

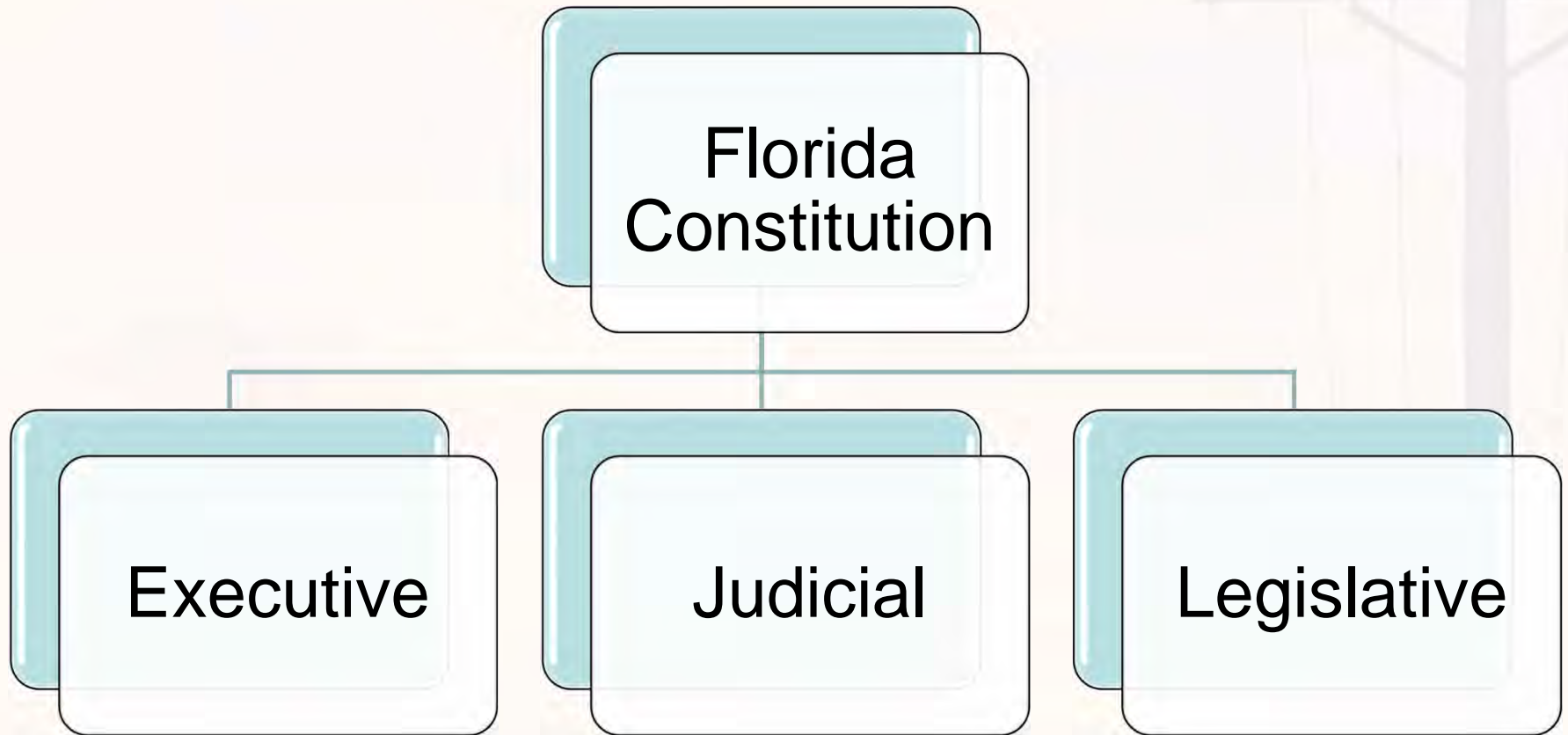
State and Federal Legislative Process

