

State and Federal Legislative Process

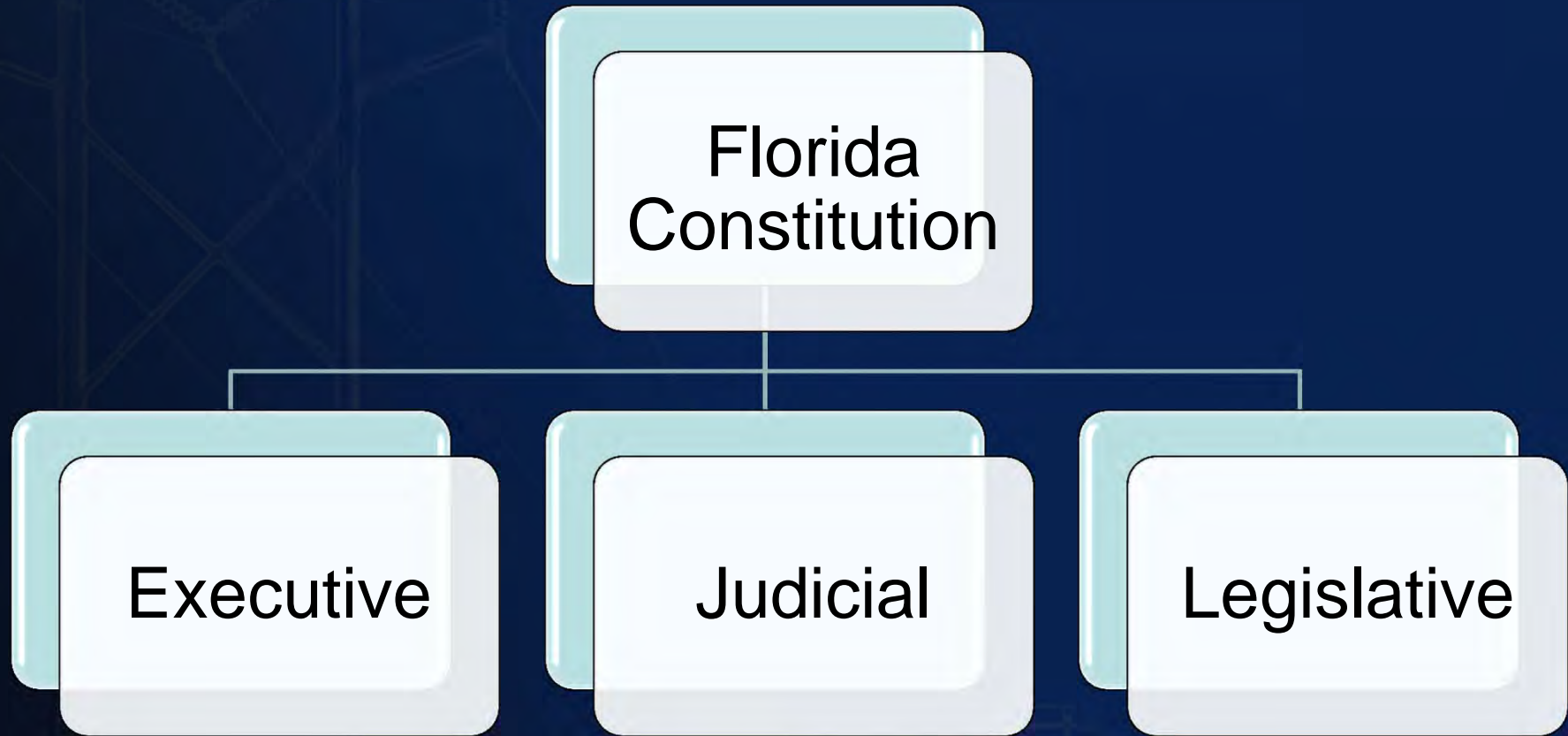
