

23 MR. LEMIEUX: Thank you.

24 With that, if Justice Quince would come
25 forward.

1 JUSTICE QUINCE: Good afternoon. If all of
2 you would stand and raise your right hand. And I
3 want you to know on behalf of the people of the
4 State of Florida that we are looking forward to
5 the work that you will do on this commission.

6 And repeat after me. I do solemnly swear
7 or affirm that I will support, protect, and
8 defend the constitution and government of the
9 United States and of the State of Florida, that
10 I am duly qualified to hold office under the
11 constitution of the state and that I will well
12 and faithfully perform the duties of a member
13 of the taxation and budget reform commission on
14 which I am now about to enter, so help me God.

15 Congratulations to all of you.

16 (Committee members sworn.)

17 MR. LEMIEUX: At this time it's appropriate
18 for me, having gotten you started on this process,
19 now that you have been sworn in, to allow you to
20 begin this meeting and take over the reins, and to
21 do that you need to elect a chairman. I would
22 like to entertain any nominations for chairman of
23 the commission. Mr. Martinez.

24 MR. MARTINEZ: Mr. LeMieux, at this point in
25 time I would like to nominate Mr. Allan Bense.

1 MR. LEMIEUX: Is there a second on the
2 nomination?

3 MR. SCOTT: Second.

4 MR. LEMIEUX: Senator Scott seconds the
5 nomination. Are there any other nominations?

6 MR. LEVINE: Move to close nominations.

7 MR. LEMIEUX: There's a motion on the floor
8 to close nominations. All in favor say aye.

9 (Ayes unanimous.)

10 MR. LEMIEUX: The motions are closed for
11 nominations for chairman of the commission. All
12 in favor of Speaker Allan Bense for chairman of
13 the taxation and budget reform commission please
14 signify by saying aye.

15 (Ayes unanimous.)

16 MR. LEMIEUX: Mr. Chairman, congratulations.
17 The meeting is yours.

18 CHAIRMAN BENSE: I don't know how to use the
19 mike anymore. I forgot where Morris Hall was to
20 be honest with you. I haven't been here in a long
21 time.

22 But first of all, thank you for your trust
23 and your vote to elect me chairman of this

24 commission. Before I left office I will tell
25 you that the only thing I really asked the

1 incoming and current speaker Marco Rubio was to
2 be considered to be on this commission because
3 of the importance of this commission.

4 It is a very, very powerful commission and
5 I think it needs -- I look around to see who
6 the members are serving with me here and you're
7 all players. You're all, this is the cream of
8 the cream in Florida. And I want to make sure
9 that whatever we do we do in a very deliberate
10 manner, a very thoughtful manner.

11 And as speaker of the house I tried to be
12 as open and inclusive of both parties as I
13 could. And I have no agenda. I will tell all
14 of you up front I have no personal agenda in
15 this. I'm not a lobbyist. I'm in business now
16 again.

17 So I just want to make sure that we
18 understand the power this commission has and
19 that whatever we do that we do it in a very
20 thoughtful and deliberate manner. And
21 sometimes I may go so slow it may make you a
22 little boring but, or maybe boring, but I've
23 never been a home run hitter. I've been a

24 little singles hitter in the doubles, so I'll
25 do the best I can to lead this commission in a

1 very, in a manner that you can be proud of. So
2 thank you again for your vote.

3 And having said that, I think the
4 constitution also provides for a vice chairman,
5 and I would like to suggest that my long-time
6 friend Jim Scott, who is former president of
7 the Florida Senate, be elected vice chairman of
8 this commission. And I would accept a motion
9 for him to be --

10 MR. MILLER: Mr. Chair, I'll make that
11 motion.

12 MR. MARTINEZ: Second.

13 CHAIRMAN BENSE: Okay. Mr. Miller makes the
14 motion and Mr. Martinez seconds it. Are there any
15 other nominations for vice chair? Seeing none,
16 all in favor of Jim Scott being -- Senator Scott
17 being vice chair say aye.

18 (Ayes unanimous.)

19 All opposed no. Motion carries.

20 I also want to thank the staff of the, the
21 executive staff of the governor's office for
22 organizing this. You know, technically the
23 Board of Regents was the group that organized

24 this back in 1990 and since there's no longer a
25 Board of Regents we're sort of on the fly, but

1 George LeMieux specifically stepped up to the
2 plate and set up this meeting today and had it
3 staffed as best we can. So thank you very much
4 for your efforts and your hard work in getting
5 us started.

6 At this time I would like to introduce
7 Mr. Christian Weiss with the Governor's Office
8 of Policy and Budget to provide an overview of
9 previous taxation and budget reform commission
10 outcomes. And when we're done with that I
11 would be thinking about, obviously we have to
12 organize -- the constitution requires that we
13 do a lot of things today, frankly things that
14 we have not had time to do or prepare for since
15 we had no organization at all.

16 And I've got some thoughts on how we may
17 want to move forward from today, but be
18 thinking about that and we'll discuss that
19 along with a few other things as soon Mr. Weiss
20 is done. Mr. Weiss, you're recognized.

21 MR. WEISS: Thank you, Mr. Chair, members of
22 the commission. I have been asked to briefly go
23 over the adoption, adopted constitutional

24 amendments and some of the recommendations of the
25 1990 through '92 commissions.

1 The only constitutional amendment that
2 actually is in the constitution today that
3 passed in 1992 is the budget reform, which is
4 found in article three, section 19. It is
5 governing many, many of the items in the
6 current appropriations process. And you see
7 the annual budgeting, the 72-hour review
8 period, trust fund, special votes, and the
9 review period, and last but not least the
10 budget stabilization fund that is 5 percent of
11 the previous years. General revenue is in that
12 one.

