

# 2020 Legislative Session

## Weekly Brief

*Updated – 1/24/2020*

*This list is preliminary and is neither exclusive nor exhaustive but represents our positions on some of the priority bills that have been filed to date and may see activity this session. Activity listed in **bold** occurred since the last briefing update.*

### **Employee Organization Dues and Uniform Assessments (Union Busting)**

#### **SB 804 by Brandes / HB 1 by Grant**

**OPPOSE**

Some leaders in the Florida Legislature have cooked up a new scheme to attack the unions representing our teachers, state and municipal workers, law enforcement officers, firefighters, and other public sector workers. The bill is similar to policies that have been enacted in Alaska (although currently being blocked by court order) to change the ways in which union dues are collected. These changes rely on an overly broad interpretation of the landmark “Janus” ruling by the Supreme Court. This ruling banned the collection of agency fees (fees used exclusively to pay for the costs of collective bargaining) from non-union members of the bargaining unit. **SB 804 will make it far more difficult for new members to join the union and for the union to collect dues from current members.**

- One of the most burdensome aspects of the bill is that after the employer receives a signed dues authorization; deductions would not start until the employer goes on to “confirm with the employee, electronically or by other means, that he or she authorized the deduction of dues and uniform assessments.” This puts the employer in charge of the dues authorization process for the first time in history.
- SB 804 would require dues authorizations to be renewed annually, meaning the union/employer would have to chase down re-authorization forms from members who have no intention of leaving the union.
- The bill also requires dues authorizations to include the following non-neutral language in bold letters and at least a 14-point type meant to discourage current and potential members from joining.

*“I acknowledge and understand that I have a First Amendment right, as recognized by the United States Supreme Court, to refuse to join or financially support a union, that union membership and payment of union dues and uniform assessments are voluntary, and that I may not be discriminated against in any manner should I refuse to join or financially support a union.”*

#### **SB 804**

11/21/19 - Referred to Governmental Oversight and Accountability; Community Affairs; Rules

#### **HB 1**

01/17/20 - Referred to Oversight, Transparency & Public Management Subcommittee; State Affairs Committee / **Favorable by Oversight, Transparency & Public Management Subcommittee; 9 Yeas, 5 Nays / Now in State Affairs Committee**

### **Preemption of Conditions of Employment**

#### **SB 1126 by Gruters / HB 305 by Rommel**

**OPPOSE**

This is familiar legislation that we have seen repeatedly over the past several years. These bills will ban any local ordinance or regulation that has anything to do with “conditions of employment.” At this time, wages and benefit requirements are already preempted to the State, so the effects of this massive expansion of the preemption are unclear and we are working with many allies to determine the negative consequences. We do know that the bills will reverse years of progress made by the Labor Movement and our allies on issues such as wage theft, civil rights protections, and local economic development. The broad scope of the language in these bills would most likely lead to additional conditions that are not favorable to local governments who are trying to improve the conditions for workers in their jurisdiction and engage in responsible economic development.

#### **SB 1126**

12/13/19 - Referred to Governmental Oversight and Accountability; Community Affairs; Rules

#### **HB 305**

10/16/19 - Referred to Workforce Development & Tourism Subcommittee; Local, Federal & Veterans

Affairs Subcommittee; Commerce Committee / Favorable by Workforce Development and Tourism Subcommittee; 9 Yeas, 5 Nays / Now in Local, Federal & Veterans Affairs Subcommittee

### **Weakening of Local Licensing**

**SB 890 by Perry / HB 1161 by Plakon**

**OPPOSE**

This legislation would mandate that any jurisdiction (County, City) must accept an active license for an individual's work in the scope of that license from another jurisdiction. Currently, one county may be able to impose higher standards to obtain a work license than another county, and this legislation would make that impossible. If these bills pass, individuals looking to perform construction work (with limitations outlined in the bill) would be able to "jurisdiction shop" to find the place with the lowest standards. That individual could then use that license, obtained under the low standards, to perform work in any county they'd like. Local governments would not be able to adhere to the high standards their communities' demand. This is a major move to "de-skill" the construction industry that puts skilled craftsmen and their consumers at risk.