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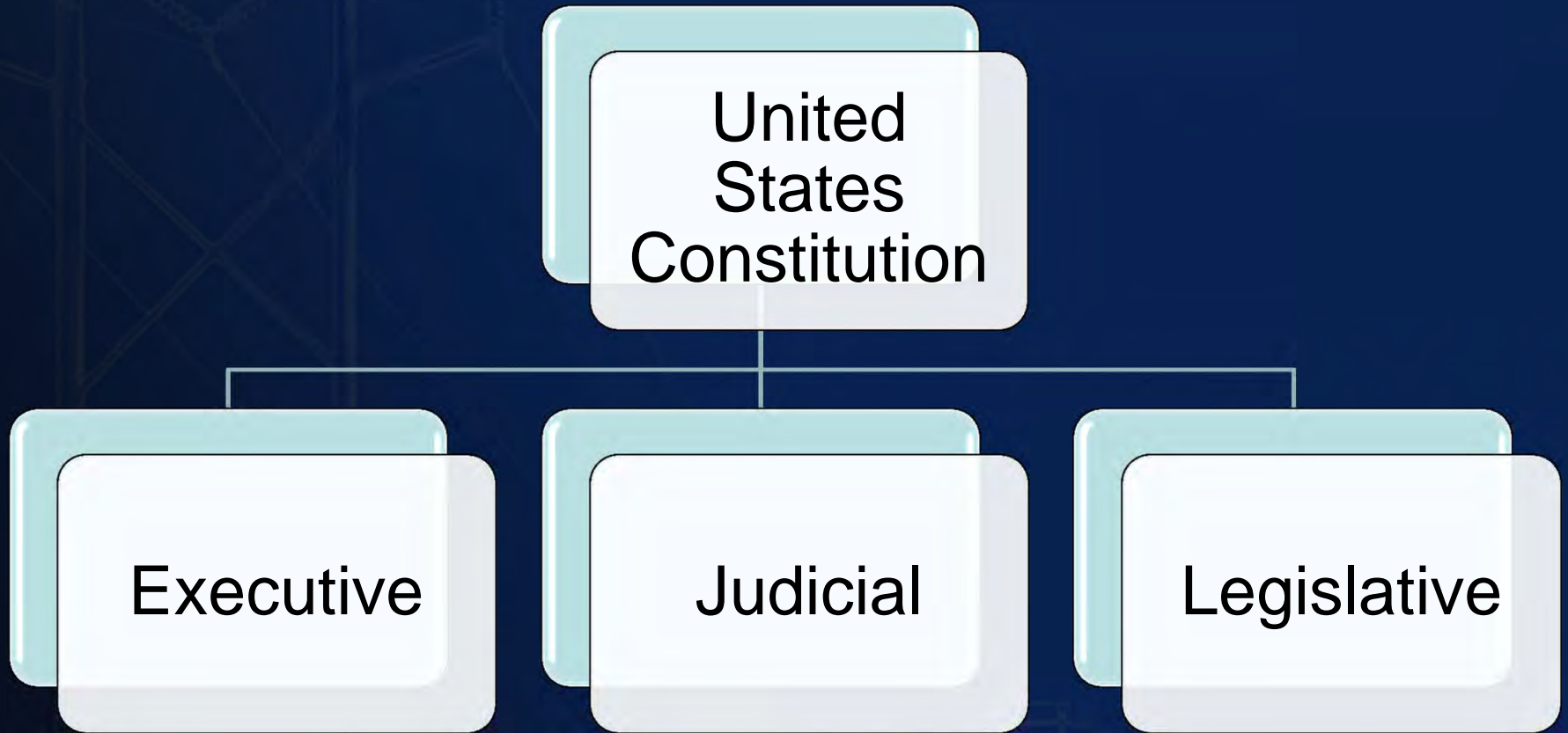
3 Branches of Government