13 The commission also adopted two more
14 constitutional amendments, the local option
15 sales tax for cities and counties that was
16 defeated by roughly a three to one margin in
17 the 1992 election, and the ad valorem taxation
18 of government leaseholds.

19 That particular amendment was actually on
20 the ballot because it was too late to take it
21 off the ballot, but the Florida Supreme Court
22 found that the ballot language was defective
23 and removed it.

24

A variety of other recommendations were

25

adopted by the commission in a long series of

1 publications. They talked about repeal of
2 state tax exemptions. Most of that was meant
3 to be revenue neutral, not to be a revenue
4 raiser, broaden the sales tax base to services,
5 tax all business entities, and lower rates and
6 broaden the gross receipts tax, a
7 recommendation for the Legislature to explore a
8 lower rate value added tax and even a limited
9 state income tax.

10 Other recommendations include the state
11 revenue cap. That one was actually adopted by
12 the Legislature in 1994 and subsequently voted
13 into the constitution. It was not voted on in
14 1992 as a constitutional amendment by this
15 commission, the previous commission.

16 Improving taxpayer compliance, a couple of
17 issues were in that one. The Ryce program was
18 subsequently implemented by the Department of
19 Revenue and by the statute in section 213, an
20 integrated data processing system, the sun tax
21 system in the Department of Revenue, and the
22 taxpayer bill of rights, which was adopted by
23 the Legislature in 1992.

24 The commission also recommended for
25 long-range state revenue and expenditure

1 projections, something that the Legislature
2 adopted in 2006 and got voted in in last
3 November's election.

4 They talked about lottery refunds to go
5 directly to school and allow school choice and
6 state government accountability, something that
7 was implemented in, by the Legislature through
8 the creation of OPPAGA, or the Office of Policy
9 and Program Analysis -- forgot the G.

10 They also recommended executive budget
11 authority, which was an outcome after a lawsuit
12 against the cuts that were necessary after the
13 1991, '92 recession, talked about greater
14 flexibility with the tax structure on local
15 governments, and wanted to have greater
16 flexibility for school districts to levy
17 discretionary millages. In addition they
18 recommended that the non-voted capital millage
19 would be increased to two and a half mills.

20 The two-mill existing tax was, existing
21 tax was, had a repeal date of 1995. In 1994
22 the Legislature chose to reenact the two-mill
23 tax.

24 Local government financial reporting, they
25 recommended that the function be moved away

1 from the chief financial officer today to the
2 advisory council on their governmental relation
3 today. It's a joint legislative committee.
4 Modernized reporting and auditor general
5 reports. None of that was implemented except
6 probably the modernizing reporting.

7 And lastly, very apropos in today's, they
8 looked at the homestead exemption revision.
9 Their recommendation was everybody should
10 contribute something. So tax the first
11 50 percent of \$50,000 and then between \$200,000
12 and \$250,000. They recommended for this
13 exemption to be phased out.

14 They recommended that the state mandates
15 provision, which is a provision that requires
16 super majority votes if the state imposes
17 mandates on local government to be implemented
18 by the Legislature. That was implemented by a
19 memo between the presiding offices in the early
20 '90s.

21 And they recommended a special district
22 review that should happen every ten years.

23 And with that I would be happy to answer

24

25

1 thank you, Mr. Weiss.

2 Members, in your packet you're going to
3 find the rules of procedure from the 1990
4 commission. You may want to take a look at
5 that. I think it's important for this
6 commission to have sufficient time to review
7 and consider proposed amendments using their
8 former rules as a road map. They're very
9 complex. And we can do this before our next
10 meeting.

11 In the interim though I would accept a
12 motion that for the short run that we adopt
13 Robert's rules of orders. Is there a motion?

14 MR. HOGAN: So moved.

15 MS. BARNETT: Second.

16 CHAIRMAN BENSE: Mr. Hogan, and a second by
17 Ms. Barnett. All in favor say aye.

18 (Ayes unanimous.)

19 Opposed, no. We will adopt Robert's rules
20 of orders for the initial here. And we don't
21 have a, there's no staff at all right now. I
22 think we're looking at the staff out there and
23 they're on loan from the governor's office for

24 the short run.

25 I look at how in 1990, since the Board of

1 Regents was already in control of this
2 commission, the staff was already in place the
3 first day they met. Obviously that's not the
4 case this time because, again, there was no
5 Board of Regents. So I would suggest that over
6 the next 30 days that as chairman I assemble a
7 staff.

8 Also there are a lot of issues out there.
9 If you look at the committees that were formed
10 back in 1990, I think they had four overall
11 committees, and I'm not prepared to go there
12 yet, but I do think that at some point in time
13 in today's meeting, and I will open it up for
14 discussion at this point in time, that we form
15 a committee of some sort to help us get
16 organized.

17 And that committee can, I would, I would
18 assume that I would sort of oversee that
19 committee. But we need some folks that have
20 some time and effort because we literally have
21 to find space to rent or perhaps one of our
22 arms of government would be happy to give us
23 some space for a while.

24 We have to create a staff and adopt rules

25 and there's a lot of homework that we have to

1 do for the next month so I'm thinking that we
2 initially establish a committee, we can call it
3 the organization committee, that can then make
4 recommendations to this full commission at the
5 next meeting as to really where we want to go,
6 what we want to try to accomplish.

7 And having said that, let me open the
8 floor up to ideas because I don't have a corner
9 on the market for brains and I'm just trying to
10 move us forward.

