State Administration Council

Tuesday, December 6, 2005
1:10 PM
17 HOB

COMMITTEE ACTION

(REVISED 12/06/05)

Allan G. Bense
Speaker

Donald "Don" Brown
Chair

Council Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Allan G. Bense

(AMENDED 12/6/2005 10:33:18AM)

Amended(1)

State Administration Council

Start Date and Time:	Tuesday, December 06, 2005 01:10 pm
End Date and Time:	Tuesday, December 06, 2005 01:50 pm
Location:	Morris Hall (17 HOB)
Duration:	0.67 hrs

Consideration of the following bill(s):

HB 61B CS Elections by Reagan
HB 63B Lobbying by Reagan
HB 65B Public Records and Public Meetings Exemptions for Lobbying by Reagan

NOTICE FINALIZED on 12/06/2005 10:33 by ELLINOR.MARTHA

COUNCIL MEETING REPORT

State Administration Council

12/6/2005 1:10:00PM

Location: Morris Hall (17 HOB)

Attendance:

	Present	*Absent*	*Excused*
Donald Brown (Chair)	X		
Sandra Adams	X		
Ellyn Setnor Bogdanoff	X		
Mary Brandenburg	X		
Audrey Gibson	X		
Wilbert Holloway	X		
Stan Jordan	X		
Jeffrey Kottkamp	X		
Ron Reagan	X		
Totals:	**9**	**0**	**0**

Committee meeting was reported out: Tuesday, December 06, 2005 2:33:56PM

COUNCIL MEETING REPORT

State Administration Council

12/6/2005 1:10:00PM

Location: Morris Hall (17 HOB)

HB 61B CS : Elections

X *Favorable -*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Mary Brandenburg	X				
Audrey Gibson	X				
Wilbert Holloway			X		
Stan Jordan	X				
Jeffrey Kottkamp	X				
Ron Reagan	X				
Donald Brown (Chair)	X				
	Total Yeas: 8	**Total Nays: 0**			

Committee meeting was reported out: Tuesday, December 06, 2005 2:33:56PM

COUNCIL MEETING REPORT

State Administration Council

12/6/2005 1:10:00PM

Location: Morris Hall (17 HOB)

HB 63B : Lobbying

X *Favorable -*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Sandra Adams	X				
Ellyn Setnor Bogdanoff		X			
Mary Brandenburg	X				
Audrey Gibson		X			
Wilbert Holloway		X			
Stan Jordan	X				
Jeffrey Kottkamp	X				
Ron Reagan	X				
Donald Brown (Chair)	X				
	Total Yeas: 6	**Total Nays: 3**			

Appearances:

Lobbying
Richard Pinsky (Lobbyist) - Opponent
811 Forest Hill Blvd.
West Palm Beach FL 33405
Phone: 561-386-1992

Committee meeting was reported out: Tuesday, December 06, 2005 2:33:56PM

COUNCIL MEETING REPORT

State Administration Council

12/6/2005 1:10:00PM

Location: Morris Hall (17 HOB)

HB 65B : Public Records and Public Meetings Exemptions for Lobbying

[X] *Favorable With Committee Substitute -*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Mary Brandenburg		X			
Audrey Gibson	X				
Wilbert Holloway		X			
Stan Jordan	X				
Jeffrey Kottkamp	X				
Ron Reagan	X				
Donald Brown (Chair)	X				
	Total Yeas: 7	**Total Nays: 2**			

Committee meeting was reported out: Tuesday, December 06, 2005 2:33:56PM

COUNCIL MEETING REPORT

State Administration Council

12/6/2005 1:10:00PM

Location: Morris Hall (17 HOB)

Summary:

State Administration Council

Tuesday December 06, 2005 01:10 pm

HB 61B CS	Favorable	Yeas:	8	Nays:	0
HB 63B	Favorable	Yeas:	6	Nays:	3
HB 65B	Favorable With Committee Substitute	Yeas:	7	Nays:	2

Committee meeting was reported out: Tuesday, December 06, 2005 2:33:56PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 63B

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	✓	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

Fail

Council/Committee hearing bill:

Representative(s) Bogdanoff offered the following:

Amendment (with directory and title amendments)

Delete everything after the enacting clause and insert:

Section 1. Section 11.0451, Florida Statutes, is created to read:

11.451 Lobbying before the Legislature -

Each member of the Legislature shall maintain and file a report with the division for each calendar quarter. The report shall be cumulative for the term of office and include all lobbying expenditures accepted, excess of 10 dollars directly or indirectly, including any in-kind lobbying expenditure, and the principal or lobbyist from which it was received. At the time of accepting such expenditure, the recipient must place a value on such expenditure, which valuation shall be the fair market value of such expenditure. For the purposes of this section, any subsistence with a value above the amount allowed under 112.061(6)(b) shall be considered a lobbying expenditure.