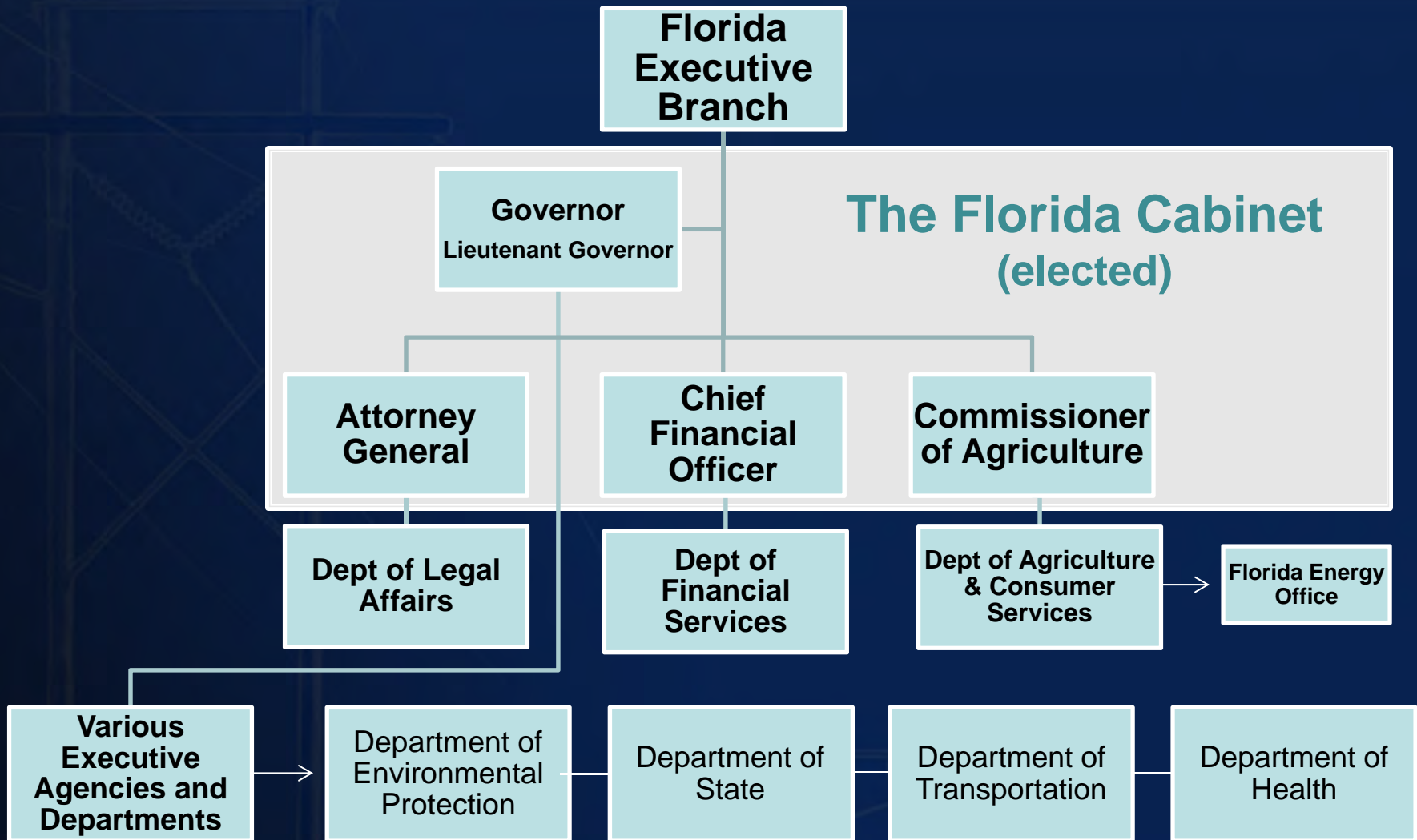
(State)