11 Are there any thoughts on where we go from
12 here in terms of organization? Anyone have any
13 other ideas other than what I recommended?

14 Jim Scott recognized.

15 MR. SCOTT: I can't tell if this mike is on
16 or not. In any event, I think that's a great idea
17 to get a committee to oversee and come back rather
18 than try and sit here and do everything today. I
19 don't know how you-all feel about it but it sounds
20 like it would be the --

21 UNIDENTIFIED SPEAKER ON THE PHONE: Mr.
22 Chairman?

23 CHAIRMAN BENSE: You're recognized.

24 UNIDENTIFIED SPEAKER ON THE PHONE: I think
25 that as a final act for the governor's staff that

1 has been assisting us, perhaps they can come up
2 with a list of items that this committee should
3 knock out and help this committee get organized so
4 it can organize, make recommendations to organize
5 the commission.

6 CHAIRMAN BENSE: What's the pleasure of the
7 commission?

8 MR. MCKAY: Probably a great idea.

9 CHAIRMAN BENSE: I think it's a great idea as
10 well.

11 Mr. LeMieux, if you don't mind we're going
12 to impose on you once again. What are your
13 thoughts?

14 MR. LEMIEUX: Well, we're happy to assist.
15 Just let us know how we can help.

16 CHAIRMAN BENSE: Thank you we will.

17 MR. LEVINE: Do you need a motion?

18 CHAIRMAN BENSE: I think a motion would be
19 very helpful in terms of keeping track of what
20 we're doing.

21 MR. LEVINE: What motion do you want?

22 (Laughter.)

23 CHAIRMAN BENSE: I think first of all we have

24 a motion to form a, let's call it an
25 organizational committee. How many? Eight

1 people, seven people, nine people? Nine people,
2 composed of nine people.

3 MR. LEVINE: That's a lot.

4 CHAIRMAN BENSE: That's a lot of people. And
5 if we don't have enough people to participate
6 we'll take whoever comes.

7 But an organizational committee of nine
8 people scheduled to meet probably in the next
9 two weeks.

10 MR. LEVINE: I would make that motion,
11 Mr. Chair.

12 MS. BARNETT: And I second it.

13 MR. LEVINE: That you form a committee, that
14 you would appoint a committee of nine people to
15 meet within the next two weeks to create an
16 organizational structure.

17 CHAIRMAN BENSE: And Martha Barnett seconds
18 that motion. Is there debate, discussion,
19 questions. Seeing none, all in favor say aye.

20 (Ayes unanimous.)

21 Opposed? No. Motion carries.

22 I made a few notes. Are there any --
23 since we've established this committee, are

24 there any volunteers? Raise your hand. If

25 not --

1 UNIDENTIFIED SPEAKER ON THE PHONE: I would
2 be interested in participating, Mr. Chairman.

3 MR. MILLER: Mr. Chair, I would be happy to
4 participate.

5 CHAIRMAN BENSE: Randy Miller. Kyle. And
6 Jim Scott.

7 MS. JOHNSON: Julia Johnson. I would.

8 CHAIRMAN BENSE: Okay. Patricia Levesque.
9 Two, three, four, five, six seven. We're at nine.

10 MR. MCKAY: Mr. Chairman, I would be happy
11 to.

12 CHAIRMAN BENSE: Okay. Does everybody want
13 to be on the commission?

14 (Laughter.)

15 UNIDENTIFIED SPEAKER ON THE PHONE: I think
16 nine is a good number. Could you read the list,
17 Mr. Chairman?

18 CHAIRMAN BENSE: I've got Jacintha, Martha
19 Barnett, Hogan. I wrote Bob down, Bob McKee. I'm
20 sorry. Bob McKee. Randy Miller, Bruce Kyle, Jim
21 Scott, Julia, and John McKay. Who did I miss?
22 Patricia Levesque? Did I miss one?

23 UNIDENTIFIED SPEAKER ON THE PHONE: I

24 volunteered by phone, but if there's a full list
25 that's all right.

1 CHAIRMAN BENSE: That's one, two, three,
2 four, five, six, seven, eight, nine, ten. There's
3 actually ten. We'll, I suspect that, do we want
4 to amend the motion to have ten instead of nine?
5 Is there a motion to amend that?

6 MS. MATHIS: I would suggest --

7 CHAIRMAN BENSE: Okay. How about I'll choose
8 who gets thrown off the island.

9 (Laughter.)

10 I think I might have a taker, so. Anyway
11 we'll go forward and I'll select the nine based
12 upon these volunteers if that's fine with the
13 commission.

14 The 1990 commission, as Mr. Weiss
15 outlined, really had five standing committees,
16 the planning and coordinating committee, which
17 really is what this is, what we just formed.
18 The governmental services committee, the
19 planning and budgetary processes committee, the
20 governmental procedures and structure
21 committee, and the finance and taxation
22 committee.

23 Again, I think it's the duty of this

24 committee we just set up to -- I'm not so sure
25 we follow exactly what they did in 1990, but

1 let's come up with a structure that's sound,
2 that can help us carry out our mission.

3 Also, I would recommend, I would welcome
4 your input as to staff considerations. I will
5 visit with the governor's office, I'll visit
6 with the speaker's office, I'll visit with the
7 Senate president's office, to see if they have
8 some recommendations for an executive director.

9 I think there's no question we have to
10 have an executive director. And again I think
11 this committee perhaps can hash out staff that
12 we need and then hopefully by the next
13 commission meeting, which we'll talk about in a
14 minute, hopefully will have staff in place.