#### **SB 890**

11/21/19 - Referred to Innovation, Industry, and Technology; Community Affairs; Rules / **On Committee agenda - Innovation, Industry, and Technology, 01/27/20, 1:30 pm, 110 S**

#### **HB 1161**

1/13/20 - Referred to Business & Professions Subcommittee; Government Operations & Technology Appropriations Subcommittee; State Affairs Committee

### **Preemption of Local Occupational Licensing**

**SB 1336 by Perry / HB 3 by Grant**

**OPPOSE**

Local governments play a critical role in protecting consumers and creating a level playing field for business owners through their ability to create requirements for local occupational licensees. This legislation would eliminate the ability of local governments to fulfill this important function. This legislation threatens consumers by allowing underqualified individuals to participate in a wide range of trades and professions and make a truly competitive business climate impossible by forcing highly trained, competent business owners to compete with "fly-by-night" unscrupulous businesses who have inferior training, experience or a poor track record of dealing fairly with their customers. These could prove to be some of the most impactful bills filed this session, and should they pass, they would radically alter Florida's quality of life for workers and consumers.

#### **SB 1336**

01/08/20 Referred to Community Affairs; Innovation, Industry, and Technology; Rules / **On Committee agenda - Community Affairs, 01/27/20, 4:00 pm, 301 S**

#### **HB 3**

12/16/19 Referred to Business & Professions Subcommittee; State Affairs Committee; Commerce Committee / Favorable with CS by Business & Professions Subcommittee; 12 Yeas, 2 Nays / Reference to State Affairs Committee removed; Remaining reference: Commerce Committee

### **Education – Funding. School Privatization. Instructional Personnel Salaries**

**SB 1400 by Diaz**

**OPPOSE/WATCH**

This is another massive education omnibus bill that rolls many education policies into a single package. While there are money problematic elements to this bill, it is widely believed that this is a starting point for what may be very constructive conversations about education policy and funding for the 2020 Session. Here are some current concerns with the legislation as filed:

- SB 1400 creates yet another failed bonus scheme to reward teachers while failing to address the reasons Florida faces a teacher shortage crisis in the first place.
- Educators need salary increases they can count on, not bonuses. They can't count on a bonus when applying for a home loan or qualifying for low-interest rates on a car loan. They can't budget their families' finances on whether the legislature will give them a bonus one year and not the next. Bonuses are taxed higher and do not count towards an educator's retirement.
- SB 1400 violates collective bargaining rights, the right of school boards to set wages, terms, and working conditions for employees, by setting a minimum base annual salary for teachers to \$47,500.
- Setting a minimum annual salary does nothing to help more than 40% of teachers who already

make more than \$47,500. Teachers with the most experience will see the smallest raises if they are eligible for a raise at all.

- By singling out only classroom teachers for a minimum salary increase, SB 1400 fails to recognize all other educators who serve a vital role in helping students learn who would not be included in receiving a much-needed raise. This includes our reading and other instructional coaches, pre-kindergarten teachers, school guidance counselors, media specialists, social workers, behavioral coaches, speech-language therapists, and special education resource teachers. It also fails to address the critical shortage in our bus drivers, janitorial staff, cafeteria workers and others who work hard every day ensuring that students arrive at school safe and on time, who keep our schools clean and safe, and who ensure kids are getting the nutrition they need to learn.

- Instead of setting a minimum salary schedule, SB 1400 should ensure that funds are appropriated to the Base Student Allocation, or establish a categorical in the education budget, to be funded at a level that ensures that salary schedules for all educators and education staff professionals can be increased sufficiently to meet critical shortage areas and to recruit and retain our educators.

- SB 1400 expands the eligibility for Tax Credit Vouchers to 300% of the federal poverty level. This will allow middle-income families, who can already afford private school, to receive taxpayer funding for private education.

This legislation will be a major focal point this session, and we will need a great deal of advocacy around this bill and education policy as a whole this session.

#### **SB 1400**

01/13/20 Referred to Education; Appropriations Subcommittee on Education; Appropriations

#### **Destroying the Citizen's Initiative Process**

**SB 1794 by Hutson / HB 7037 (formerly PCB JDC 1) by House Judiciary, Grant** **OPPOSE**

Last year, the Florida Legislature resumed a fifteen-year push by the big business lobby to shut down the Citizen's Initiative process for amending the state Constitution. Between 2004 and 2008, over 100 bills were filed to place legal barriers in place to block initiatives from getting to the ballot. The time to collect signatures was reduced, the lifespan for the validity of signatures was cut in half, bans were put in place to keep people from collecting signatures in private/public spaces such as shopping centers and more. With proposed amendments in the pipeline to raise the minimum wage, break up the power utility monopolies, expand Medicaid etc., the state's most powerful big businesses have stepped on the gas to put the final nails in the coffin of our last vestige of direct democracy. Last year, a massive package was passed that made it even more difficult for THE PEOPLE to amend the Constitution and these bills are designed to finish the job. This attack has been slow going, methodical and largely off the radar and the people won't know about it because it was never submitted for a vote, rather it has been death from a thousand little paper cuts. Some of the proposals in the bill include:

- Raising the cost of signature verification from \$0.10 to the full cost of the verification by the Supervisors of Elections. This will drive up the costs 10-fold.
- Currently the Supreme Court reviews any initiative for constitutionality when backers have 10% of the total signatures. People don't generally contribute to the campaign until this review is completed. This bill would raise the threshold for review to 50%, killing the prospects for most initiatives.
- Once again, they will shorten the "life-span" of a signature, cutting the time before the signature expires and must be eliminated from the count.

This is another big business sneak attack and if these bills pass, the initiatives on the ballot this year could be the final ones proposed by the people. The Legislature, of course, will still be able to put anything on the ballot they would like.

#### **SB 1794**

01/17/20 Referred to Ethics and Elections; Judiciary; Rules / **On Committee agenda - Ethics and Elections, 01/27/20, 4:00 pm, 412 K**

#### **HB 7037 – Formerly PCB JDC 1**

01/16/20 Favorable by Judiciary Committee; 12 Yeas, 6 Nay / HOUSE Committee Bill Text Filed as H 7037 / **Referred to Appropriations Committee; State Affairs Committee / Now in Appropriations Committee**

## **Public Records & Meetings/Postsecondary Education Executive Search**

**SB 774 by Diaz**

**OPPOSE**

Our university and college presidents and provosts are some of the highest-paid and most powerful unelected public servants in the State. Collectively, these individuals control approximately \$12.8 billion each year in taxpayer funding and billions more in Foundation and other dollars, as well as the jobs of thousands of faculty and staff and the education of our students. In 2014, 2015, 2017 and 2019, the Florida Legislature advanced legislation that would make the hiring processes for these powerful leaders' secret and exempt from Florida's Sunshine Law. This bill will once again try to cast a cloud over what is now a public process. It is vital to the faculty, staff and families we represent that these searches stay in the sunshine.

### **SB 774**

11/21/19 - Referred to Education; Governmental Oversight and Accountability; Rules / **On Committee agenda - Education, 01/27/20, 1:30 pm, 412 K**

## **Firearms on University and College Campuses**

**HB 6001 by Sabatini**

**OPPOSE**

The Florida AFL-CIO does not typically become involved in issues surrounding firearms and the interpretation of the Second Amendment. The one major exception is when these complex issues intersect with the workplace safety of those we represent. This legislation would remove the current restrictions of firearms on our university and college campuses. These places of higher learning are home to thousands of union members, and other workers who deserve safe workplaces and campus law enforcement officials across the state have argued that lifting the current ban on firearms would jeopardize that safety. The labor community has worked together to stop this legislation in the past with bipartisan support.

### **HB 6001**

09/23/19 - Referred to Criminal Justice Subcommittee; Higher Education & Career Readiness Subcommittee; Judiciary Committee

## **Imposing Term Limits on Local School Boards**

**SB 1216 by Gruters / SB 1480 by Book / HB 157 by Sabatini**

**OPPOSE**

In 2018, school privatization advocates on the Constitutional Revision Commission pushed several proposals designed to weaken locally elected school boards, most of which have begun pushing back against the widespread privatization of the schools in their districts, especially in the area of Charter Schools. These included a proposal banning pay for school board members (only rich people can serve), imposed term limits (to get rid of the ones that push back on their agenda) and the elimination of elected School Superintendents (so there is nobody elected to hold the new, unpaid school boards accountable). The one they really wanted was term limits, and it made it through the process but was struck down by the courts because it was bundled to one that was ruled unclear and inaccurate, some Justices even said dishonest. For the second year in a row, the term limit constitutional amendment is back in the Legislature. This one size fits all policy would allow large numbers of voters in some parts of the state to fundamentally change local governments in all parts of the state. The purpose is to weaken school boards by allowing more elections that can be dominated by the huge amounts of cash held by the school privatization industry. Unfortunately, term limits are very popular, especially amongst lower information voters, so many Democrats seem to be supporting this bad proposal.