3 Branches of Government

(Federal)





Florida Executive Branch

Governor
Lieutenant Governor

The Florida Cabinet (elected)

Attorney General

Chief Financial Officer

Commissioner of Agriculture

Dept of Legal Affairs

Dept of Financial Services

Dept of Agriculture & Consumer Services

Florida Energy Office

Various Executive Agencies and Departments

Department of Environmental Protection

Department of State

Department of Transportation

Department of Health

U.S. Executive Branch

- ◆ Cabinet level departments: Treasury, Justice, Interior, Ag, Commerce, Labor, Defense, HHS, DOT, Energy, Homeland Security
- ◆ Independent Regulatory Agencies: CFTC, CFPB, EPA, FCC, FERC, FTC, SEC, SBA, SBT, CIA.
- ◆ (Selected)



Florida Judicial Branch

Supreme Court

District Courts of Appeal

Circuit Courts

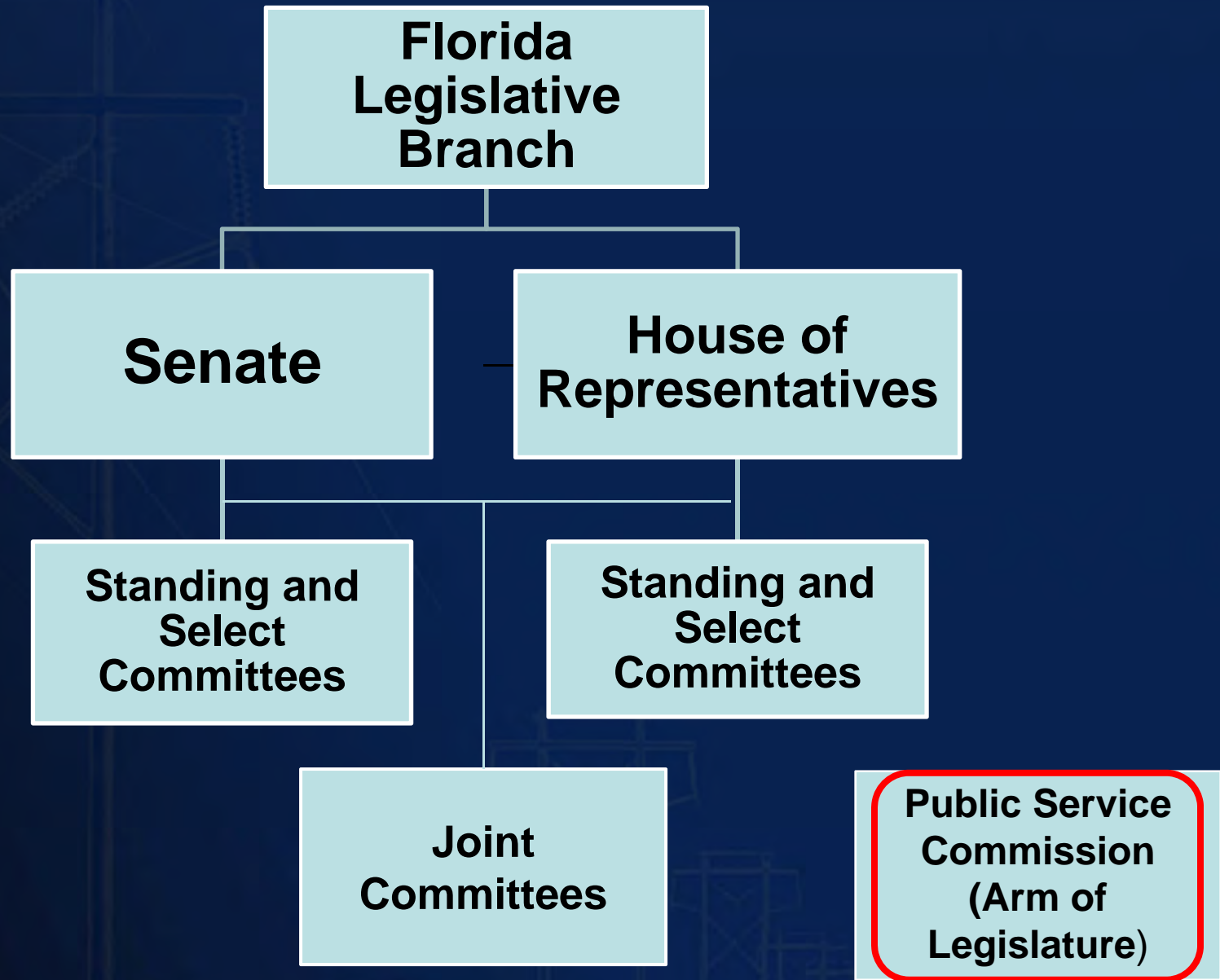
County Courts



U.S. Judicial Branch

- ◆ Article III, Section 1: The judicial Power of the United States, shall be vested in one supreme Court...
- ◆ US Supreme Court
- ◆ US Courts of Appeals
- ◆ US District Courts
- ◆ Others





U.S. Legislative Branch

- ◆ **Article I, Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.**
- ◆ **Senate**
- ◆ **House of Representatives**

The Florida Legislature

- ◆ Bicameral body composed of 160 members
- ◆ Term limited to eight consecutive years
- ◆ Annual, 60-day session
- ◆ Committee meetings take place in fall and winter



The U.S. Congress

- ◆ Bicameral legislature: Senate and House
- ◆ No term limits
- ◆ US Constitution says Congress “shall assemble at least once in every year”
 - They meet more than that
- ◆ A Congress (114th) lasts two years – two sessions
- ◆ Amendment XX, Section 1: 3d day of January
- ◆ Committees meet only when in session



Florida Senate

- ◆ 40 Members
 - Serve 4-year terms (2 term limit)
 - No limit on number of bills each Senator can file
 - Must be 21 years of age



U.S. Senate

◆ Article 1, Section 3

- 100 Senators – two from each state
- Six year terms, staggered every two years
- This year – 34 (24 and 10)
- No limit on bill introductions
- 30 years old



Florida House of Representatives

- ◆ 120 Members
 - Serve 2-year terms (4 term limit)
 - 6 bill limit each member can file
 - Must be 21 years of age



U.S. House of Representatives

◆ Article 1, Section 2

- 435 Members (plus – DC)
- “chosen every second year by the People of the several States”
- No limit on bill introductions
- 25 years old



Legislative Leadership

- ◆ **Florida Senate**
 - **Senate President**
 - **President Pro Tempore**
 - **Majority Leader**
 - **Minority Leader**



Legislative Leadership

◆ U.S. Senate

- Constitutional: Vice-President; President Pro Tempore
- Majority Leader
- Majority Whip
- Majority Conference Chair
- Minority Leader
- Minority Whip
- Minority Conference Chair