15 I would also suggest that -- my thoughts
16 on this commission are that we have a
17 Legislature in place that makes laws and there
18 are two matters in which we can amend the
19 constitution of Florida, as we all know. One
20 is by resolution through the Legislature and
21 the other is by petitions primarily.

22 So I think that we should let the
23 Legislature do its work for the next 45 days.

24 I don't see our role as interfering with their
25 job. I really see us as secondary. They were

1 elected by the people, they weren't appointed,
2 so I would recommend that for the next 45 days
3 until session is over that are we really in an
4 organizational mode.

5 And once session is over let's take a look
6 at what has been accomplished, what looks like
7 might happen in the next year. And technically
8 we can go almost through the end of next
9 session in '08. I think we have to report by
10 May 4th of '08 any proposed amendments to the
11 Secretary of State's office.

12 So my thoughts are unless you have
13 objections are for us to stay in an
14 organizational mode for the next 45 days. Any
15 thoughts, anyone want to comment on that?

16 MR. HOGAN: Makes less confusion.

17 MS. MATHIS: One thought would be to have
18 access to the legislators' public hearings that
19 they are conducting on taxation reform and have
20 access to that information. It would at least be
21 informative to the commission.

22 CHAIRMAN BENSE: I think that's a good idea.
23 As we gather staff we'll make sure that that

24 information is made available to the members of
25 the commission. That's a good idea.

1 Any more input?

2 MR. MILLER: Mr. Chair, if I could. I think,
3 looking at the organizational committee, there are
4 some very important things that need to be
5 considered, and one of those is legal counsel.
6 There's going to be a lot of constitutional
7 questions and we need some, so we will be needing
8 to secure outside counsel that has no connection
9 to any of us on the commission.

10 And so I just bring that up. Hopefully
11 the amount of money we've got left for the end
12 of the year would be able to take care of these
13 expenses that will be coming up.

14 We will also have to have some experts in
15 taxation. There are plenty folks that can give
16 us their opinion, but I think we need to be
17 able to have an unbiased opinion brought before
18 us by our own consultants.

19 CHAIRMAN BENSE: Absolutely. Any more
20 observations? Mr. Scott?

21 MR. SCOTT: Well, just that I think your
22 committee, your organizational committee, will
23 need to sooner rather than later figure out some

24 idea about staffing so you can get a budget and
25 get the money approved before they leave town.

1 CHAIRMAN BENSE: I intend to spend a couple
2 days here in Tallahassee next week interviewing
3 potential directors, staff, et cetera. I would
4 really like to get that worked out maybe even
5 before the first meeting of the committee so we
6 can have at least a skeleton staff available for
7 that first meeting.

8 But I think that, I think that duty rests
9 with me as chairman to find a good qualified
10 staff that can get good work done, and includes
11 legal counsel as well.

12 Some of them, frankly I've never been one
13 to move quickly so I want to make sure I feel
14 comfortable with those folks. And so, but I do
15 need, we do need to get the staff in place and
16 I will spend a lot of time the next few days
17 working on that for the approval, unless
18 someone has an objection.

19 Next meeting I thought we would -- before
20 we get to that point, not everyone knows each
21 other. So Bobby Martinez, why don't we go
22 around the room, introduce yourselves, tell us
23 what you do and where you're from.

24 MR. MARTINEZ: All right. Good afternoon,
25 everyone. My name is Bob Martinez. I'm from

1 Miami, Florida. I'm a lawyer at the law firm of
2 Colson, Hicks and we do trial work.

3 SENATOR MARGOLIS: Good afternoon. I'm Gwen
4 Margolis. I've been an elected official for 32
5 years, former president of the Senate --.
6 (Inaudible) I am delighted to be here to be able
7 to --

8 MR. LEVINE: Mr. Speaker or Mr. Chairman and
9 others. First of all, I'm thrilled that they
10 selected you to --

11 CHAIRMAN BENSE: Use your microphones if you
12 would, please, so the court reporter can record
13 you.

14 MR. LEVINE: My name is Alan Levine.
15 Mr. Speaker, Mr. Chair, I'm proud the commission
16 selected you unanimously. Couldn't have made a
17 better pick. I'm the CEO of the North Broward
18 hospital district, have been there for about eight
19 months.

20 Prior to that I was the secretary of the
21 Florida Agency for Health Care Administration
22 in Governor Bush's administration and then
23 prior to that had a career in hospital

24 administration. So I'm proud to be a part of
25 it and couldn't be involved with a better group

1 of people.

2

3 MS. LEVESQUE: Mr. Chairman, I am Patricia
4 Levesque. I'm not going to brown-nose you like my
5 fellow commissioner.

6 (Laughter.)

7 I am glad that you are our chairman. I am
8 the executive director of the Foundation for
9 Florida's Future. It is a think tank in public
10 policy advocacy organization founded by
11 Governor Jeb Bush and focusing on education
12 policy. I also do some consulting.

13 I have been privileged to live in
14 Tallahassee for about ten years working as a
15 house staffer and then in the governor's office
16 of policy and budget and then as Governor
17 Bush's deputy chief of staff. And I'm honored
18 to serve with you-all.

19 MR. KYLE: Mr. Speaker, well, I guess it's
20 Chairman. Old habits die hard. My name is Bruce
21 Kyle. I'm a former member of the Legislature. I
22 served eight years in Tallahassee. Currently a
23 circuit court judge in Hendry -- city and Hendry

24 in Glades County with the general docket covering
25 all the felonies out in that area as well as a

1 civil docket.

