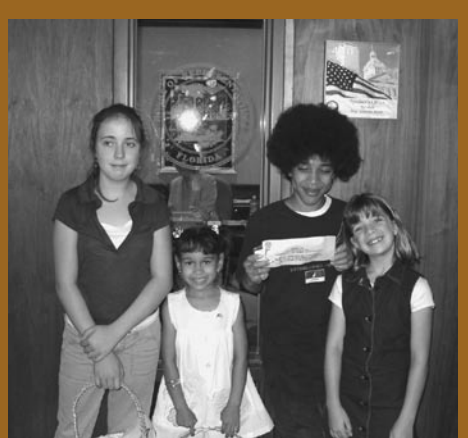


Update 2004

A Tool for the Florida Voter



In this issue:



The Children's Summer Nutrition Bill

Affordable Housing

Florida KidCare

Universal Pre-Kindergarten

Imagine . . . No Hunger

Farmworker Legislation

Child Nutrition Programs Reauthorization

AgJobs

The Federal Budget

Questionnaire for Candidates

Florida Impact

Mobilizing Communities Against Hunger and Poverty

Florida Impact



Mobilizing Communities Against Hunger and Poverty

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Presbyterian Hunger Program

Public Welfare Foundation

Publix Super Markets Charities

Share Our Strength

United Methodist Church (Florida Conference)

United Methodist Women (Florida Conference)

Victory Wholesale Grocers (Congressional Hunger Center)

Table of Contents

| | |
|--|----|
| The Children’s Summer Nutrition Bill..... | 1 |
| Affordable Housing..... | 4 |
| Florida KidCare | 8 |
| Universal Pre-Kindergarten Program | 11 |
| Imagine . . . No Hunger | 13 |
| Farmworker Legislation..... | 14 |
| Child Nutrition Programs Reauthorization | 18 |
| AgJobs..... | 20 |
| The Federal Budget | 21 |
| Questionnaire for Candidates..... | 23 |

Children's Summer Nutrition Bill

Sponsors —

HB1115: Representative Ron Greenstein (D-Broward County)

SB2095: Senator Steve Wise (R-Jacksonville)

This was Florida Impact's priority bill for the 2004 legislative session; but in the final days, it went the way of many others in failing to get a hearing on the Senate floor. Sometimes even non-controversial, popular bills die for reasons that have nothing to do with the issue. That seemed to be the case for this one, which had become something of a "darling" in the waning hours of the 2004 Florida Legislature. Individual members of the media, Legislature, and other lobbying organizations were rooting for the bill's passage.

One reason for such interest was Ms. Willie Ann Glenn, one of the state's best advocates for the summer food program. Ms. Glenn died unexpectedly at age 47 within weeks after the start of the session, apparently from heart failure. On the day of her death, Ms. Glenn was up at 2:00 a.m. packing lunch bags for the Second Harvest Food Bank's Brown Bag for the Elderly Program. Impact was making arrangements to bring Ms. Glenn to the Capitol from nearby Perry, Florida, to provide public testimony to a legislative committee. She had coordinated a nationally recognized summer food model for the past six summers at the Stewart Memorial AME Church. This site annually feeds anywhere from 100 to 150 children a day. The retired women of the church cook hot meals, while the church offers its van and the cost of gas to make several round-trip runs into remote rural areas to pick up children. Rev. Melvin Bell, the church's pastor, testified in the House Education Subcommittee that—judging from the behavior of the children—this was likely the only meal of the day for many.

Rep. Greenstein, the House bill sponsor, decided to offer a naming amendment, so the

bill—if passed—would become known as the Willie Ann Glenn Summer Nutrition Act. A news conference was held to announce this move; and Ms. Glenn's mother and family members, the bishops of the two United Methodist conferences in Florida, the bill sponsors, the President of the Florida Association of Food Banks, and Ms. Glenn's own state senator and representative were in attendance.