Legislative Leadership

- ◆ **Florida House**
 - **Speaker of the House**
 - **Speaker Pro Tempore**
 - **Majority Leader**
 - **Minority Leader**



Legislative Leadership

- ◆ **U.S. House**
 - **Speaker of the House**
 - **Majority Leader**
 - **Majority Whip**
 - **Majority Conference Chair**
 - **Minority Leader**
 - **Minority Whip**
 - **Assistant Minority Leader**

Role of the Florida Legislature

- ◆ Make “rules” or laws that govern our state
- ◆ Represent the citizens from the area where they are elected
- ◆ Must live in the district he or she represents
- ◆ Must be at least 21 years of age
- ◆ Only annual requirement:
 - Must pass annual budget for the state

Role of the U.S. Congress

- Article I, Section 5: Each House shall be the Judge of the Elections
- Determine the Rules of its Proceedings
- “keep a Journal”
- “Neither House...shall adjourn for more than three days...”
- Section 7: All Bills for raising Revenue shall originate in the House
- Every Bill...shall be presented to the President
- Section 8: The Congress shall have Power To lay and collect Taxes
- To borrow Money
- To regulate Commerce
- To establish Post Offices and post Roads
- To declare War

Rules of Florida Legislature

- ◆ Each chamber has rules under which they must operate; however, rules can be waived by a $2/3$ vote of each chamber.



Rules of U.S. Congress

- ◆ Each chamber has its own rules
- ◆ Rules can change but it's difficult and dicey
- ◆ Senate: judicial nominees
- ◆ House: majority rules
- ◆ Both have Rules Committees but very different



Florida Legislative Bills

- ◆ Senate bills are designated “SB” and even numbered
- ◆ House bills are designated “HB” and odd numbered
- ◆ All bills contain a title, enacting clause, and effective date



U.S. Legislative Bills

- ◆ **Senate: S.**
- ◆ **House: H.R.**
- ◆ **Go in order starting with Day One of new Congress**
- ◆ **Also includes: S. Res.; H.R. Res.; S.J. and H.R.J. Res.**
- ◆ **Some bills heard in Committee without a number (Discussion Draft)**



Florida Legislative Committees

◆ Four types of Committees:

- Standing Committee – general subject matter areas (also include subcommittees)
- Select Committee – appointed for a specific issue or concern
- Conference Committees – appointed to work out differences on bills
- Joint Committees – includes members from House and Senate and oversees a specific legislative function

U.S. Legislative Committees

- **Standing:** permanent panels established by chamber rules
- **Select or Special:** generally established by separate resolution by a chamber to investigate or report; Senate Special Committee on Aging; Watergate; Iran-Contra
- **Joint:** permanent committees that include members from both Chambers for investigation or housekeeping (Joint Committee on Taxation); chairs alternate between House and Senate
Conference Committee: temporary joint committee to resolve Differences between competing pieces of legislation (energy); chair alternates