2 MS. JOHNSON: Mr. Chairman, my name is Julia
3 Johnson. It's an honor to have the opportunity to
4 serve with all of you and under your leadership.
5 I am a lawyer, a consulting firm, regulatory
6 strategy and legal analysis, Netcommunications.
7 Prior to that I served on the Florida Public
8 Service Commission for about seven years. Prior
9 to that I was an officer of the Department of
10 Community Affairs focused on land use issues. And
11 it's an honor to be here.

12 MR. HOGAN: Mr. Chairman, I don't know if
13 this is on or not. Mike Hogan, 25 years with the
14 telephone company, eight years in the city council
15 in Jacksonville, three years here, which I loved.
16 In fact, I almost nominated Gaston Cantens to run
17 against you but decided better.

18 (Laughter.)

19 CHAIRMAN BENSE: That's an inside story.

20 MR. HOGAN: And currently the tax collector
21 in Duval County and it's an honor to be among this
22 group. Thank you.

23 SENATOR HARIDOPOLOS: Mr. Chair, great to see

24 you again. Senator Mike Haridopolos. I represent
25 District 26 in the Florida Senate. I also served

1 as the Senate finance and tax chairman, and we had
2 the honor to go around our great state the last
3 two weeks to 14 town hall meetings and 60 hours of
4 testimony trying to work on that property tax
5 issue. But really glad to be a part of the team.
6 And however we can help in the Legislature we are
7 ready, willing, and able to help.

8 MS. BARNETT: Thank you, members of the
9 commission and Mr. Chair. I am Martha Barnett.
10 I'm, lived in Tallahassee the last 26 years. I'm
11 a native Floridian, a lawyer with the law firm of
12 Holland and Knight. I feel in some ways like this
13 is a reunion of old friends because a number of us
14 served on the first taxation and budget reform
15 commission. I had the privilege to do that and
16 I'm looking forward to, to this experience.

17 MS. MATHIS: Mr. Chairman. Mr. Chairman, my
18 name is Jacintha Mathis. I'm a real estate lawyer
19 and specialize in working with emerging businesses
20 and faith-based organizations and helping them do
21 community revitalization and economic development.
22 And I have served on the constitution revision
23 commission with some of the illustrious people

24 here, and I am honored to serve you with on this
25 commission.

1 MR. MCKAY: Mr. Chairman, members of the
2 commission, pleasure to be here with you-all
3 today. My name is John McKay. I am a Bradenton
4 businessman in the real estate business. Used to
5 be president of the Senate, was there for 12
6 years. I look forward to working with all of
7 you-all, and congratulations on your election or
8 affliction.

9 (Laughter.)

10 MR. MCKEE: Mr. Chairman, my name is Bob
11 McKee. I'm currently for the past ten years been
12 the tax collector of Lake County. Prior to that I
13 was a county and city administrator. And I am
14 very much looking forward to working with some
15 private sector folks.

16 MR. MILLER: Mr. Chair, my name is Randy
17 Miller. It's a pleasure to be here. I am
18 currently the executive vice president of Florida
19 Retail Federation. A little history. 27 years
20 ago Senator Margolis was a representative and in
21 this very room we did a lot of ad valorem tax
22 reform. Back then the complaint was the tax rolls
23 were too low. So I served nine years with

24 Department of Revenue and we moved it right on up,
25 didn't we?

1 (Laughter.)

2 Anyway, it's a pleasure to be here and I
3 look forward to working with you and the
4 members of the commission.

5 MR. MOORE: Mr. Chairman, my name is Jade
6 Moore. I'm the executive director of the Pinellas
7 Classroom Teachers' Association in Pinellas
8 County. My family has lived in Pinellas County
9 since 1953. I formerly was a speech and English
10 teacher in the Pinellas County school system and
11 have been honored to have been previously
12 appointed on the sales tax revision commission
13 with Ms. Barnett and Mr. Miller. Our work is well
14 remembered in the State of Florida, I'm sure.
15 It's a pleasure to be here.

16 REPRESENTATIVE PETERMAN: Mr. Chairman,
17 former speaker, good seeing you again. I am
18 Representative Frank Peterman out of
19 St. Petersburg, Florida. I served in several
20 capacities. I serve as a pastor of a church in
21 St. Petersburg and also serve as a development
22 director for a nonprofit organization.

23 MS. RILEY: Mr. Chairman, my name is Nancy

24 Riley, and I am a licensed real estate agent for
25 34 years. I'm a realtor. I'm from the governor's

1 hometown of Pinellas County. And this year I am
2 the president of the largest trade association in
3 the State of Florida. I am president of the
4 Florida Association of Realtors, 170,000 members.

5
6 MR. ROUSON: Mr. Speaker, my name Darryl
7 Rouson. I'm the senior partner and founder of the
8 largest African-American owned law firm in
9 Pinellas County, Florida. I'm not sure why I'm
10 here when I hear the credentials of all these
11 others folks, except to say that I have not done
12 much inside government.

13 But my mission is to make complex things
14 simple for the common person, and to that
15 extent I love the State of Florida. I
16 appreciate the mission of this commission. I
17 intend to serve fully and to help this
18 commission reach its aims for the people of the
19 State of Florida. Thank you.

20 MR. SCOTT: Mr. Chair, I am an attorney,
21 Tripp Scott, a law firm in Fort Lauderdale. And
22 thank you, by the way, for making me vice chair.
23 And just as long as you understand that Allan is

24 doing all the work.

25 (Laughter.)

1 No. But seriously I served on the
2 constitution revision commission with some of
3 the folks here, Martha Barnett and others. And
4 before that I was a county commissioner and for
5 a number of years before that I was in the
6 Senate for 24 years. President of the Senate.
7 I was elected when I was 15 to the Senate.