In the meantime, Impact and its allies – the Florida Academy of Family Physicians, United Way of Florida, Florida Catholic Conference, and the Florida Association of Jewish Federations—continued to appeal to legislators by pointing to each county's unmet need and the untapped federal dollars available to address it. Overall, the state was leaving over \$104 million in federal funds on the table in Washington while over 1 million of its children, eligible for free and reduced-price meals during the school year, went unserved by the federally reimbursed Summer Food Service Program. Lobbyists from the Florida School Food Service Association (FSFSA) and the Florida Association of District School Superintendents opposed the mandate language in the original bill, which required school district superintendents to implement the following provisions in each county over two years:

By the summer of 2005, it required at least one summer food program in each school district to operate for at least 40 days during the summer months within five miles of an elementary school where 50 percent or more children are eligible for free or reduced-price school meals.

By the summer of 2006, it required all school

districts to ensure there is a summer food site within 10 miles of every elementary school where 50 percent or more children are eligible for free or reduced-price school meals.

In response, Impact negotiated an offer to delete the 2006 provision and provide an exemption to school boards. To opt for the exemption, a school board must include the issue on the agenda at a publicly noticed school board meeting; provide citizens an opportunity to participate in that discussion; and then have the school board vote on the exemption—every year it is requested. Impact’s anti-hunger colleague in the state of Vermont had passed similar language in their school breakfast mandate. In that state, two school districts that had formerly refused to offer school breakfast changed their policy after a required meeting to attain an exemption generated vehement support from the community for the breakfast program.

Similarly the decision NOT to aggressively pursue federal summer food funding in Florida is often made quietly by one or two individuals within the school district office without much if any public awareness or input.

The Florida Department of Education (DOE), FSFSA, and the Florida Association of Counties decided to support the bill in this format, but the school district superintendent lobbyist still opposed it, citing the number of requirements that continued to be placed on school district personnel by the state—even if this one did come with federal reimbursement. In the last week of the Session, the House and Senate bills had passed all of their substantive committees with unanimous support. Now they awaited either withdrawal from or passage through their final Appropriation committee hearings on the way to their respective floor votes.

With no movement for several weeks and in the final days of the Session, it was looking like it was over for the bill when Impact quickly organized four local school children to stand outside the Senate and House chambers and hand out gifts to legislators as they entered. The small packages of pound cake and a penny were wrapped with ribbon and a note that read: “Don’t be a penny wise and a pound foolish, bring the Children’s Summer Nutrition Bill to the floor. Summer time . . . and the livin’ is easy. But not if you’re a kid hungry, and school is out in Florida.” The children’s presence seemed to infuse the Capitol with hope and remind many legislators of why they chose to serve in the first place. Television coverage was fed to stations around the state, and newspapers wrote of the possible failure to seize this opportunity for federal funding and to feed children.

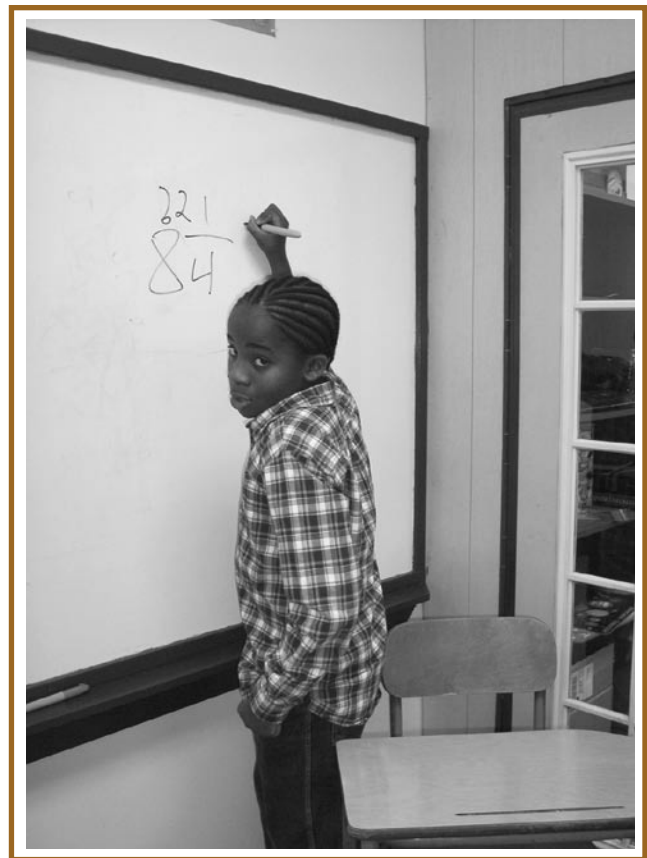
*Summertime . . . and the livin' is easy.
Summertime . . . and the livin' is easy.
But not if you're a kid hungry,
and and school is out in Florida.*

