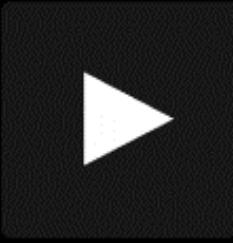


Florida State Association of Supervisors of Elections

Annual Conference 2016

How a Bill Became a Law





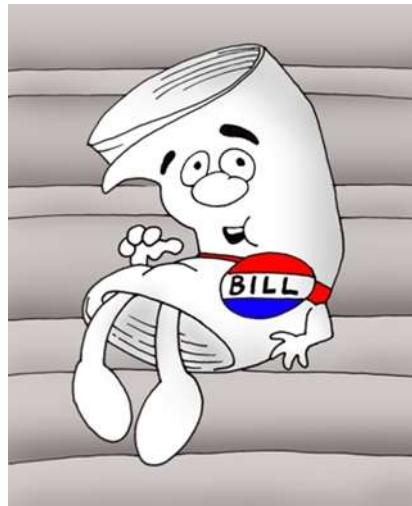
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“The Bill” is SB 314, now Ch. Law 2016-157: Supervisor of Elections Salaries

The bill revises base rate and group rate used to calculate additional compensation for supervisor of elections based on population increments.

In other words,
as of Oct. 1, 2016,
you’re getting a
raise!



CHAPTER 2016-157

Committee Substitute for Committee Substitute for Senate Bill No. 514

An act relating to supervisor of elections salaries; amending s. 145.09, F.S.; revising the base salaries and group rates used to calculate additional compensation for a supervisor of elections based on population increments; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 145.09, Florida Statutes, is amended to read:

145.09 Supervisor of elections.—

(1) Each supervisor of elections shall receive as salary the amount indicated, based on the population of his or her county. In addition, a compensation shall be made for population increments over the minimum for each population group, which shall be determined by multiplying the population in excess of the minimum for the group times the group rate.

Pop. Group	County Pop. Range Minimum	Base Salary	Group Rate
I	-0-	\$21,250 \$17,228	\$0.07875 \$0.075
II	50,000	24,400 20,228	0.06300 0.060

How the Bill *Really* Became a Law

Senator Garrett Richter, Chair of the Senate Committee on Ethics and Elections was chosen as bill sponsor.

Senator Richter, the Senate *President pro Tempore*, is a friend of fellow Naples resident, Governor Rick Scott, who would sign or veto a bill.



Senator Richter filed SB 514 on October 12, 2015.

The bill was then referred to 3 committees for hearings.

SB 314 passed its first committee—*his*—unanimously on November 17, 2015.

How the Bill *Really* Became a Law

Rep. Frank Artiles, whose Miami district would not be affected by a change in salaries for Supervisors of Elections, was also chosen as bill sponsor and filed his House companion bill, HB 355 on Oct. 12, 2015.



The House bill was referred to four committees for hearings.

The bill passed the Local Government Affairs Subcommittee on Nov. 18, 2015, but would not be heard in the House again for 2 months.

And Then There was Session

- In the House, the bill was added late on Friday afternoon, January 22, to the Government Operations Subcommittee agenda
- Government Ops Chairman Michael Bileca (R-Miami) did not want to hear the bill, and had actively been lobbying Leadership and his own subcommittee members to not support HB 355.
- He scheduled the hearing for four days later, at 9:00 a.m. on Tuesday, January 26, 2016.
- We worked continuously over that four days to round up committee votes, knowing the Chair was working against us.

Not a Pretty Dance

On Tuesday morning, 17 bills were scheduled to be heard in a 2-hour meeting.

HB 355 was heard first. After 30 minutes of intense debate by members of both parties, a vote was taken. The bill was defeated by a vote that split the caucuses, 6 Yeas to 7 Nays.

HB 355 was effectively dead.