Florida Energy Committees

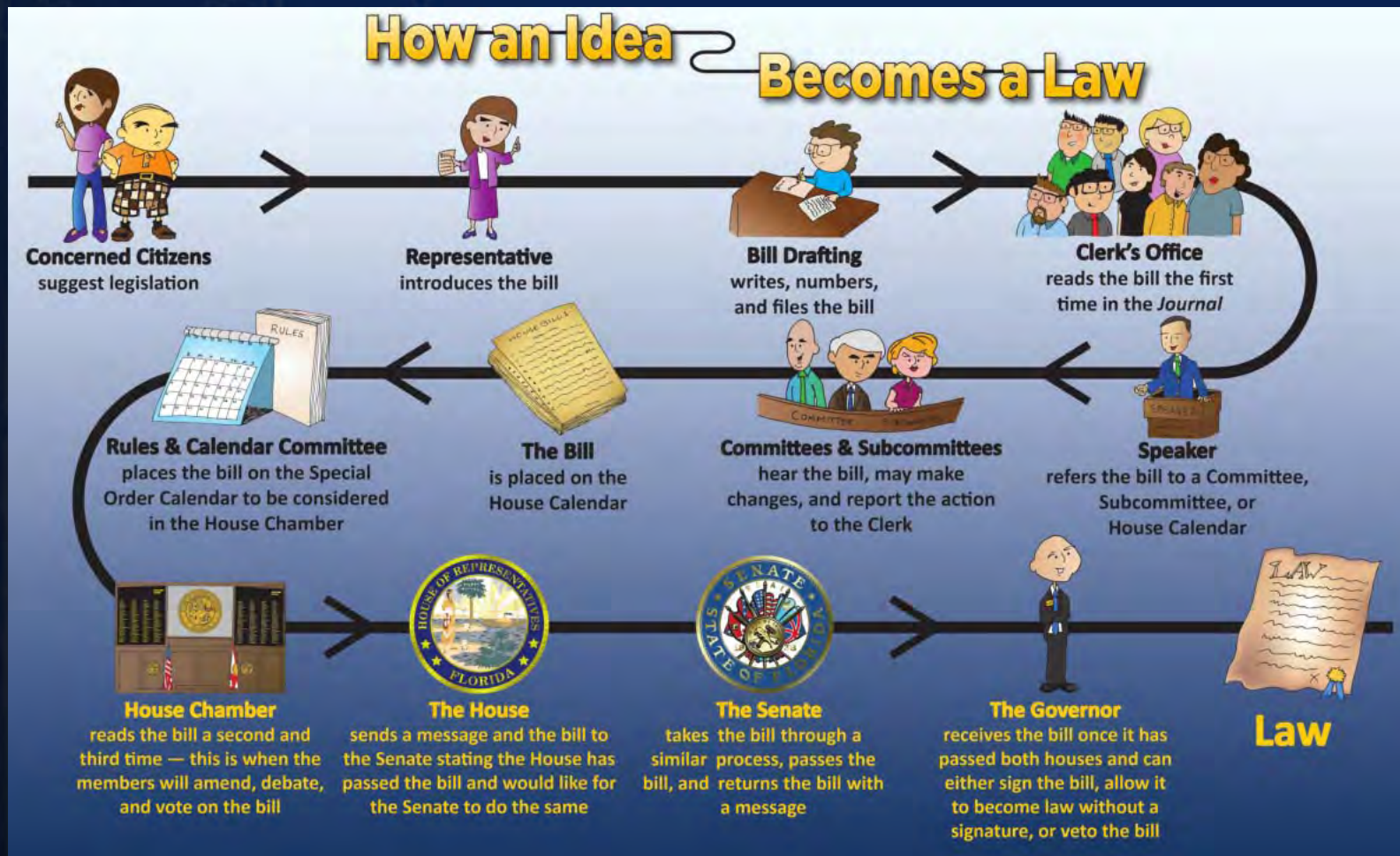
- ◆ **Senate Committee on Communications, Energy and Public Utilities**
- ◆ **House Energy and Utilities Subcommittee**
 - **Under the jurisdiction of the House Regulatory Affairs Committee**

U.S. Energy Committees

- ◆ **Senate Energy and Natural Resources Committee**
- ◆ **House Energy and Commerce Committee**

How a Bill Becomes a Law

(State)



Introducing Legislation

(State)

- ◆ A Senator, Representative, citizen or interest group, like FMEA, has an idea for a new piece of legislation
- ◆ Find member in each chamber to sponsor
- ◆ General principles are outlined, then bill drafting writes bill and assigns number
- ◆ President or Speaker assigns Committees of reference, between 1-5 committees

Committee Process

(State)

- ◆ Bills are heard in Committees in order of reference
- ◆ Committee can amend and either report favorably (yes vote) or unfavorably (no vote)
 - If unfavorable – bill is dead
- ◆ Once bill has been reported favorably from all committees of reference, ready for floor action

Final Action

(State)

- ◆ Bills must be “read” three times on floor
- ◆ If bill passes one chamber, it’s sent to the other in House/Senate messages
- ◆ Both chambers must pass the identical bill
- ◆ If one chamber passes, but other doesn’t, then bill is dead
- ◆ Once it passes BOTH chambers, it is sent to Governor to sign into law, veto, or become law without action

How a Bill Becomes A Law

(Federal)

- ◆ Introduction: any member can introduce; House—handed to Clerk or placed in Hopper; Senate—must be Morning Hour
- ◆ Committee action: hearings (subcommittees?); mark up; final votes
- ◆ Floor action: House Calendar/Legislative Calendar; House Rules Committee sets terms for debate; Senate is unlimited unless cloture
- ◆ Timing is very different—two days vs. two weeks
- ◆ Votes on floor
- ◆ Conference committee
- ◆ White House

Introducing Legislation

(Federal)

- ◆ Only Members of Congress may introduce
- ◆ Any Member may sponsor
- ◆ Senate and House legislative counsels draft bills
- ◆ Numbers assigned in order of introduction
- ◆ Committees assigned; jurisdiction counts, and sometimes fought over

Committee Process

(Federal)