8 (Laughter.)

9 But it's really a great group. I'm really
10 proud to be a part of this group and I know
11 it's going to be very important work and very
12 important subject.

13 MS. STORY: Mr. Chairman and fellow
14 commissioners, I'm Susan Story, and I am president
15 and CEO of Gulf Power Company which is in
16 northwest Florida. I have been very involved in
17 economic development throughout the state, serving
18 as vice chair of Enterprise Florida for the past
19 two years, and am also involved in a lot of
20 different business and education efforts
21 throughout the State of Florida.

22 MR. TURBEVILLE: Mr. Chairman, it's a
23 pleasure to be here. I am Greg Turbeville and I

24 am currently a Tallahassee resident and currently
25 a governmental consultant.

1 Prior to that I worked in the executive
2 office of the governor under Governor Bush and
3 then previously before that I worked here in
4 the Florida House of Representatives. And I
5 appreciate the governor and Legislature
6 dedicating a lot of time to lowering taxes on
7 Floridians, and they have done a very good job
8 so far in making that a central and focal point
9 of the session.

10 MR. WILKINSON: Fellow commissioners, I'm Ken
11 Wilkinson, Lee County property appraiser, elected
12 in 1980, and consider this certainly a highlight
13 of my career and I really appreciate the
14 opportunity to be a part of this. Thank you.

15 MR. YABLONSKI: Mr. Chairman and
16 commissioners, my name is Brian Yablonski, and I
17 am vice president of St. Joe Company. We own a
18 little bit of land in beautiful northwest Florida.
19 And I am also a commissioner on the Florida Fish
20 and Wildlife Conservation Commission.

21 CHAIRMAN BENSE: How about on -- who is on
22 the phone? Barney Barnett, are you still on the
23 phone?

24 MR. BARNETT: I am.

25 CHAIRMAN BENSE: Why don't you go through

1 your resume as well?

2 MR. BARNETT: Okay. My name is Barney
3 Barnett and I'm with Publix Super Markets in
4 Lakeland, Florida. I was fortunate enough to
5 serve with Martha and Mark Bostick on the first
6 taxation and reform commission. I'm happy that
7 Martha is on the organizational committee because
8 she can give a lot of insight into what did and
9 didn't work. And we are really blessed to have
10 two great leaders in Allan and Jim, and so I'm
11 looking forward to the whole process.

12 CHAIRMAN BENSE: Who else is on the phone?

13 MR. BOSTICK: Mark Bostick.

14 CHAIRMAN BENSE: Hey, Mark.

15 MR. BOSTICK: I'm working for Comcar
16 Industries and already mentioned served on the
17 first commission and pleased to serve again.

18 CHAIRMAN BENSE: Anybody else on the
19 telephone call?

20 (No response.)

21 All right. We also have with us the
22 Honorable Sandy D'Alemberte. We're going
23 through introducing ourselves, Sandy, so tell

24 us about yourself. Punch that left button
25 there.

1 MR. D'ALEMBERTE: First of all, I'm tardy and
2 I apologize. But there was a memorial service for
3 an old friend. It was already scheduled when this
4 meeting was called so I asked myself whether Ida
5 Snyder would want me to go to this organizational
6 session or her memorial service, and she would
7 have wanted me to come to this session, and that
8 was the very reason that I thought I ought to be
9 at her memorial service.

10 (Laughter.)

11 CHAIRMAN BENSE: Tell us a little bit about
12 yourself.

13 MR. D'ALEMBERTE: My background is I am a
14 lawyer. I practiced law for some time, came to
15 the Legislature, served in the Florida House of
16 Representatives from 1966 to 1972. I chaired a
17 committee call the ad valorem taxation committee,
18 which we no longer have. Thank goodness, because
19 nobody has the pain of chairing such a committee,
20 although there may be some other kinds of pain
21 around these days I understand.

22 When I left the Legislature I returned to
23 practice in Dade County and came back to

24 Tallahassee in 1984 to become dean of the FSU
25 college of law. Served a term before young

1 Martha Barnett came along as president of the
2 American Bar Association. And then in 1993
3 became president of Florida State University,
4 actually taking office in 1994 and serving for
5 nine years.

6 And that's where I got to know a young
7 Allan Bense as a freshman legislator, an FSU
8 graduate who continued on to do great works.

9 CHAIRMAN BENSE: You're kind. Did we get
10 everyone?

11 My name is, I am Allan Bense as we all
12 know and I'm from Panama City and I'm a
13 businessman. I'm in the construction business
14 and the road building business and mechanical
15 contracting business and golf course business
16 and a few others. But all those combined are
17 about 1/100th of Barney Barnett's, wherever
18 Barney is, business. So anyway I'm proud to be
19 here today, proud to serve with some really,
20 really successful people on this commission.

21 And once again thank you for selecting me
22 as chairman.

23 I think we also have with us today Pat

24 Gleason with the executive office of the
25 governor to give us a review of requirements of

1 the Sunshine Law. I think after that we will
2 hear from Phil Claypool who runs the commission
3 on ethics to tell us what we can do and can't
4 do from that perspective.

5 So, Pat, if you would, you're recognized.

6 MS. GLEASON: Thank you very much,
7 Mr. Chairman. It's really a pleasure to be here,
8 and actually as I was sitting back there listening
9 to the introductions I was reminded of the fact
10 that in 1990 I addressed the first taxation and
11 budget reform commission about the Sunshine Law,
12 and it was a very unusual experience because I
13 talked about it for about 20 minutes and the
14 various requirements and then at the end the
15 Honorable Ralph Haben said, well, Pat, the
16 Sunshine Law doesn't apply to us, does it, because
17 we're a constitutionally created commission.