Even the bill’s sponsors seemed reinvigorated and inspired by this

simple act. Rep. Greenstein decided to quietly attach the bill’s language to another bill that was moving through the House, even as the children stood outside the House chamber doors. Met with disapproval by the House Speaker, Greenstein spoke passionately from the House floor about the bill while a colleague held up a blown-up cover of the recent Parade Magazine featuring childhood hunger in America: “This is like apple pie and Chevrolet! How can we tell a million kids that they can’t get one square meal a day?”¹ Representative Greenstein won them over, and the bill’s language was amended to the other bill, passed, and then sent to the Senate. Ironically, within 24 hours after that passage, the original HB1115 began to move as well and was also passed on the House floor and sent over to the Senate in messages.

Simultaneously Impact was working with its

colleague in Washington D.C., the Food Research and Action Center (FRAC), to pull in calls to the Senate President from the National Conference of Legislators, Congressman Crenshaw's office, and the USDA Secretary himself (who has designated summer food as a priority program) to persuade Senator King to let the House bill through for a Senate floor vote, where it was likely to meet support. Members of the Republican Hispanic caucus were also working with the bills' sponsors to persuade the Senate President. Individuals, clergy, and even bishops from around the state were calling in the final hours to break the Senate President's resolve to not take up any messages (passed bills) coming from the House. Yet, that is where it ended, and the bill died. The 2005 Florida Legislature will be presented with another opportunity to maximize federal funding to feed more hungry children in the summer months.



¹ "Children Lobby Legislators to OK Summer Lunch Plan," Tanya Caldwell, South Florida Sun-Sentinel, 28 April 2004.

The State's Trust for Affordable Housing

Thanks to a broad coalition of organizations, ranging from private nonprofits to for-profit realtors, the 1992 Florida Legislature adopted the William E. Sadowski Affordable Housing Act--landmark legislation that established an affordable housing trust fund. Like last year, Governor Jeb Bush sought again to eliminate this trust. In response to an editorial published by the South Florida Sun-Sentinel, the Governor said, "Trust funds tie legislators' hands with spending mandates from years past . . . By phasing [them] out, we can help ensure priorities like education, the environment -- and even affordable housing -- receive the attention they need, while other worthy programs are supported as Florida's elected representatives see fit."

This was the environment in which the Florida Housing Coalition worked to accomplish three things in the 2004 legislative session: to pass the State and Local Housing Trust Fund reauthorization bills (SB 1000 and 1002); to ensure adequate funding for these trust funds; and to pass the Florida Homeownership Act of 2004 (HB 1795 and S3002).

Reauthorization of the Trust Funds

Although more than \$3 billion in additional revenue was projected for the next fiscal year, the Governor and state policymakers took a stab at earmarking affordable housing funds for other purposes. Governor Bush's plan was simple--to phase out the state housing trust funds generated by the Sadowski Act, so that other state budget priorities could be met without addressing the long-term problems of the state's tax system or eliminating tax loopholes. And he did this while espousing a commitment to affordable housing. Remembering a time when funding for affordable housing was little to none and

always uncertain, Coalition members sought to reauthorize the state and local housing trust funds so that needed services would continue to be ensured for low-income residents.

Also in the works was a bill (SB2514) sponsored by Senator Tom Lee to cap funding disbursements from the housing trust funds. After weeks of negotiations to save the trust fund, however, the Coalition agreed to not contest Senator Lee's bill in order to focus its efforts on protecting the trust fund mechanism itself. Because without it, the programs provided for by the trust funds would be at risk, not to mention Florida's low-income residents in need of safe and affordable housing. The State and Local Housing Trust Funds still direct more money to affordable housing than any other program or agency.