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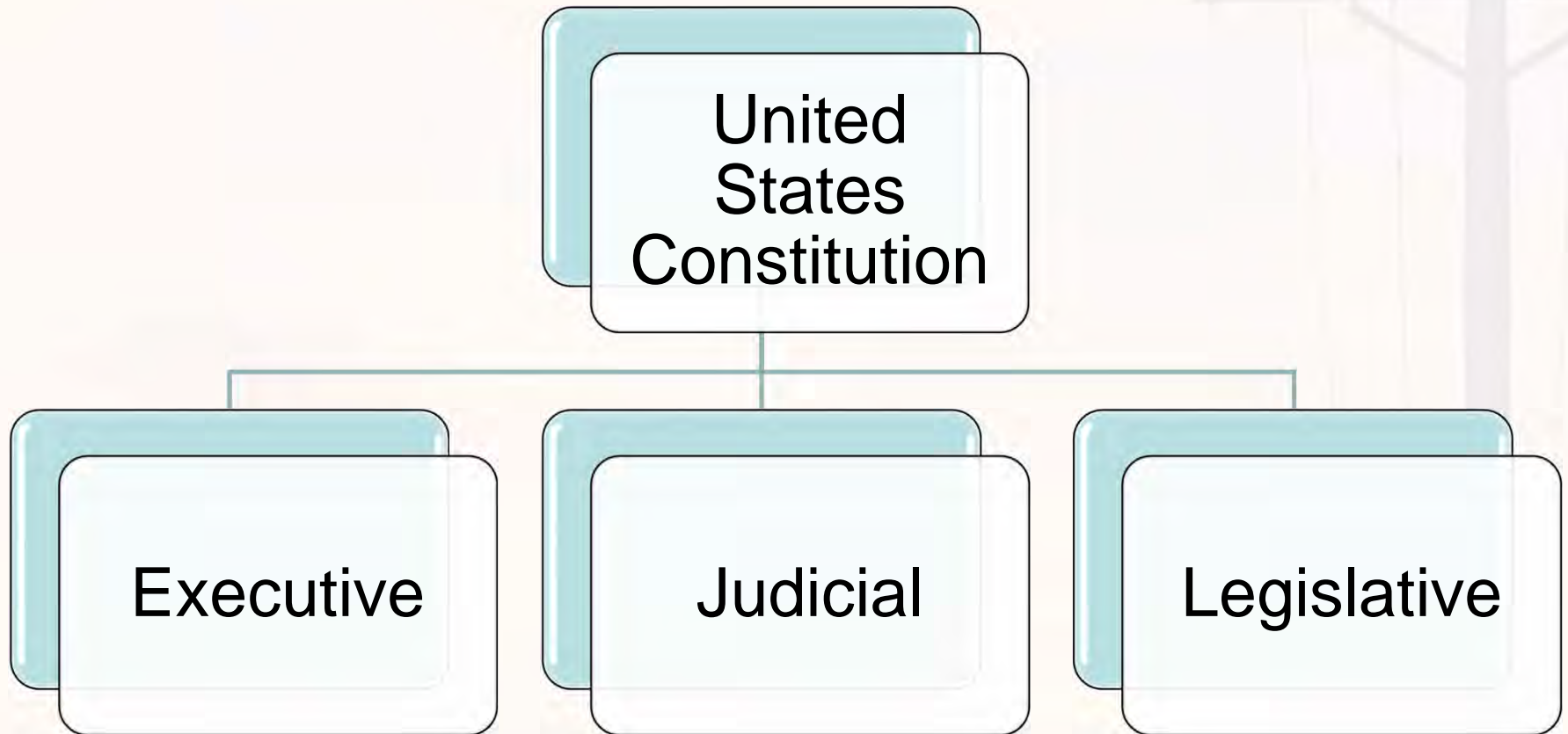
3 Branches of Government