18 At which point I said, well, the spirit of
19 the law applies. And the commission at that
20 time indicated and put into its by-laws that
21 the Sunshine Law would apply.

22 Since that time though it's interesting
23 that the people of the State of Florida put the

24 is Sunshine Law into the constitution and
25 expressly provided that the open meetings

1 provision would apply to constitutionally
2 created commissions like this one.

3 So the brief discussion that I'll give
4 about the Sunshine Law hopefully will help as
5 the commission begins its important work. And
6 to me the, I really don't have to, it appears
7 spend a great deal of time on the requirements
8 of the Sunshine Law because in my view they are
9 so easy with respect to a commission like this.

10 The courts have said that the Sunshine Law
11 applies to any meeting of a constitutionally
12 created commission like this one, and the term
13 meeting is defined to mean any gathering of two
14 or more members of the board when they meet to
15 discuss any matter on which foreseeable action
16 may be taken.

17 So that means essentially no private
18 discussions. All discussions must take place
19 in open meetings like this one. There are no
20 legislative created exemptions that would
21 appear to apply to these deliberations. So it
22 would seem as though from this point on all
23 gatherings would be open, no private telephone

24 conversations, no private discussions about
25 board business.

1 All of the proceedings would be open. So
2 having said that I'm happy to take any
3 questions that you might have.

4 (Laughter.)

5 CHAIRMAN BENSE: Any questions, members? Are
6 there questions? I think we've all been down this
7 road with the Sunshine Law before in this room.

8 Thank you very much.

9 MS. GLEASON: Thank you very much. It's a
10 pleasure.

11 CHAIRMAN BENSE: Let me see who else do we
12 have here. Phil Claypool, who is executive
13 director and general counsel of the Commission on
14 Ethics. He is going to discuss the ethical
15 requirements we will travel under and also
16 financial disclosure forms.

17 MR. CLAYPOOL: Thank you, Mr. Chairman and
18 congratulations to all of you, especially to the
19 two of you who are former members of my Commission
20 on Ethics.

21 Very briefly, because I know you've got
22 very important business to attend to today, we
23 provided you with a little brochure booklet

24 that's a guide to the Sunshine Amendment and

25 the code of ethics for public officers and

1 employees. It's sort of written in layman's
2 language is the guide to the provisions of the
3 code of ethics that are going to apply to all
4 of you.

5 I would like to talk just briefly about a
6 couple of provisions in there and volunteer to
7 come back at your wish if you would like me to
8 address you in more detail about any particular
9 questions.

10 In the front of the book is the contact
11 information about how to get ahold of our
12 organization. And so I would like to encourage
13 you to hang on to that, because if you do have
14 any questions about how the ethics laws may
15 apply to you in this context I want to
16 encourage you to give us a call, write us, get
17 ahold of us somehow or another because we would
18 be happy to provide you with whatever advice we
19 can.

20 I know many of you currently hold public
21 office and virtually all of you have held
22 either public office or a high position in
23 public employment, so you're acquainted

24 generally with the ethics laws. I do want to
25 emphasize first of all the fact that you've

1 received financial disclosure forms. I believe
2 those, if you haven't gotten them already they
3 should have been sent out by the Secretary of
4 State's office so they should be on their way.

5 If you already filed financial disclosure
6 because you're in the Legislature for example
7 or your tax collector or you currently hold
8 some other public office, you do not have to
9 file right now. But those of you who are not
10 in another public position are required under
11 state law to file that financial disclosure
12 form within 30 days of your appointment.

13 Now, I know some of you may not be able to
14 do that and the law allows our commission to
15 give you an extension. And so, again, contact
16 information is in front of the brochure. Give
17 us a call. What we'll need is a written
18 request for an extension.

19 My chairman can grant an extension of up
20 to 45 days, and I know of at least one instance
21 where we're likely to have to get on this and
22 maybe a longer extension might be required.
23 That requires a vote of my commission to do

24 that. So the sooner we can get to that
25 business the sooner we'll be able to agenda

1 that for consideration by the ethics
2 commission.

3 The code of ethics also contains a number
4 of provisions that are meant to guard the
5 interests of the people against conflicts of
6 interest. One major area of that is gifts.
7 And I have to tell you right now that I cannot
8 give you any advice as to how the gift law is
9 going to apply in your situation.

10 The reason for that is because of the new
11 lobbyist registration law and the zero
12 expenditure provision in there that bans
13 lobbyists from giving, from making any
14 expenditure on a, for example a member of the
15 Legislature, and in the executive branch
16 prohibits an executive branch lobbyist from
17 giving a gift in essence to an officer of the
18 executive branch who files financial
19 disclosure.

20 I don't know what branch this commission
21 sits in, and I'm here to tell you that the law
22 does apply to the constitutional revision
23 commission. That's because the Legislature had

24 the foresight to put that body in the statute.

25 But this group is not in the statute.

1 So I'm here to request, and what we'll do
2 is get with your chairman an advisory opinion
3 request so we can iron this out as soon as
4 possible so we know what exactly the standards
5 are that you have to comply with.

6 Again, contact us, you know, if you have
7 any questions about your personal situation. I
8 only have a short time here to disorient you so
9 I would invite you if you have any questions we
10 would be happy to come back and address those
11 at later time. Thank you.