In the end, both the Senate and House reauthorized the housing trust funds. In fact, the House waived the rules and singled out the Housing Trust Fund Reauthorization bills to pass them on the floor, unanimously--leaving the dozens of other trust fund reauthorizations in Senate Messages to be dealt with later in the session. The affordable housing bills were then held up after passage so as not to

*There's a clear link:
As home values rise and
more land is sold for
development, the amount
of money available for
housing programs and
conservation goes up, too.*

The Herald Tribune, 12 March, 2004

trigger a seven-day “sign or veto” time limit for the Governor, who had indicated he might veto the bills. If Bush did not approve the bills, it was speculated that one of two scenarios could unfold: a budget amendment would be required to switch funding from the Trust Funds to General Revenue; or, without reauthorization, the trust fund would be considered sunset, and the money appropriated for the trust funds would revert automatically to General Revenue. Finally, nearly six weeks after the close of the legislative session, Governor Bush signed the affordable housing bills.

Senator Lee’s bill to cap the trust funds also drew support from both houses. Coalition members sought to at least obtain a higher level of funding and one that would reflect annual growth. Though passed in both houses, the bill died in Conference Committee as one of the many to be caught in the final

“grudge match” between the House and Senate leadership. If the bills to cap the housing funds are reintroduced and pass in the 2005 legislative session, they would not go into effect until July 1st of next year. That means the cap could still be enacted prior to that date, reflecting the current appropriation level of \$193 million (which is what the 2004 Legislature appropriated for the FY2004-05 State and Local Housing Trust Funds and essentially the same level as FY2003-04). The trust fund generated \$413.8 for housing programs; 47 percent was appropriated for housing and 53 percent (or \$220.8 million) was swept into general revenue. At mid-session, Representative Ed Jennings had proposed to return \$220 million to the housing trust funds instead of directing it towards general revenue, but the House rejected this. Specific housing appropriations and explanation of acronyms for programs are detailed below.

- **SHIP (State Housing Initiatives Partnership):** Approximately 70% of the money from the trust funds is given to this program. SHIP provides direct funds to local governments in 67 counties and 48 additional cities to increase affordable housing opportunities in their communities. Each local government receiving SHIP monies must adopt a plan that is consistent with SHIP’s goals and parameters.
- **Catalyst Training Program:** Presents training and technical assistance to local governments and nonprofits using SHIP funds.
- **SAIL (State Apartment Incentive Loan Program):** Stimulates production of affordable, multi- and single-family rental housing for very low-income individuals and families in Florida. SAIL is a development incentive program, which leverages state loan funds, local government contributions, developer equity, and private bond financing.
- **HAP (Florida Homeownership Assistance Program):** Helps low-income individuals and families purchase their own homes by providing no interest, second mortgage loans.
- **PLP (Predevelopment Loan Program):** This program provides financial assistance for predevelopment costs, site acquisition, and development of land for housing affordable to individuals or families with very low and low incomes.
- **HOME (Home Investment Partnership Program):** Offers second mortgage, low-interest loans to eligible housing providers to develop affordable housing units from federal funds. This program is federally funded.
- **Florida Affordable Housing Guarantee Program:** Provides guarantees on taxable loans and tax-exempt loans in order to encourage private sector lending for affordable housing.
- **Homeless Emergency Shelter Grants:** Funded by HUD, these grants are awarded to state governments, large cities, urban counties, and/or U.S. territories to be given to homeless shelter facilities. The purpose is to provide “homeless persons with basic shelter and essential supportive services.”
- **Homeless Housing Assistance Grants:** Helps to fund the construction or repair of permanent or transitional housing for homeless persons.
- **Low Income Emergency Home Repair:** Assists low-income people, especially the elderly and physically disabled, with emergency house repairs putting them at risk.

