



Ways and Means Committee

Tuesday, November 7, 2017

4:00 p.m. – 6:00 p.m.

Morris Hall

ACTION PACKET

COMMITTEE MEETING REPORT

Ways & Means Committee

11/7/2017 4:00PM

Location: Morris Hall (17 HOB)

Summary:

Ways & Means Committee

Tuesday November 07, 2017 04:00 pm

PCB WMC 18-01 Favorable With Amendment(s)

Yeas: 15

Nays: 6

Committee meeting was reported out: Tuesday, November 07, 2017 5:10PM

COMMITTEE MEETING REPORT

Ways & Means Committee

11/7/2017 4:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Paul Renner (Chair)	X		
Joseph Abruzzo	X		
Thad Altman	X		
Bruce Antone	X		
Loranne Ausley	X		
Colleen Burton	X		
Matt Caldwell	X		
Robert Cortes	X		
Byron Donalds	X		
Joseph Geller	X		
Michael Grant	X		
Don Hahnfeldt	X		
Al Jacquet	X		
Evan Jenne	X		
Mike La Rosa	X		
Thomas Leek	X		
Stan McClain	X		
Amy Mercado	X		
Mike Miller	X		
Jay Trumbull	X		
Frank White	X		
Totals:	21	0	0

Committee meeting was reported out: Tuesday, November 07, 2017 5:10PM

COMMITTEE MEETING REPORT

Ways & Means Committee

11/7/2017 4:00PM

Location: Morris Hall (17 HOB)

PCB WMC 18-01 : Supermajority Vote for State Taxes or Fees

Favorable With Amendment(s)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo		X			
Thad Altman	X				
Bruce Antone		X			
Loranne Ausley		X			
Colleen Burton	X				
Matt Caldwell	X				
Robert Cortes	X				
Byron Donalds	X				
Joseph Geller		X			
Michael Grant	X				
Don Hahnfeldt	X				
Al Jacquet	X				
Evan Jenne		X			
Mike La Rosa	X				
Thomas Leek	X				
Stan McClain	X				
Amy Mercado		X			
Mike Miller	X				
Jay Trumbull	X				
Frank White	X				
Paul Renner (Chair)	X				
	Total Yeas: 15	Total Nays: 6			

Appearances:

Supermajority Vote for State Taxes or Fees

Nungesser, Tim (Lobbyist) (General Public) - Proponent

National Federation of Independent Business

110 E Jefferson St

Tallahassee FL 32301

Phone: 850-445-5367

Glenda Abicht - Opponent

4305 SW 98th Avenue

Miami FL 33165

Phone: 786-376-1181

Skylar Zander (Lobbyist) - Proponent

Americans for Prosperity

Deputy State Director

200 West College Avenue

Tallahassee FL 32301

Phone: 850-728-4522

Committee meeting was reported out: Tuesday, November 07, 2017 5:10PM

COMMITTEE MEETING REPORT

Ways & Means Committee

11/7/2017 4:00PM

Location: Morris Hall (17 HOB)

PCB WMC 18-01 : Supermajority Vote for State Taxes or Fees (continued)

Appearances: (continued)

Rich Templin (Lobbyist) - Opponent

Florida AFC-CIO
135 South Monroe Street
Tallahassee FL 32301
Phone: 850-224-6526

Dr. Ana Cierescko (Lobbyist) - Opponent

United Faculty of Maimi Dade College
Legislative Director
11420 N. Kendall Drive #107
Miami FL 33176
Phone: 305-321-0016

Supermajority to Raise Taxes

Wenner, Kurt (General Public) - Proponent

Florida TaxWatch
106 N. Bronough
Tallahassee FL 32301
Phone: 850-222-5052

Pitts, Brian - Information Only

Trustee-Justice-2-Jesus
1119 Newton Avenue South
S. Petersburg Florida 33705
Phone: 727-897-9291



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COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee administrative assistant at the meeting.