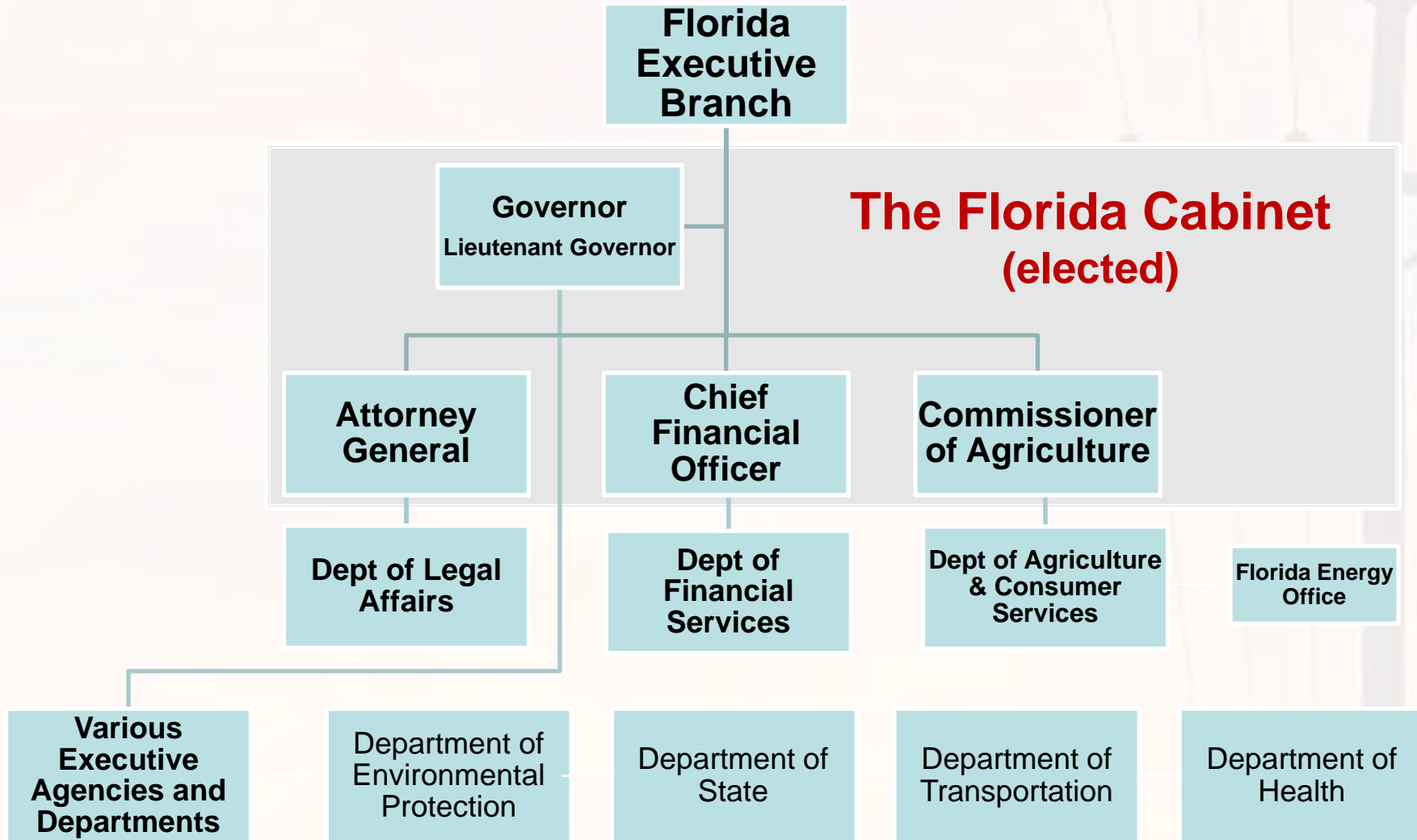
(State)