### **SB 1216**

12/18/19 - Referred to Ethics and Elections; Education; Rules / **On Committee agenda - Ethics and Elections, 01/27/20, 4:00 pm, 412 K**

### **SB 1480**

01/13/20 - Referred to Ethics and Elections; Education; Rules

### **HB 157**

09/23/19 - Referred to PreK-12 Innovation Subcommittee; Oversight, Transparency & Public Management Subcommittee; Education Committee / **Favorable by PreK-12 Innovation Subcommittee; 13 Yeas, 4 Nays / Now in Oversight, Transparency & Public Management Subcommittee**

### **Abolishing the Constitutional Revision Commission (CRC)**

**SB 142 by Brandes / HB 301, HB 303 by Drake**

**SUPPORT**

The CRC is empowered by Florida's Constitution to meet every twenty years to discuss changes to the constitution with the ability to place proposed amendments directly on the ballot for the voters to consider. The CRC is composed of the Attorney General, fifteen appointees from the Governor, nine appointees from the Florida Senate President, nine appointees from the Speaker of the Florida House of Representatives, and three appointees from the Chief Justice of the Florida Supreme Court. For the period of time they are in deliberations, they are almost untouchable and have incredible power. The 2017-2018 CRC was a disaster. The appointees were loyalists to their appointing authority, not experts in critical areas. The rules that were adopted did not allow for adequate public input when they were enforced. Analyses of proposals were not independent and seldom completed in a timely manner, and the entire Commission process became a theater to settle old political scores, not a careful examination of the Constitution. The process was so fraught with problems that it drew bipartisan scorn, and for the second year in a row, some Republicans are now pushing these proposals to ask the voters to remove this powerful, unchecked body from our Constitution.

#### **SB 142**

Referred to Judiciary; Governmental Oversight and Accountability; Favorable by Judiciary; 6 Yeas, 0 Nays; 10/14/19 Favorable by Governmental Oversight and Accountability; 5 Yeas, 0 Nays / Now in Rules

#### **HB 301**

Referred to Civil Justice Subcommittee; State Affairs Committee; Judiciary Committee; Favorable by Civil Justice Subcommittee; Favorable by State Affairs Committee; 23 Yeas, 0 Nays; Favorable by Judiciary Committee; 16 Yeas, 2 Nays / Placed on Calendar, on 2nd reading / Placed on Special Order Calendar, 01/22/20 / **Read Second Time; Read Third Time; Passed (Vote: 93 Yeas / 25 Nays)**

#### **HB 303**

Referred to Civil Justice Subcommittee; State Affairs Committee; Judiciary Committee / Favorable by Civil Justice Subcommittee; 11 Yeas, 1 Nay / Favorable by State Affairs Committee; 23 Yeas, 0 Nays / Favorable by Judiciary Committee; 14 Yeas, 2 Nays / Placed on Calendar, on 2nd reading / Placed on Special Order Calendar, 01/22/20 / **Read Second Time; Read Third Time; Passed (Vote: 96 Yeas / 23 Nays)**

### **Advanced Well Stimulation Treatment (fracking ban)**

**SB 200 by Montford / HB 547 by Fitzenhagen**

**SUPPORT**

Fracking involves injecting millions of gallons of highly-pressurized water, usually mixed with sand and chemicals, deep into the earth to crack the rock and release oil or gas deposits. Another method – known as “matrix acidizing” – involves injecting acidic chemicals into underground rock formations, but at a lower pressure, with the chemicals dissolving the rock (not fracturing it) to release oil and gas. All fracking techniques use a toxic chemical combination and produce large volumes of wastewater. Spills and leaks resulting from the transport, storage, and injection of hazardous chemicals pose a serious threat of contaminating our drinking water and water resources. Nearly 75 percent of chemicals used in fracking have been proven harmful to the skin, eyes, respiratory system, and digestive system. Nearly half of these chemicals also affect the immune, cardiovascular, and brain/nervous system functions, and a quarter cause cancer and congenital disabilities. In Florida, the risks that fracking and fracking-related activities pose to our state's water supplies are too great with very little promise of job creation and energy jobs on fracking sites are much more dangerous than on traditional fields because fracking is almost completely unregulated. The delegates to multiple conventions of the Florida AFL-CIO have voted overwhelmingly to support statewide bans of this dangerous practice. There are many technical details that must be included in a real ban on this shortsighted practice and these bills contain those details.