Total Funding for Affordable Housing Programs²

| Administering Agency | Program | Total Funding | Funding from Housing Trust Funds (Sadowski) | Change from Sadowski \$FY03-04 |
|--|---|---|---|---|
| Florida Housing | SHIP | \$130,886,000 (less Clearinghouse funding) | \$130,886,000 | -0- |
| Florida Housing | SAIL HAP PLP HOME Match Guarantee Fund Catalyst Training Affordable Housing Study Commission | \$55,906,623 [Neither the appropriation act nor the budget backup has a breakout between these programs] | \$55,906,623 | +\$1,398,356 Note: increase in funding level reflects shift of Catalyst (\$672,799) and AHSC (\$48,000) from DCA to FHFC and shift of FHFC administrative costs (\$677,450) to program use |
| Florida Housing | Housing Data Clearinghouse | \$255,267 [50% from SHIP and 50% from Florida Housing's above listed appropriations] | \$255,267 | N.A. |
| Florida Housing | SHIP Monitoring | \$ 200,000 | \$200,000 | -0- |
| Florida Housing | Program Administration | N.A. | -0- | -\$677,450 |
| DCA | Low Income Emergency Home Repair | \$2,000,000 | -0- | N.A. |
| DCA | Catalyst Training | -0- | -0- | -\$672,799 |
| DCA | Affordable Housing Study Commission | -0- | -0- | -\$48,000 |
| DCA | Other Administration | N.A. | \$ 106,956 (+2.8% from last year) | +\$2,881 |
| Department of Children and Families | Homeless Emergency Shelter Grants | \$ 5,840,050 | \$ 900,000 | -0- |
| Department of Children and Families/ State Office on Homelessness | Homeless Housing Assistance Grants | \$ 5,000,000 | \$ 5,000,000 | -0- |
| TOTAL | | | \$192,999,579 | +\$2,988 |

The Front Porch Florida initiative, a community revitalization project led by Governor Jeb Bush, received \$3,180,332 of General Revenue appropriations of which \$180,362 is for administration. Additionally, Florida Housing receives HOME funding directly from the federal government of over \$23.4 million each year, which is not part of the Appropriation Act.

Florida Homeownership Act of 2004, HB 1795 and S3002

The Florida Homeownership Act of 2004 -- created by the Omnibus Affordable Housing Bill -- reflected a series of recommendations given by the House Select Committee on Affordable Housing, chaired by Representative Randy Johnson. The bill did not intend to create a new program but instead to improve existing programs for both rental and home ownership affordable housing. The bill proposed:

- To amend Chapter 193 to further clarify that affordable multi-family housing must be assessed in a manner to reflect the rent-restricted nature of the properties;
- To provide adequate appropriations to promote single family homeownership and money for rent set-asides used to provide financial assistance in the purchase of a home.
- To amend Chapter 220, Chapter 624, and related statutes to double the Community Contribution Tax Credit from an annual tax credit of \$10 million to \$20 million, change the way the monies are allocated and the eligible uses, and extend the expiration of the program from 2005 to 2015.
- To amend Chapter 253 to add affordable housing as a permitted use of state-owned surplus lands.
- To amend Chapter 420 to include manufactured housing in the types of structures that are included in the state's affordable housing strategy and amend the Florida Homeownership Assistance Program in Chapter 420.5088 to include manufactured housing.
- To amend Chapter 420 to require the on-going use of the SHIP Advisory Committees

and to require local governments to set a maximum purchase price for single-family homes at the amount established by the Florida Housing Finance Corporation.

Although the House Finance and Tax Committee adopted the bill unanimously early in the session, the bill eventually died in the House Committee on Appropriations. The bill never came up for a vote in the Senate for reasons having little to do with the issue. So as a last resort, the key elements of the legislation were amended onto another bill (HB109), which passed the House but died in messages to the Senate, as did many others sent over to the Senate in the final days of session.

1. "Trust Funds Tie Legislators' Hands," Governor Jeb Bush, South Florida Sun-Sentinel, 27 March 2004.

2. Housing News and Member Update, Florida Housing Coalition,
3. May 2004.

Source: Mark Hendrickson, researcher for the Florida Housing Coalition.