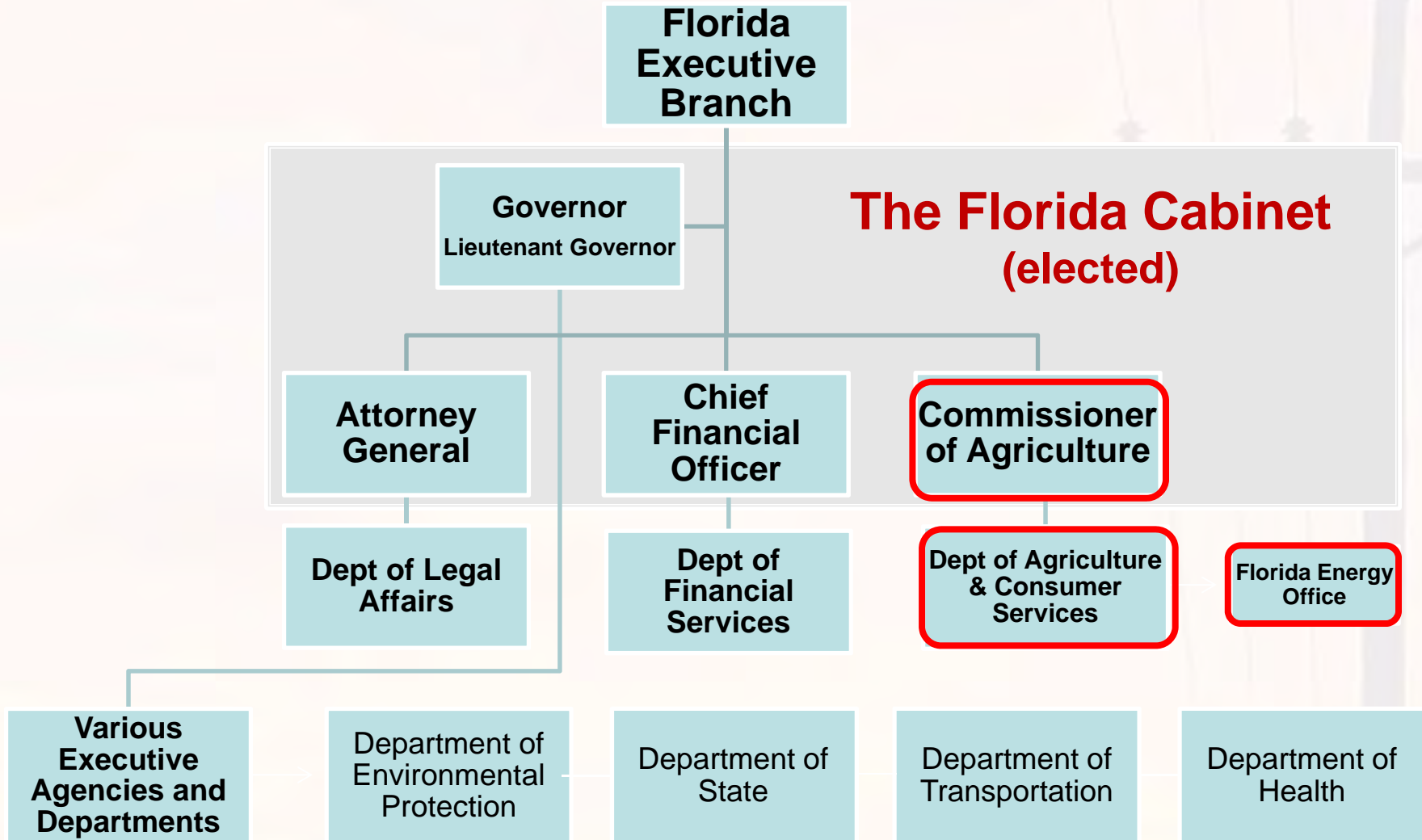


3 Branches of Government

(Federal)