<input checked="" type="checkbox"/> Bill <input type="checkbox"/> Amendment Bill Number: N/A PCB/PCS/Amendment #: WMC1
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Name: **Nungesser, Tim**

Representing: **National Federation of Independent Business**

Title: **Legislative Director**

Address: **110 E Jefferson St**

City: **Tallahassee** State/Zip: **FL 32301**

Phone Number: **850-445-5367** Meeting Date: **Nov 7 2017 4:00PM**

Committee/Subcommittee: **Ways & Means Committee**

Presentation/Workshop Topic: **Supermajority Vote for State Taxes or Fees**

<input checked="" type="checkbox"/> Registered Lobbyist <input type="checkbox"/> State Employee <input checked="" type="checkbox"/> I Wish To Speak <input type="checkbox"/> Appearing in response to subpoena <input type="checkbox"/> Appearing in response to an inquiry for information made by member, committee or staff <input type="checkbox"/> Appearing at the written request of the chair <input type="checkbox"/> Judge or elected officer appearing in official capacity <input checked="" type="checkbox"/> Lobbyist Appearance Form Submitted	<table border="1"> <tr> <td style="text-align: center;"><u>Bill</u></td> </tr> <tr> <td>Proponent</td> </tr> <tr> <td style="text-align: center;"><u>Amendment</u></td> </tr> <tr> <td>N/A</td> </tr> </table>	<u>Bill</u>	Proponent	<u>Amendment</u>	N/A
<u>Bill</u>					
Proponent					
<u>Amendment</u>					
N/A					



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>WMC1</u>	
Amendment Number: _____	

Name: Glenda Absent

Representing: SELF

Title: _____

Address: 4305 SW 98 AV

City: MIAMI State/Zip: FL 33165

Phone Number: 786-376-1181 Meeting Date: 11/7/17

Committee/Subcommittee: WAYS AND MEANS

Presentation/Workshop Topic: _____

Registered Lobbyist: YES NO

State Employee: YES NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent Opponent Info only

Amendment: Proponent Opponent Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>FRB WMC 18-01</u>	
Amendment Number: _____	

Name: Skylar Zander

Representing: Americans for Prosperity

Title: Deputy State Director

Address: 200 W. College Ave.

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-728-4522 Meeting Date: 11/7/17

Committee/Subcommittee: Ways & Means

Presentation/Workshop Topic: _____

Registered Lobbyist: YES NO

State Employee: YES NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

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Amendment: Proponent Opponent Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>WMC 1</u>	
Amendment Number: _____	

Name: Rich Templin

Representing: Florida AFL-CIO

Title: _____

Address: 135 S. Monroe

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-224-6526 Meeting Date: 11/7/17

Committee/Subcommittee: Texas

Presentation/Workshop Topic: _____

Registered Lobbyist: YES NO

State Employee: YES NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent Opponent Info only

Amendment: Proponent Opponent Info only



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [checked] Amendment []
Bill/PCS/PCB Number: PCB WMC 18-01
Amendment Number: []

Name: Dr. Ana Ciereszka
Representing: United Faculty of Miami Dade College
Title: Legislative Director
Address: 11420 N. Kendall Drive #109
City: Miami State/Zip: FL / 33176
Phone Number: 305 321 0016 Meeting Date: 11/7/17
Committee/Subcommittee: Ways + Means
Presentation/Workshop Topic: []

Registered Lobbyist: YES [checked] NO []

State Employee: YES [] NO [checked]

- I wish to speak [checked]
Appearing in response to an inquiry for information made by member, committee, or staff []
Appearing in response to subpoena []
Appearing at the written request of the chair []
Judge or elected officer appearing in official capacity []
Lobbyist Appearance form submitted online []

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [] Opponent [checked] Info only []

Amendment: Proponent [] Opponent [] Info only []



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COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee administrative assistant at the meeting.

