



FLORIDA AFL-CIO
UNITED LABOR LOBBY



LEGISLATIVE UPDATE

2008 FLORIDA LEGISLATURE

April 4, 2008

Issue 4

The Death of the Citizen's Initiative Process: "by a Thousand Paper Cuts"

Big Business has Made Florida's Constitution the Hardest for the People to Amend in the nation....now they want to make it impossible.

The Florida Chamber of Commerce's six-year war on Article XI, Section 3 of the Florida Constitution, the right of Florida's citizens to amend their Constitution through citizen's initiatives, continues this session with the filing of these two bills. They just can't get over the fact that a real grassroots effort put a new state minimum wage (indexed to inflation the wage doesn't once again become a slave wage) in the constitution so they want to get rid of the process. The Florida AFL-CIO has been one of the strongest champions to protect this basic right of all Floridians; a right that is at the heart of our democracy. It is the embodiment of one of the most fundamental rights we enjoy as Americans, the right to petition our government for the redress of our grievances. This basic right has never been more important than it is now, in an age when wealthy special interests have a complete lock on power in the Capitol and use that power to increase their profits, regardless of the toll it takes on the quality of life of our residents. The Florida Chamber and other big business groups and their allies in the Legislature have long known that they could not simply eliminate this important right, the voters would not stand for it. Instead, they have been working the "death by a thousand paper cuts" strategy, weakening the process to the point where true citizen's groups can't use it. Only those with big money and big power would be able to navigate their new complex, expensive and nearly impossible process. **They have had great success, and now, Florida's constitution is the hardest to amend in the nation amongst those states with an initiative process. SB 2340** by Senator Posey and **HB 903** by Representatives Dorworth and McBurney are designed to put the final nail in the coffin. The *right* to amend the constitution through the ballot initiative will still exist, but the process will be so difficult and so expensive, that only the wealthy and powerful special interests will be able to use it...the same groups who already control the legislative process.

These bills would create a complicated and expensive registration process for any signature gatherer who is paid by the group sponsoring the initiative. It would be nice if everyone could do this work as volunteers, but the incredibly high number of signatures required, the size of the state and the new February 1st deadline make it necessary for even the largest of volunteer organizations (like the American Cancer Society) to use paid gatherers. This new registration requirement will price real citizen's groups out of the citizen's initiative process. Wealthy groups like The Florida Chamber of Commerce will still be able to participate, but of course, they don't have to since they already control the Florida Legislature.

To make matters worse, these bills will also create yet another loophole through which powerful groups can manipulate the process to **disenfranchise hundreds of thousands of voters**. Currently, there is a large laundry list of requirements for petition forms and the process of gathering signatures. If any one of these requirements is violated, the punishment is to discard the signature – whether it is valid or not! Since most voters know that they can only sign a petition once, their voice was just silenced. These bills add to that laundry list. **If any mistakes are made in the registration process, or if a registration number is faked, the voter pays the penalty, not the person who committed the fraud because their otherwise valid signature is tossed!**

continued on page 2

That is the real goal of these bills. The Florida Chamber of Commerce and others are currently spending millions of dollars to look at each and every signed petition so that they can find technical mistakes, kick out the signature, and keep things they don't like off the ballot. If these bills had been in effect years ago, we would have never had requirements for smaller class sizes, universal pre-K, a state minimum wage, the Everglades restoration trust and many more. **This proposal will certainly keep the ongoing initiative campaign for fair redistricting off the ballot.**

This issue is especially important now. If any of the misguided tax schemes currently being proposed by the Taxation and Budget Reform Commission passes muster in November it will be a disaster of epic proportions. The Legislature, for the most part, will support disaster since the majority of the leadership supports the idea of shrinking government at all costs, regardless of the little people hurt in the process. The people will be the only group with the will to respond and we will need the citizens' initiative to do that.

SB 2340 passed the Senate Ethics and Elections Committee on April 1st along a party line vote. Its next stop is the Senate Judiciary Committee. HB 903 also passed the House Economic Expansion and Infrastructure Council on April 1st, also on a party line with Democrats opposing the measure and Republicans in favor. Its next stop is the House floor.

A broad coalition including the Florida AFL CIO, League of Women Voters, Common Cause, Florida PIRG, the American Cancer Society and the Sierra Club are working hard to defeat this measure. **Please keep an eye out for alerts on this issue and help us by taking action when called.**

In Memory - God Bless Dr. Martin Luther King Jr.
January 15, 1929 – April 4, 1968

It was 40 years ago on April 4th that Dr. King was assassinated in Memphis while helping AFSCME Local 1733 members during a sanitation strike and exactly 1 year after his famous speech at the New York City Riverside Church linking the struggle for civil rights, workers' rights and ending the war in Vietnam. Dr. King was a true champion of the labor movement because his efforts were for all people fighting for their basic rights and dignity regardless of their race. Now, in 2008, when workers are struggling to maintain 50 years of hard fought gains, racism is still alive and well and we are mired in a seemingly unending war started for dubious reasons, we need to remember his leadership and his example more than ever.





Messages From the Front Lines

News from the Trenches of the Florida Legislature

Restoring the Career Service System – SUPPORT

SB 2202 by Dean

HB 887 by Coley

The legislation designed to return some basic fairness, security and respect to Florida's once celebrated Career Service system continues to advance in the Florida Legislature. Over the years, our once heralded career service system has been chipped away, and now many of our state workers find themselves in environments where career advancement is based on patronage rather than hard work. Discipline and workplace standards are unfair and inconsistent. This legislation will make non-economic changes to the career service system to help create an environment where quality work is rewarded and workers are treated more fairly.