End Date and Time : Tuesday, January 26, 2016 11:00 AM
Location : Webster Hall (212 Knott)
Duration : 2.00

Consideration of the following bill(s):
CS/HB 355 -- Supervisor of Elections Salaries
HB 371 -- Florida Council on Poverty
HB 425 -- State-leased Space
CS/HB 475 -- Public Records/Identity of Witness to a Murder
HB 513 -- Florida Holocaust Memorial
HB 533 -- Arthur G. Dozier School for Boys
HB 587 -- Public Records/Agency Inspector General Personnel
HB 593 -- Government Accountability
HB 643 -- Pub. Rec./Department of Agriculture and Consumer Services
HB 911 -- City of Delray Beach, Palm Beach County
HB 1033 -- Information Technology Security
HB 1037 -- Public Records/State Agency Information Technology Security
HB 1195 -- Technology
HB 4049 -- Scrutinized Companies
HB 4065 -- Duties of the Legislative Auditing Committee

- Republicans said that officials in the public sector are paid too much already. In particular, the average pay raise of \$8 to \$13 thousand for a “part time” worker is not warranted, they said.
- Democrats complained that DCF workers and other deserving state employees would be left out of a pay raise under the bill.



Some members even suggested that instead of raising Supervisors' pay, that the bill should lower the pay of the other Constitutional officers to provide pay parity!

The Choreography

Arguments we made to address members' concerns, including the increasing complexity of elections and number of days of people actually voting – even when we reminded members of the international attention Florida received during the 2000 elections– did not move those who opposed us.

Members voted the way they'd been instructed.



The Chairman ended debate by saying he would vote no because “it would look like we are just hooking up fellow elected officials.”

The Dance

But suddenly, with 3 minutes left until the committee's scheduled end, a quiet request from the left side of the dais was made to "reconsider the vote by which HB 355 passed." The member posing the question had recently excused himself to take a phone call and made his request just as the committee was swiftly moving to hear the last two bills.

The “Reconsidered” Vote

- The actual motion to reconsider the vote narrowly passed, by a reverse vote of 7 Yeas to 6 Nays, with the sponsor of the motion, Rep. John Cortes (D-Kissimmee) flipping his vote.
- Another minute of discussion ensued, when one of the opponents finally signaled that “we know where this is going, so let’s just call for a vote.”
- All of the original supporters stayed with us when the final vote, effectively resurrecting the bill, was taken.

Bill Number: 0355

Bill Name: CS/CS/HB 355

Action: Favorable With Committee Substitute

Committee: Government Operations Subcommittee

Location: Webster Hall (212 Knott)

Duration: 2.00

Date: 1/26/2016 9:00:00 AM

Sponsor: Artiles (CO-SPONSORS) Van Zant;

Subject: Supervisor of Elections Salaries

N Bileca

Y Cortes, J.

Y Fant

N Grant

N Ingoglia

N Narain

N O'Toole

Y Rader

Y Roberson, K.

Y Santiago

N Smith

Y Taylor

Y Trumbull

Total Yeas: 7 **Total Nays:** 6 **Total Missed:** 0 **Total Votes:** 13

Smooth Sailing in Remaining Committees

Bill Number: 0355

Bill Name: CS/CS/HB 355

Action: Favorable

Committee: Local & Federal Affairs Committee

Location: Webster Hall (212 Knott)

Duration: 3.00

Date: 2/9/2016 11:30:00 AM

Sponsor: Artiles (CO-SPONSORS) Van Zant;

Subject: Supervisor of Elections Salaries

Y Ahern

Y Campbell

- Hill

Y Pritchett

- Santiago

Y Baxley

Y Combee

Y Jacobs

Y Rader

Y Smith

Y Broxson

Y DuBose

- Mayfield

Y Ray

Y Van Zant

Y Burgess

Y Eisnaugle

Y McGhee

Total Yeas: 15

Total Nays: 0

Total Missed: 3

Total Votes: 18



Senate Bill Had Support

Throughout the rest of January and February, both the House and Senate bills moved seamlessly through committee hearings.