<input checked="" type="checkbox"/> Bill <input type="checkbox"/> Amendment Bill Number: N/A PCB/PCS/Amendment #: WMC1

Name: **Wenner, Kurt**

Representing: **Florida TaxWatch**

Title: **Vice President**

Address: **106 N. Bronough**

City: **Tallahassee** State/Zip: **FL 32301**

Phone Number: **850-222-5052** Meeting Date: **Nov 7 2017 4:00PM**

Committee/Subcommittee: **Ways & Means Committee**

Presentation/Workshop Topic: **Supermajority to Raise Taxes**

<input type="checkbox"/> Registered Lobbyist <input type="checkbox"/> State Employee <input checked="" type="checkbox"/> I Wish To Speak <input type="checkbox"/> Appearing in response to subpoena <input type="checkbox"/> Appearing in response to an inquiry for information made by member, committee or staff <input type="checkbox"/> Appearing at the written request of the chair <input type="checkbox"/> Judge or elected officer appearing in official capacity <input type="checkbox"/> Lobbyist Appearance Form Submitted	<table border="1"> <tr> <td style="text-align: center;"><u>Bill</u></td> </tr> <tr> <td>Proponent</td> </tr> <tr> <td style="text-align: center;"><u>Amendment</u></td> </tr> <tr> <td>N/A</td> </tr> </table>	<u>Bill</u>	Proponent	<u>Amendment</u>	N/A
<u>Bill</u>					
Proponent					
<u>Amendment</u>					
N/A					



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [checked] Amendment []
Bill/PCS/PCB Number: 18-01
Amendment Number: []

Name: Brian Pitts

Representing: Justice-2-Jesus

Title: Trustee

Address: 1119 Newton Ave S

City: St Petersburg State/Zip: FL/33705

Phone Number: 727/897-9291 Meeting Date: 11/7/2017

Committee/Subcommittee: WMC

Presentation/Workshop Topic:

Registered Lobbyist: YES [] NO [checked]
State Employee: YES [] NO [checked]

- I wish to speak [checked]
Appearing in response to an inquiry for information made by member, committee, or staff []
Appearing in response to subpoena []
Appearing at the written request of the chair []
Judge or elected officer appearing in official capacity []
Lobbyist Appearance form submitted online []

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [] Opponent [] Info only [checked]
Amendment: Proponent [] Opponent [] Info only []

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB WMC 18-01 (2018)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing bill: Ways & Means Committee
 2 Representative Leek offered the following:

Amendment (with ballot and title amendments)

Remove everything after the enacting clause and insert:

3
 4
 5
 6 That the following creation of Section 19 of Article VII of
 7 the State Constitution is agreed to and shall be submitted to
 8 the electors of this state for approval or rejection at the next
 9 general election or at an earlier special election specifically
 10 authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

11
 12
 13 SECTION 19. Supermajority vote required to impose,
 14 authorize, or raise state taxes or fees.-

15 (a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
 16 STATE TAX OR FEE. No new state tax or fee may be imposed or
 17 authorized by the legislature except through legislation

PCB WMC 18-01 Strikel

Published On: 11/6/2017 4:50:07 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB WMC 18-01 (2018)

Amendment No. 1

18 approved by two-thirds of the membership of each house of the
19 legislature and presented to the Governor for approval pursuant
20 to Article III, Section 8.

21 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
22 FEES. No state tax or fee may be raised by the legislature
23 except through legislation approved by two-thirds of the
24 membership of each house of the legislature and presented to the
25 Governor for approval pursuant to Article III, Section 8.

26 (c) APPLICABILITY. This section does not authorize the
27 imposition of any state tax or fee otherwise prohibited by this
28 Constitution, and does not apply to any tax or fee imposed by,
29 or authorized to be imposed by, a county, municipality, school
30 board, or special district.

31 (d) DEFINITIONS. As used in this section, the following
32 terms shall have the following meanings:

33 (1) "Fee" means any charge or payment required by law,
34 including any fee for service, fee or cost for licenses, and
35 charge for service.