This is a high priority for AFSCME and the United Labor Lobby. SB 2202 passed the Senate Judiciary Committee on April 1st, no foolin. Its next stop is the Senate Committee on General Government Appropriations. HB 887 passed the House Committee on State Affairs on April 2nd, and is now headed to the Governmental Efficiency and Accountability Council.

Crane Operator Certification – SUPPORT

SB 1316 by Gaetz

HB 609 by Evers

Despite news reports of the housing slump, commercial construction is still happening all over the state. Travel to just about any city in the state and you will see a horizon dotted with tower cranes. Now, imagine many of those cranes being operated by people who have no certification of competency to use those extremely dangerous machines. Unfortunately, in many cases that is exactly what is happening. Currently, Florida does not require any certification of competency for the workers operating those tower cranes. Heavy equipment/crane employers and the Florida locals of the International Union of Operating Engineers (IUOE) have recognized the need for certification for safety, efficiency and to ensure the job is done right. These bills require that certification process. Recent crane disasters in New York and Miami make this issue especially relevant right now. **SB 1316 passed the Senate Regulated Industries Committee back on March 11th but has been languishing in the Senate Community Affairs committee ever since. HB 609 passed the House Jobs and Entrepreneurship Council on April 1st and is heading to the House floor.**

Expanding Vouchers – OPPOSE

SB 1440 by Gaetz, Lawson, King, Storms, Baker, Crist, Posey, Oelrich, Saunders, Fasano, Peaden, Siplin, Wise, Bennett, Dockery, Haridopolos, Alexander

HB 653 by Traviesa, Carroll, Chestnut, Fields, Ford, Frishe, Holder, Homan, Hudson, Kreegel, Long, McKeel, Nehr, Peterman, Schenck, Snyder, Weatherford, Zapata

The drive to expand Florida's voucher programs continue. These bills will take an additional \$150 million from our public schools over the next five years and give those funds to private corporations so that they can hand out private school vouchers. This is disgusting in light of the fact that our public school budgets are on the chopping block due to the budget crisis. Pay special attention to the list of sponsors above and notice that some of our so-called Democratic friends are currently listed.

SB 1440 passed the Senate Finance and Tax Committee with a party line vote of 3-2. HB 653 passed the House Policy and Budget Council and appears headed for the floor. There are still Democrats in both chambers saying they support this legislation. Contact your state Representative and Senator and make sure they know your opposition to giving away more public education money to private schools.

Commissioner of Education / Board of Governors - WATCH

SJR 2308 by Carlton, Wilson, Bullard, Gaetz

HJR 7025 by Pickens

Years of a brutal ideological assault by the past administration have left our public education system with real challenges. In order to meet those challenges, we need a clear leader who is accountable to the people of our state, not to the Governor.

(continued on page 4)

(Messages continued)

These bills would place a proposed amendment on the ballot to recreate the office of Commissioner of Education, make it a cabinet position and ensure that the holder of that office is accountable to the electorate. This is a change that the Florida AFL-CIO and the United Labor Lobby fully support. SJR 2308 and HJR 7025 also add a provision that would eliminate appointed State of Board of Education and return the duties of managing Florida's public to the Florida cabinet which will include the new Commissioner of Education. One potentially problematic issue included in SJR 2308 and HJR 7025 is the elimination of the State Board of Governors (BOG), which has been constitutionally empowered to manage the Florida State University System. In 2002, in response to Governor Jeb Bush's elimination of the independent Board of Regents, former Governor and U.S. Senator Bob Graham pushed through a citizen's initiative to create the BOG to have an independent body to supervise the system. The BOG recently has clashed with the Legislature as it has sought through a lawsuit to assert its authority to raise tuition to offset massive budget cuts to the system. Florida currently ranks 50th in the nation for higher education spending. There are serious concerns over losing this independent, constitutionally empowered body. One of those is that AFSCME and the United Faculty of Florida were forced to spend incredible resources to recertify their bargaining units at the universities because of the change. There is some concern that this new change would lead to more chaos and problems for those workers. SJR 2308 passed the Senate on March 27th with a 33-4 and is currently in House Messages. If the measure passes the House and makes it to the ballot, the Florida AFL-CIO will work with both AFSCME and the Florida Education Association to articulate our position on the amendment.

2008 Endorsing Convention

Are you Gonna Be There?

Spring is in the air and so is election fever! We have been getting numerous calls about our 2008 Endorsing Convention so here's the basics. The Convention will be held



June 20-22 at the beautiful Hilton Cocoa Beach Oceanfront, Cocoa Beach. Credentials packages and all of your registration materials will be mailed to your local by April 22nd. There will be a plethora of candidates and other speakers as well as the Candidate Reception and Solidarity Breakfast. The decisions we make during this convention will be critical to our success in November so please make every effort to attend and be a part of the process.

Besides...the beach is incredible.



Have You Checked Us Out on The Web Recently?

Slowly but surely we have been adding to the features and functions of the Florida AFL-CIO website. By navigating through the top buttons at www.flafcio.org you can:

- ◆ Get copies of all of our recent publications including our Legislative Updates, Solidarity in the Sunshine, press releases and Legislative Alerts.
- ◆ Subscribe to the *E Messenger* electronic newsletter and sign up to be a part of our E Activist network so that you can easily speak out about issues important to our movement.
- ◆ Find out details about upcoming events and Conventions.
- ◆ A new feature allows you to view photo galleries of recent events under the "About" button at the top of the page.

Check us out at www.flafcio.org and tell us what you think, your input is important!