12 CHAIRMAN BENSE: Thank you, Mr. Claypool, and
13 we will, in the next week I want to have this
14 ironed out. In the interim I would suggest you
15 assume the worst. Assume that you follow the same
16 guidelines that a member of the Florida House or
17 Senate would fall under and act accord -- govern
18 yourself accordingly. But I would suggest that
19 you assume the worst and that -- I don't know who
20 passed that legislation.

21 (Laughter.)

22 Okay. We're not going to go there. Are
23 there any questions of Mr. Claypool? I'm

24 sorry. Any questions?

25 Okay. Once again I want to make sure I

1 welcome your views on where you think this
2 commission should go between now and the next
3 commission meeting. If you have some ideas or
4 thoughts please let us know them at the
5 meeting. Hopefully we'll have an executive
6 director in place by then and parts of the
7 staff.

8 Anymore -- if you would, why don't you get
9 your Blackberries out and your note, your
10 calendars. I'm thinking that perhaps we go
11 ahead and meet in a month. That would be on
12 April the 15th. Is that a month from now,
13 April the 15th? Or April 13th.

14 MS. RILEY: That's a Sunday.

15 CHAIRMAN BENSE: We can go around the room
16 and figure out what day is good for folks. It's a
17 Friday. Everyone seemed to do a pretty good job
18 of making it on a Friday. Is there an objection
19 to having our meetings on a Friday? Seeing none,
20 is there an objection to anyone -- I see no
21 objections. Is there an objection to having it on
22 Friday -- what would that be?

23 Friday the 13th? That's a lucky day. Are

24 there any objections? Same time and station,

25 1 o'clock here in Tallahassee.

1 MS. BARNETT: How about an earlier morning
2 meeting?

3 CHAIRMAN BENSE: Is that best for everybody?

4 MS. BARNETT: Before noon?

5 CHAIRMAN BENSE: Some of you have distance
6 problems. Bobby?

7 MR. MARTINEZ: Mr. Bense, are we going to
8 have the opportunity to conference in by telephone
9 at these meetings?

10 CHAIRMAN BENSE: Yes. I would love to see
11 you eyeball to eyeball if possible, but naturally
12 sometimes you have issues that come up and
13 certainly I think it's worked fairly well today
14 with the folks that were on the telephone.

15 So, say we move it back, what, to
16 10 o'clock, Martha?

17 MS. BARNETT: Somewhere in there.

18 CHAIRMAN BENSE: Does anyone have objections
19 to starting in the morning, around 10:00 a.m.?
20 Are there any objections?

21 I'll entertain a motion then that the next
22 meeting of this commission be on Friday the
23 13th at 10:00 a.m. in this same room. Is there

24 a motion?

25 MR. HOGAN: Motion.

1 CHAIRMAN BENSE: Is there a second?

2 MR. MCKAY: Second.

3 CHAIRMAN BENSE: Is there discussion? All in
4 favor say aye.

5 (Ayes unanimous.)

6 The motion carries. This group will meet
7 on Friday April 13th at 10 o'clock in this room
8 here.

9 Also, I will communicate with the members
10 of the organizational committee in the next,
11 probably by Monday afternoon, Monday night, to
12 find a place that we can all meet and a time we
13 can all meet that's acceptable to everyone. It
14 may even be by teleconference or by phone, but
15 we'll figure out a way to put it together.

16 I do want to tell you though that sort of
17 in closing, I think it's an obligation of this
18 commission to listen to a lot of public
19 testimony. I mean, there's a reason that the
20 framers of our constitution set this up.

21 So I intend to be proactive when it comes
22 to traveling around the state taking testimony
23 from people. I think we should hear what the

24 people have to say. And so be ready to do some
25 work.

1 Any other -- any remarks? Nancy, you're
2 recognized.

3 MS. RILEY: Mr. Chairman, if our contact
4 information is incorrect who would we give that
5 correction to before we leave here?

6 CHAIRMAN BENSE: Give it to me.

7 MR. BARNETT: For those of us not there, will
8 you-all send us the materials received today?

9 CHAIRMAN BENSE: Yes, we will. You'll have
10 it, Barney.

11 What else? Any other suggestions, ideas?
12 I want to remind you I don't have a personal
13 agenda. I don't lobby. I just want to make
14 sure that this commission does good things and
15 I'll do my best as chairman to be a good
16 listener.

17 I've given you the opportunity to speak.
18 I'll entertain a motion to adjourn.

19 MR. HOGAN: So moved.

20 CHAIRMAN BENSE: Is there a second?

21 MR. MILLER: So moved.

22 CHAIRMAN BENSE: Without objection show the
23 motion approved.

24 Thank you, folks, for traveling this far.

25 Thank you.

1 JUSTICE QUINCE: If you will raise your right
2 hand and repeat after me.

3 I do solemnly swear or affirm that I will
4 support, protect, and defend the Constitution
5 of the United States and of the State of
6 Florida, that I am duly qualified to hold
7 office under the constitution of the state,
8 that I will well and faithfully perform the
9 duty of a member of the Taxation and Budget
10 Reform Commission on which I am now about to
11 enter, so help me God.

12 (Mr. D'Alemberte sworn.)

13 (The proceedings concluded at 2:18 PM)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, LISA D. FREEZE, Notary Public, certify
that I was authorized to and did stenographically
report the proceedings herein, and that the transcript
is a true and complete record of my stenographic notes.

I further certify that I am not a relative,
employee, attorney or counsel of any of the parties,
nor am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

WITNESS my hand and official seal this 16th
day of March, 2007.

LISA D. FREEZE, RPR, NOTARY PUBLIC

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