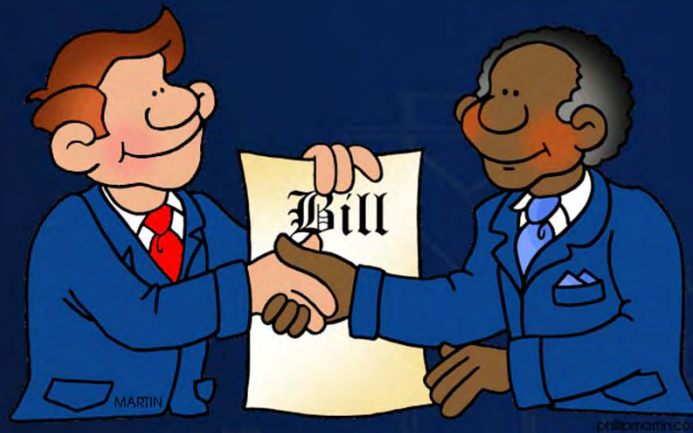
- ◆ Bills are heard in committees, but only if chairman agrees
- ◆ Not all bills get hearings
- ◆ Committee can amend and either report favorably (yes vote) or unfavorably (no vote)
 - If unfavorable – bill is usually dead
 - If tied – bill might proceed
- ◆ Sometimes committees not consulted—Rule 14 in Senate

Final Action in Congress

- ◆ Bills must pass floor votes
- ◆ If bill passes one chamber, it's sent to the other in House/Senate messages
- ◆ Both chambers rarely pass identical bills
- ◆ Conference committees must pass one bill
- ◆ If one chamber passes, but other doesn't, then bill languishes
- ◆ Once it passes BOTH chambers, it is sent to POTUS to sign into law or face veto

2015 Florida Bill Statistics

- ◆ 1,754 bills filed in 2015 regular session
- ◆ 458 passed one chamber
- ◆ 231 passed both chambers
- ◆ 7 vetoed by Governor



FMEA 2015 Bill Statistics

- ◆ 54 bills were on FMEA's tracking list
 - Only 1 passed – PSC reform
 - Combined 6 other bills



2016 Florida Bill Statistics

- ◆ 1,814 bills filed in 2016 regular session
- ◆ 447 passed one chamber
- ◆ 279 passed both chambers
- ◆ 3 vetoed by Governor



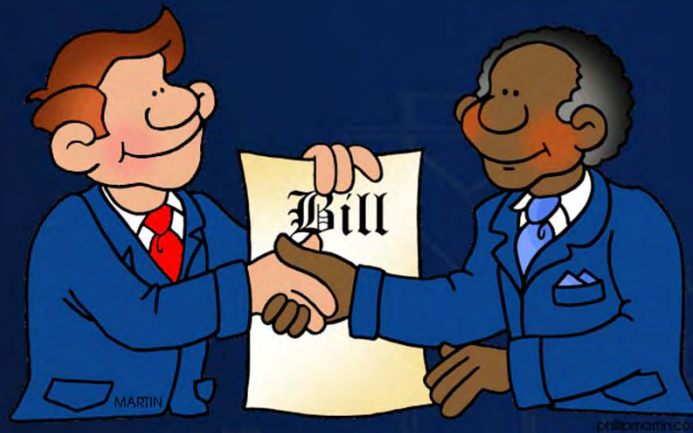
FMEA 2016 Bill Statistics

- ◆ 35 bills were on FMEA's tracking list
 - 6 passed Legislature
 - One vetoed by Governor



114th Congress Bill Statistics

- ◆ 10,896 bills introduced Jan. 2015-June 2016
- ◆ Enacted: 189
- ◆ Resolutions passed: 606
- ◆ 8 vetoed by POTUS



Following A Bill

(State)

◆ FMEA Hopper – issued each Friday during session

HB 7109 - Relating to Florida Public Service Commission - 2015

Tagged to: UTL

[Add To Folder] [Report A Problem]

Sponsor(s)

by [Energy & Utilities Subcommittee](#), [La Rosa](#) CoSponsors: [Diaz \(J\)](#), [Eagle](#), [Latvala \(C\)](#), [Metz](#), [Sprowls](#) CS Sponsors: [Regulatory Affairs Committee](#)

Summary

General Florida Public Service Commission; Limits terms of office of PSC commissioners appointed after certain date; requires specified PSC meetings & workshops to be recorded or streamed live; requires specified persons to register as lobbyist if communicating with PSC Nominating Council; revises provisions regarding ex parte communications; requires PSC commissioners to take ethics training; specifies amount of money that may be charged by public utilities for deposits; revises provisions regarding notification of specified customer rates; specifies uses of certain funds received for demand-side renewable energy systems; authorizes the PSC to issue orders to grant issuance of nuclear asset-recovery bonds; creates provisions regarding financing of such bonds. Effective Date: 7/1/2015