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, STB, CIA.**



Florida Judicial Branch

Supreme
Court

District Courts
of Appeal

Circuit Courts

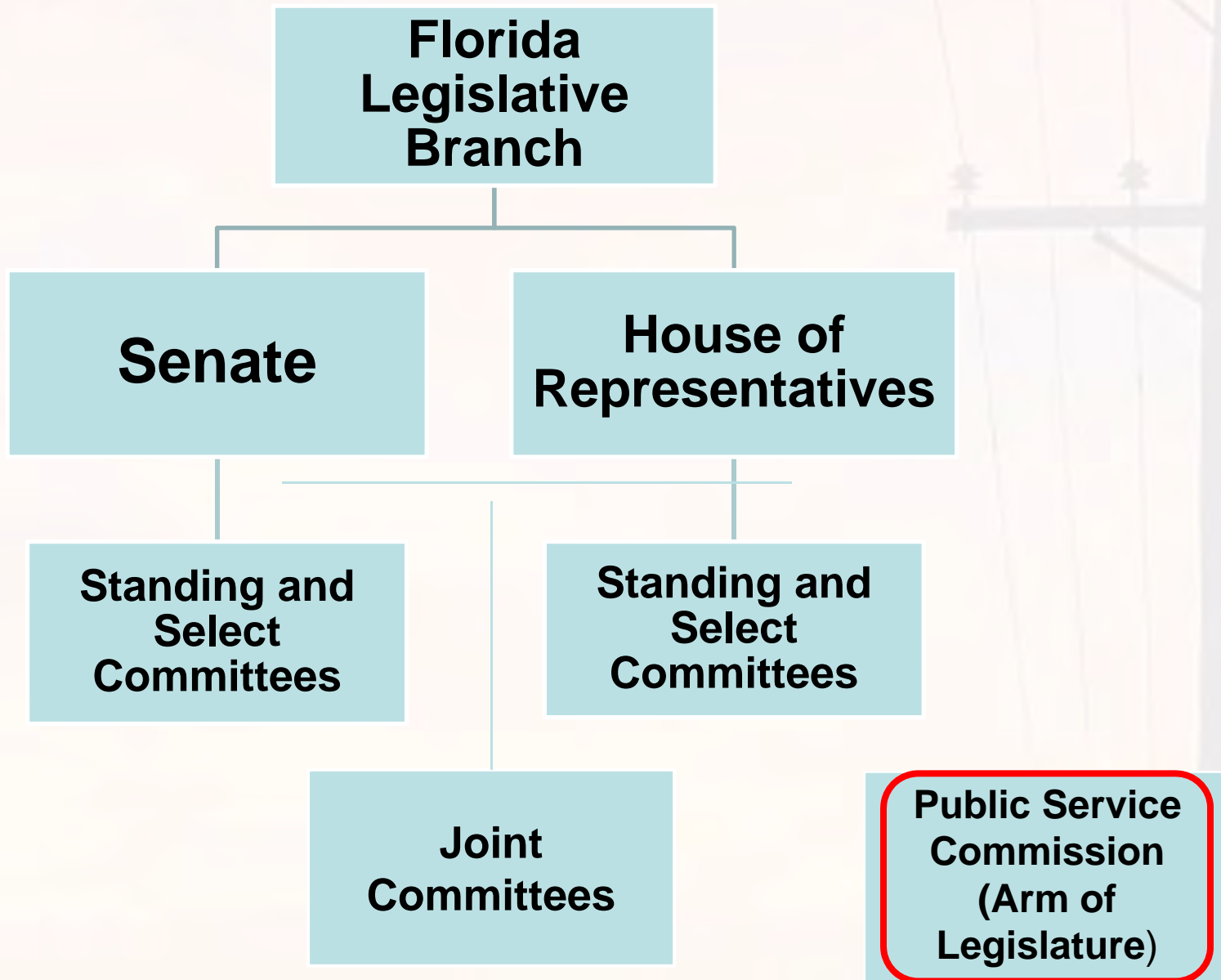
County Courts



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 (115th) 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 (23D-9R-2I)**
- **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 and all noms
- ◆ 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