2016 Regular Session

**The Florida Senate
COMMITTEE VOTE RECORD**

COMMITTEE: Fiscal Policy
ITEM: CS/CS/SB 514
FINAL ACTION: Favorable
MEETING DATE: Wednesday, February 10, 2016
TIME: 10:30 a.m.—12:00 noon
PLACE: 412 Knott Building

FINAL VOTE		SENATORS		
Yea	Nay		Yea	Nay
		Abruzzo		
X		Bean		
X		Clemens		
X		Hays		
X		Hukill		
X		Legg		
X		Margolis		
X		Sachs		
X		Stargel		
X		Bradley, VICE CHAIR		
X		Flores, CHAIR		

And the There was the Senate Floor

- At the end of February, SB 514 was placed on the Special Order Calendar to be heard by the full Senate on March 2.
- The bill was read a 3rd time and passed, against Senate President Andy Gardiner's wishes, on March 3.



Three other Senators spoke against the bill on the Floor and voted against it.

CS/CS/SB 514
Third Reading

Yees - 36

Nays - 4

Not Voting - 0

Presiding - President Gardiner

Y Abruzzo-25	Y Gaetz-1	Y Negron-32
Y Altman-16	Y Galvano-26	Y Richter-23
Y Bean-4	Y Garcia-38	Y Ring-29
Y Benacquisto-30	Y Gibson-9	Y Sachs-34
Y Bradley-7	Y Grimsley-21	Y Simmons-10
Y Brandes-22	Y Hays-11	Y Simpson-18
Y Braynon-36	N Hukill-8	Y Smith-31
Y Bullard-39	N Hutson-6	Y Sobel-33
Y Clemens-27	Y Joyner-19	Y Soto-14
Y Dean-5	Y Latvala-20	Y Stargel-15
Y Detert-28	Y Lee-24	Y Thompson-12
Y Diaz de la Portilla-40	N Legg-17	N President Gardiner-13
Y Evers-2	Y Margolis-35	
Y Flores-37	Y Montford-3	

Indication of Vote Preference:

March 07, 2016: Yea to Nay—Hays

And Then There was the House

- The House took up their HB 355 and laid it on the Table on March 7th.
- They substituted what was then referred to as a “committee substitute” bill, or CS/CS/SB 514 and read it twice.
- Intense debate from members from both parties went on for 40 minutes.
- The bill was rolled over to third reading.



At 3:07 p.m. on March 8, the full House voted after 35 minutes of debate, **58 YEAS to 54 NAYS** – again splitting both the Democratic and Republican caucuses.

The vote was the closest on any bill during the entire 2016 Session.



The bill was immediately certified and Session ended *sine die*, on March 11th.



In the Governor's Court Now

- The Governor received SB 514 on the Ides of March (3/15/16).
- He took his full 15 days before deciding whether or not to sign the bill, veto it or let it become law without his signature. Our bill became a Law on March 31st!



CHAPTER 2016-157

Committee Substitute for Committee Substitute for Senate Bill No. 514

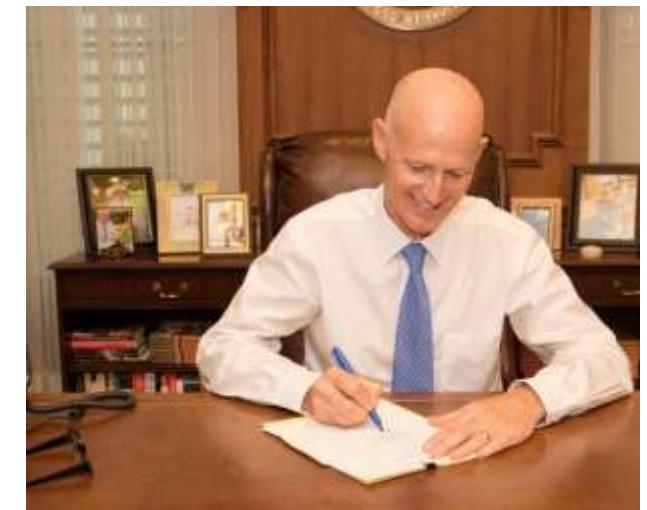
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Thank You

David E. Ramba, Esq.