36 (2) "Raise" means:

37 a. To increase or authorize an increase in the rate of a
38 state tax or fee imposed on a percentage or per mill basis;

39 b. To increase or authorize an increase in the amount of a
40 state tax or fee imposed on a flat or fixed amount basis; or

41 c. To decrease or eliminate a state tax or fee exemption
42 or credit.

PCB WMC 18-01 Strike1

Published On: 11/6/2017 4:50:07 PM

Amendment No. 1

43 (e) SINGLE-SUBJECT. A state tax or fee imposed,
44 authorized, or raised under this section must be contained in a
45 separate bill that contains no other subject.

46
47 -----

48 **B A L L O T A M E N D M E N T**

49 Remove lines 58-65 and insert:

50 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE
51 STATE TAXES OR FEES.—Prohibits the legislature from imposing,
52 authorizing, or raising a state tax or fee except through
53 legislation approved by a two-thirds vote of each house of the
54 legislature in a bill containing no other subject. This proposal
55 does not authorize a state tax or fee otherwise prohibited by
56 the Constitution and does not apply to fees or taxes imposed or
57 authorized to be imposed by a county, municipality, school
58 board, or special district.

59 BE IT FURTHER RESOLVED that the following statement be
60 placed on the ballot if a court declares the preceding statement
61 defective and the decision of the court is not reversed:

62 CONSTITUTIONAL AMENDMENT

63 ARTICLE VII, SECTION 19

64 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE
65 STATE TAXES OR FEES.—Proposing the following amendment to the
66 State Constitution:

67 ARTICLE VII

68 FINANCE AND TAXATION

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB WMC 18-01 (2018)

Amendment No. 1

69 SECTION 19. Supermajority vote required to impose,
70 authorize, or raise state taxes or fees.—

71 (a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
72 STATE TAX OR FEE. No new state tax or fee may be imposed or
73 authorized by the legislature except through legislation
74 approved by two-thirds of the membership of each house of the
75 legislature and presented to the Governor for approval pursuant
76 to Article III, Section 8.

77 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
78 FEES. No state tax or fee may be raised by the legislature
79 except through legislation approved by two-thirds of the
80 membership of each house of the legislature and presented to the
81 Governor for approval pursuant to Article III, Section 8.

82 (c) APPLICABILITY. This section does not authorize the
83 imposition of any state tax or fee otherwise prohibited by this
84 Constitution, and does not apply to any tax or fee imposed by,
85 or authorized to be imposed by, a county, municipality, school
86 board, or special district.

87 (d) DEFINITIONS. As used in this section, the following
88 terms shall have the following meanings:

89 (1) "Fee" means any charge or payment required by law,
90 including any fee for service, fee or cost for licenses, and
91 charge for service.

92 (2) "Raise" means:

93 a. To increase or authorize an increase in the rate of a
94 state tax or fee imposed on a percentage or per mill basis;

PCB WMC 18-01 Strike1

Published On: 11/6/2017 4:50:07 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB WMC 18-01 (2018)

Amendment No. 1

95 b. To increase or authorize an increase in the amount of a
96 state tax or fee imposed on a flat or fixed amount basis; or

97 c. To decrease or eliminate a state tax or fee exemption
98 or credit.

99 (e) SINGLE-SUBJECT. A state tax or fee imposed,
100 authorized, or raised under this section must be contained in a
101 separate bill that contains no other subject.

102

103

104

T I T L E A M E N D M E N T

105

Remove everything before the enacting clause and insert:

106

A joint resolution proposing the creation of section 19 of

107

Article VII of the State Constitution to provide that no state

108

tax or fee may be imposed, authorized, or raised by the

109

legislature except through legislation approved by two-thirds of

110

the membership of each house of the legislature and presented to

111

the Governor for approval; providing for applicability;

112

providing definitions; requiring any tax or fee imposed or

113

raised under this section to be contained in a separate bill

114

that contains no other subject.