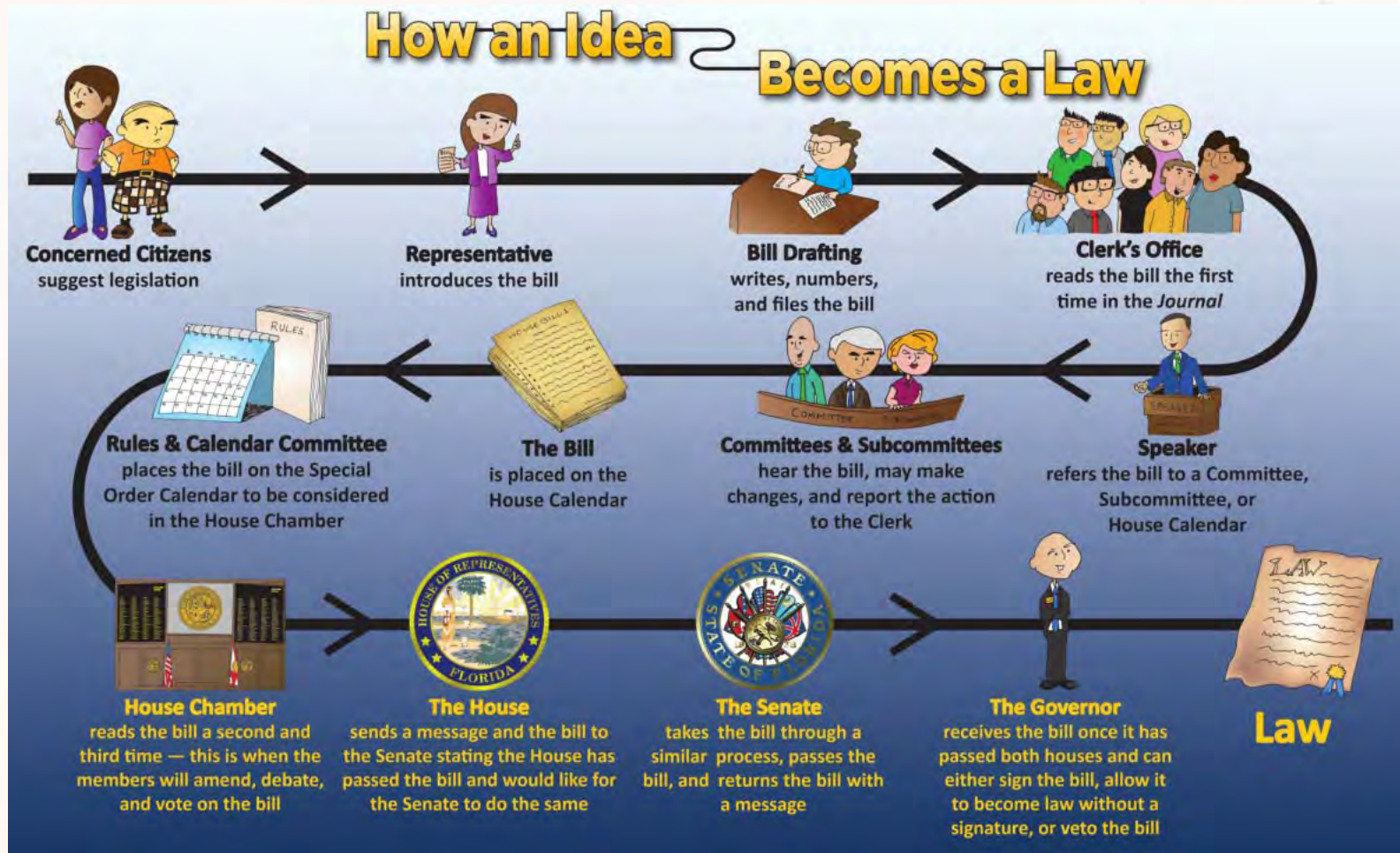
Florida Energy Committees

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

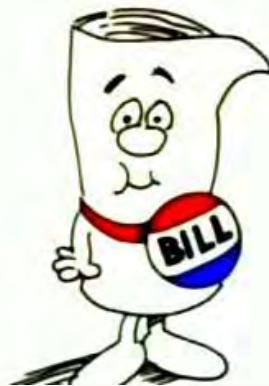
2018 Florida Bill Statistics

- ◆ 3,192 bills filed in 2018 regular session
- ◆ 462 passed one chamber
- ◆ 200 passed both chambers
- ◆ 11 vetoed by Governor



FMEA 2018 Bill Statistics

- ◆ 39 unique bills were on FMEA's tracking list
 - 2 passed (public records and linear facilities)
 - FMEA lobbied for successful passage of a public records exemption for proprietary confidential business information held by a local government electric utility



2017-2018 Constitution Revision Commission

- ◆ Meets every 20 years
- ◆ 37 members
 - Attorney General, 15 from Governor, 9 from Senate President, 9 from Speaker of House, 3 from Supreme Court Chief Justice
- ◆ Public hearings across the state



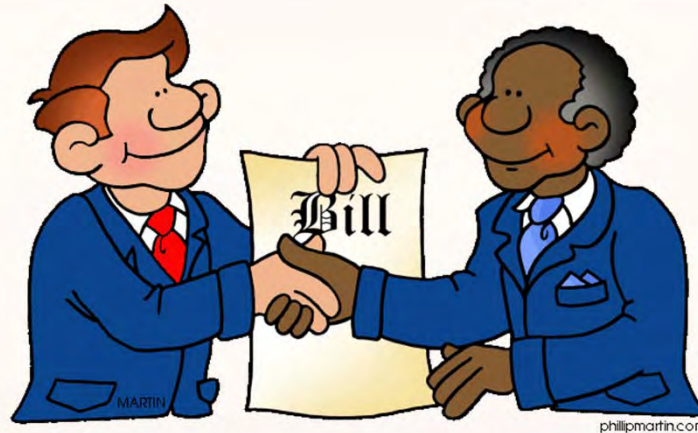
2017-2018 Constitution Revision Commission

- ◆ 782 Public Proposals (15 public hearings statewide)
- ◆ 123 Commissioner Proposals
- ◆ 8 proposed amendments on November ballot
 - Includes more than 8 proposals
 - Requires 60% vote for passage



115th Congress Bill Statistics

- ◆ 11,492 bills and resolutions introduced so far
- ◆ 482 votes (combined)
- ◆ 2017 passage: 74 laws, 23 resolutions
- ◆ 0 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

[\[H\] Government Operations Appropriations Subcommittee](#)

[\[H\] 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 AND Federal)

- ◆ *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)**



Direct Lobbying

(State AND Federal)

- ◆ Direct communication with policy-maker to advocate a certain position
- ◆ **FMEA lobbying team – regular communication with legislators, Members of Congress and staff**
- ◆ Lobbyist registration
 - Do I need to register?



Indirect Lobbying

(State AND Federal)

◆ Grasstops Lobbying

- Local community leaders contact state legislators and members of Congress 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: 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)**
 - **Various reports when asked**

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 and majority**
- ◆ **Commissioners appointed by WH from nominees generally agreed to by Senate**
 - **Must be confirmed by Senate**
 - **No quorum, no work**
- ◆ **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 (FERC-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!

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