Committees of Reference

- [Government Operations Appropriations Subcommittee](#)
- [Regulatory Affairs Committee](#)

Actions

Date	Chamber	Action
03/20/15	HOUSE	Filed (Formerly PCB EUS1)
03/24/15	HOUSE	Referred to Government Operations Appropriations Subcommittee; Regulatory Affairs Committee
	HOUSE	Now in Government Operations Appropriations Subcommittee
03/27/15	HOUSE	On Committee agenda - Government Operations Appropriations Subcommittee, 03/31/15, 9:00 am, 17 H
03/31/15	HOUSE	Favorable by Government Operations Appropriations Subcommittee; 12 Yeas, 0 Nays
	HOUSE	Now in Regulatory Affairs Committee

Following a Bill

(Federal)

- ◆ FMEA team
- ◆ APPA
- ◆ Me
- ◆ C-SPAN
- ◆ Other sources

Lobbying

(State)

- ◆ *To try to influence the actions of others, or persuade another person to accept your position – especially legislators*
- ◆ Two types – direct vs indirect (grassroots/grasstops)



Lobbying

(Federal)

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- ◆ **Two types – direct vs indirect (grassroots/grasstops)**



Direct Lobbying

(State)

- ◆ Direct communication with policy-maker to advocate a certain position
- ◆ FMEA lobbying team – regular communication with legislators
- ◆ Lobbyist registration
 - Do I need to register?



Direct Lobbying

(Federal)

- ◆ Direct communication with policy-maker to advocate a certain position
- ◆ FMEA lobbying team – regular communication with Members of Congress and staff
- ◆ Lobbyist registration
 - Do I need to register? No.



Indirect Lobbying

(State)

◆ Grasstops Lobbying

- Local community leaders contact legislators regarding an issue
 - City leaders, utility officials

◆ Grassroots Lobbying

- General public contacting public officials regarding an issue
- Emails, letter writing, phone calls

◆ Importance?

- Legislators like to hear from the people in their districts on impacts of legislation

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- General public contacting public officials regarding an issue
- Emails, letter writing, phone calls

◆ Importance?

- Legislators like to hear from the people in their districts on impacts of legislation: how does the issue affect YOU?
- Tell your story.

Other Legislative Terms

- ◆ **PCB (proposed committee bill)** – bill originating from committee rather than individual legislator
- ◆ **CS (committee substitute)** – bill that is amended in committee is rewritten to include newly adopted amendments
- ◆ **Memorial** – used for legislature to send a message to an executive agency or Congress
- ◆ **Enrolled bill** – has passed both chambers and ready for Governor's action
- ◆ **TP'd** – bill that is temporarily postponed/passed/deferred
- ◆ **Local bill** – applies to a specific area or group instead of whole state

Public Service Commission

- ◆ PSC consists of five members; 4-yr terms
- ◆ Members appointed by Governor from nominees selected by PSC Nominating Council
 - Must be confirmed by Senate
- ◆ Regulates electric, natural gas, water and wastewater, and telecommunications industries in Florida.
 - Limited regulations on municipals

Public Service Commission

- ◆ PSC regulates municipal electric utilities in many ways:
 - Power plant and large transmission line siting
 - Rate structure
 - Service territory disputes
 - Energy efficiency and renewable energy standards
 - Net metering
 - Storm hardening
 - Certain conservation activities (JEA and OUC)

Rate Regulation and PSC

- ◆ Retail rates of investor-owned electric utilities are regulated at the state level, by the Florida Public Service Commission.
- ◆ Retail rates of municipal electric utilities are regulated at the local level, by locally elected and appointed governing boards.



Federal Energy Regulatory Commission

- ◆ FERC consists of 5 commissioners; 4-year terms; may be reappointed; WH controls chair
- ◆ Commissioners appointed by White House from nominees generally agreed to by Senate
 - Must be confirmed by Senate
- ◆ Regulates transmission and wholesale sales of electricity and natural gas in interstate commerce
- ◆ Transportation of oil in interstate pipelines

FERC

- ◆ **Regulates and licenses hydropower projects (limited over non-Federal hydro)**
- ◆ **LNG**
- ◆ **Monitors energy markets**
- ◆ **Ensures electric reliability (NERC)**
- ◆ **Limited regulations on municipals (NJ)**

Rate Regulation and FERC

- ◆ Retail rates of investor-owned electric utilities are regulated at the state level, by the Florida Public Service Commission, not by FERC
- ◆ Retail rates of municipal electric utilities are regulated at the local level, by locally elected and appointed governing boards.



Thank you!