#### **SB 200**

Referred to Environment and Natural Resources; Innovation, Industry, and Technology; Appropriations; 11/04/19 Favorable by Environment and Natural Resources; 5 Yeas, 0 Nays

#### **HB 547**

11/15/19 Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

### **Special Risk Retirement – Forensic & Other Hospital Workers**

**SB 796 by Book / SB 1178 by Montford / HB 937 by Aloupis**

**SUPPORT**

Forensic Health Care workers help provide medical and humanitarian services for mentally disabled people whose illnesses have forced them into the criminal justice system or to be civilly committed. These patients are some of the most dangerous and difficult to work with. There are hundreds of workers who do their best to ensure that these mental patients are well cared for. These workers are often bitten, spat upon, urinated on, and a whole host of other dangerous types of assaults causing both physical and emotional anguish. Their hard work and dedication protect our safety and the safety of the mentally ill. However, they have never been afforded special risk status when it comes to the calculation of retirement benefits and terms of service. In 2000, managers, supervisors, nurses and other professional personnel were granted special risk status, but the frontline staffers, those who have the most contact with these patients, were not. This bill would correct this serious injustice.

#### **SB 796**

11/21/19 Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on Health and Human Services; Appropriations

#### **SB 1178**

12/18/19 Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

#### **HB 937**

1/03/20 Referred to Oversight, Transparency & Public Management Subcommittee; Appropriations Committee; State Affairs Committee

### **Special Risk Retirement – Sewer, Water, Public Works**

**HB 785 by Rodriguez**

**SUPPORT**

Workers who construct, service, and maintain sewer and water infrastructure across the state operate in very hazardous conditions. They are routinely exposed to toxic chemicals, explosive materials, and substances that could cause disease and death. The Special Risk retirement system was established to provide an extra layer of financial protection for public servants who do dangerous jobs, and those protections should be afforded to this group of workers.

#### **HB 785**

12/16/19 Referred to Oversight, Transparency & Public Management Subcommittee; Appropriations Committee; State Affairs Committee

### **Protecting Public Transit Operators**

**SB 1416 by Perry / HB 951 by Beltran**

**SUPPORT**

Recent events and news reports indicate that assaults and other risks to our public safety officers are on the rise. This legislation would require that transit companies and local governments post notices that outline to serious legal consequences of harming transit operators and the development of risk reduction programs with specified components. The legislation also provides for stiffer penalties for assaults on transit operators and other workers. The Labor Community will be working to amend this legislation to provide for stronger requirements and additional specific requirements for the required risk reduction programs.

#### **SB 1416**

01/13/20 Referred to Criminal Justice; Judiciary; Rules / **On Committee agenda - Criminal Justice, 01/28/20, 1:30 pm, 37 S /**

#### **HB 951**

01/03/20 Referred to Transportation & Infrastructure Subcommittee; Justice Appropriations Subcommittee; State Affairs Committee

### **Single Subject Requirement for the Constitutional Revision Commission (CRC)**

**SB 176 by Rodriguez**

**SUPPORT**

One of the least Democratic aspects of the Constitutional Revision Commission is their ability to “bundle” or put together unrelated proposals into a single, multi-subject Constitutional Amendment. Citizens and the Legislature are bound by a single subject rule; this change would bind the CRC to the same requirement. While abolishing this outdated, now over-politicized body is preferable, this proposal is a close second.

#### **SB 176**

Referred to Judiciary; Ethics and Elections; Rules; Favorable by Judiciary; 6 Yeas, 0 Nays;  
Favorable by Ethics and Elections; 6 Yeas, 0 Nays; Now in Rules

**Repealing Tuition Waivers for Apprenticeship Programs**

**SB 1322 by Wright / HB 6035 by Overdorf**

**OPPOSE**

Tuition and fee waivers in higher education are used for a variety of purposes. In many colleges and universities for example, matriculation (tuition) waivers are often granted to Graduate Assistants as a part of their compensation package for the research and teaching support they provide. In many post-secondary institutions, tuition and fee waivers are offered for approved apprenticeship programs as a part of broader economic and job development strategies and help provide an opportunity for economically disadvantaged individuals to train for highly skilled trades and professions. This legislation could prove disastrous for apprenticeship programs at a time when they are more important than ever, with very little savings to taxpayers.

**SB 1322**

01/08/20 Referred to Education; Appropriations Subcommittee on Education; Appropriations

**HB 6035**

10/30/19 Referred to Higher Education & Career Readiness Subcommittee; Higher Education  
Appropriations Subcommittee; Education Committee