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January 26, 2017

Mr. Matt Bahl
Chief of Staff
Florida House of Representatives
The Capitol, Suite 420
Tallahassee, FL 32399

Dear Mr. Bahl: *Matt*

Your work to increase transparency and strengthen ethics standards in the legislative process has begun some important reforms. In response to your office's request for additional ideas for reform, our office has developed the following concepts for consideration by the House's Public Integrity and Ethics Committee and the full House of Representatives. The adoption of these new standards will provide more transparency and better protect Florida taxpayers.

- Immediately require the public disclosure of all contracts legislators advocate for between state agencies, businesses, not for profit organizations, and/or any other entity that receives tax dollars, including those based on generic proviso language in the General Appropriations Act. The names of Legislator(s) and/or legislative staff who advocate for the contracts should be publically disclosed. This would provide a level of transparency on any influence Legislators or their staff use, even when referring to it as "verbal intent" of legislation, to deliver state government contracts to special interests (please see attachment which could be posted to Transparency Florida at <http://www.transparencyflorida.gov/>);
- Immediately prohibit any legislator or legislative staff involved in the appropriation process, including the law firms they may work for or own, from suing state agencies or collecting fees for taking legal action against the State of Florida. State officials who appropriate money on behalf of the state should not also be able to profit, either directly or through their firm, from lawsuits against state agencies.

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- Extend House Rule 15.3(b) to include the prohibition of private use of airplanes by legislators paid for by political committees and party executive committees. This would close the current loophole in the existing rule, which allows lobbyists to still fund members' use of private airplanes by channeling their money through a state committee or political committee.
- Extend House Rule 17.1(g) or House Rule 15.5, shutting the revolving door, to prohibit the employment of legislators by entities including law firms that employ lobbyists. This would close the current loophole in the existing rule, which allows members to benefit from their state position by working for law firms and other entities that profit from lobbying the Legislature and Executive branches of Florida's government. *(The Florida Ethics Commission has recently interpreted FS 112.313(7)(a) to prohibit a county commissioner from being a member of a law firm that also lobbies the commission as it would "... impede the full and faithful discharge of his or her public duties."*

The power of the Legislature to appropriate funds allows individual legislators great influence over the actions of state agencies and other entities. Therefore, the public deserves safeguards to be put into place to ensure that all funding decisions are made free from any undue influence, whether real or perceived.

Please let me know if you need additional information or have questions regarding any of the ethics reforms outlined above. Thanks for the opportunity to provide input.

Sincerely,



Kim McDougal
Chief of Staff

Enclosure

cc: Cheri Vancura

Proposed Agency Contract Request Disclosure

1. Legislator or Legislative Staff Name: _____
2. Agency Contacted: _____
3. Date of Request to Agency: _____
4. Issue Discussed: _____

5. Budget Fiscal Year: _____
6. Intended Recipient of Funds (Organization/Entity): _____
7. Details of Amount Requested:
 - a. Amount _____
 - b. Specific Line Item (Appropriation Category) from General Appropriations Act _____
 - c. Specific Fund _____
 - d. Purpose or goal that will be achieved by the funds requested: _____

8. Was this proposed contract discussed publicly during the legislative appropriations process?
___ YES ___ NO
 - a. If yes, were these funds formally requested in accordance with House Rule 5.14?
___ YES ___ NO, or
 - b. Presented to Senate Appropriations Subcommittee? ___ YES ___ NO
9. Is this request suggesting specific legislative intent relating to proviso language in the General Appropriations Act? ___ YES ___ NO
10. Is this request suggesting specific legislative intent absent proviso language in the General Appropriations Act? ___ YES ___ NO