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CA_Am_to_HB

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22
23
24
25
26 ========== D I R E C T O R Y A M E N D M E N T =========
27 Remove line(s) and insert:
28
29
30 ================ T I T L E A M E N D M E N T ============
31 Remove line(s) and insert:
32

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. ~~61b~~ 63B

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	✓	(Y/N)
OTHER	____	

W/D

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1 Council/Committee hearing bill:
2 Representative(s) Bogdanoff offered the following:
3
4 Amendment (with directory and title amendments)
5 Delete lines 8-10 and insert:
6
7 Section 1. Subsections (4) and (6) of section 106.08,
8 Florida Statutes, is amended to read:
9
10 (4)(a) Except as provided in paragraph (b), any candidate
11 required to dispose of funds pursuant to this section shall, at
12 the option of the candidate, dispose of such funds by any of the
13 following means, or any combination thereof:
14 1. Return pro rata to each contributor the funds that have
15 not been spent or obligated.
16 2. Donate the funds that have not been spent or obligated
17 to a charitable organization or organizations that meet the
18 qualifications of s. 501(c)(3) of the Internal Revenue Code.
19 3. Give not more than $10,000 of the funds that have not
20 been spent or obligated to the political party of which such
21 candidate is a member, except that a candidate for the Florida

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lobying strike all

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 Senate may give not more than $30,000 of such funds to the
23 political party of which the candidate is a member.
24 4. Give the funds that have not been spent or obligated:
25 a. In the case of a candidate for state office, to the
26 state, to be deposited in either the [1]Election Campaign Financing
27 Trust Fund or the General Revenue Fund, as designated by the
28 candidate; or
29 b. In the case of a candidate for an office of a political
30 subdivision, to such political subdivision, to be deposited in
31 the general fund thereof.
32 c. In the case of a candidate elected to office or a
33 candidate who will be elected to office by virtue of his or her
34 being unopposed, be deposited in a campaign depository
35 designated for that candidate pursuant to s. 106.021.
36 (b) Any candidate required to dispose of funds pursuant to
37 this section who has received contributions from the [1]Election
38 Campaign Financing Trust Fund shall return all surplus campaign
39 funds to the [1]Election Campaign Financing Trust Fund.
40
41 ========== D I R E C T O R Y A M E N D M E N T ==========
42 Remove line(s) and insert:
43
44
45 ========== T I T L E A M E N D M E N T ==========
46 Remove line(s) and insert:
47

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lobying strike all

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **65B**

COUNCIL/COMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	____	

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1 Council/Committee hearing bill: State Administration Council
2 Representative Reagan offered the following:
3
4 **Amendment**
5 Remove line(s) 36 - 62 and insert:
6 reflects a violation of the reporting laws. This paragraph is
7 subject to the Open Government Sunset Review Act in accordance
8 with s. 119.15 and shall stand repealed on October 2, 2011,
9 unless reviewed and saved from repeal through reenactment by the
10 Legislature.
11 Section 2. The Legislature finds that it is a public
12 necessity that records relating to an audit of a lobbying firm
13 lobbying the executive branch or the Constitution Revision
14 Commission or an investigation of violations of the lobbying
15 compensation reporting laws for the executive branch or the
16 Constitution Revision Commission be made confidential and exempt
17 from public records requirements and that meetings held pursuant
18 to such an investigation or at which such an audit is discussed
19 be made exempt from public meetings requirements until the
20 alleged violator requests in writing that such records and
21 meetings be made public or the Commission on Ethics determines

22 there is probable cause that the audit reflects a violation of
23 the reporting laws. The disclosure of such records could injure
24 a lobbying firm in the marketplace by providing its competitors
25 with detailed insights into the financial status of the firm,
26 thereby diminishing the advantage that the lobbying firm
27 maintains over those who do not possess such records. Disclosure
28 would create an economic disadvantage for the lobbying firm. In
29 addition, the public release of such records through either a
30 public records request or a public meeting could cause
31 unwarranted damage to the good name and business reputation of a
32 lobbying firm if a violation of the reporting laws