Florida KidCare

Sponsors —

HB1073: Bruce Kyle (R-Lee); Cosponsors: Rafael Arza (R-Hialeah); Mike Davis (R-Broward); Carole Green (R-Lee); Gayle B. Harrell (R- St. Lucie); Adam Hasner (R-Palm Beach); Ed Homan (R-Tampa); Stan Mayfield (R-Indian River); Ray Sansom (R-Okaloosa); Joseph R. Spratt (R-Hendry)

SB2000: Paula Dockery (R-Polk); Durell Peaden, Jr. (R-Escambia); Jeffrey H. Atwater (R-Broward); Mike Fasano (R-New Port Richey); Nancy Argenziano (R-Citrus); Dennis L. Jones (R-Pinellas); Kenneth P. Pruitt (R-St. Lucie); Michael S. Bennett (R-Bradenton); Cosponsors: Evelyn J. Lynn (Clay, Marion, Putnam, Volusia); Anna P. Cowin (R-Deland); Charlie Clary (R-Bay)

The KidCare system, Florida's version of the state Children's Health Insurance Program (CHIP), offers low-cost health insurance for uninsured children in families with incomes too low to pay for private insurance or health care but not low enough to qualify for Medicaid. In 1998, the Florida Legislature passed the Florida KidCare Act to provide health care coverage for more than 300,000 of Florida's 800,000 uninsured children with family incomes below 200 percent of the federal poverty level. KidCare delivers its services through four separate programs: Children's Medicaid, for children from birth to 18 years of age; MediKids, for children ages 1 through 4; Florida Healthy Kids, for children ages 5 to 18 years of age; and Children's Medical Services Network, for children from birth to 18 years of age with special health needs or ongoing medical conditions.

The Children's Medicaid Program is paid for like any other Medicaid service: for every dollar spent, the federal government pays 62 cents, and the state pays 48 cents. The other three KidCare programs are underwritten by funds with a ratio of federal to state government monies, ranging from 71 to 29 cents for every dollar. Last year, the Florida Legislature whittled down the KidCare budget to \$470 million, excluding Medicaid, with just \$117 million coming from the state. It then capped enrollment in the three KidCare programs,

not including Medicaid (a federal entitlement program). The cap translated into a long waiting list of children who applied for and needed health insurance but couldn't get it. According to the United Way of Florida, by the end of September, the waiting list had grown to nearly 60,000 children and was growing at about 3,000 children a week--twice as fast as lawmaker's expected. By the time the Legislature met in March, more than 90,000 children remained on the waiting lists.

One day before the official start of the 2004 session, the Senate and House Appropriations committees had already passed KidCare bills that would effectively eliminate all the children on the waiting list. Both bills provided \$6.5 million in state funding, which would draw down \$16.3 million in federal funds. The bills

Politically, what that means is that nobody — not us, not you, not anyone — would be able at any point to say that 30,000 or 50,000 or 80,000 or 100,000 kids are on the waiting list because there would no longer be any record of a waiting list.

Robert Greenstein,
Director of the Center on
Budget and Policy Priorities

also revised the policy that disallowed families from receiving state health care benefits if they were offered private health care through their employer--regardless of whether they could afford it. The bills would now allow families to participate in the KidCare Program if the health coverage at their jobs cost more than 5 percent of the family's gross income. And all of this went through like greased lightning and across the Governor's desk for a signature by the end of the second week of Session!

While applauding the Legislature's expansion of the Kidcare budget to accommodate the current waiting list, child advocates were concerned about the "new" children who would begin lining up after the money runs out--estimated to be between 20,000 and 30,000 children by November. The problem is, who will be able to tell? The legislation calls for the elimination of any future KidCare waiting lists, not by continuing to fund what Florida's children need in the way of health care but by stipulations in the bill that will replace open with restrictive enrollment periods, eliminate dental coverage, and obliterate outreach, so families are less informed about the existence of

the state's child health care programs. Children phasing out of a health care program for one age bracket will find themselves again without coverage for at least some period of the year while they wait for one of the two new 30-day enrollment periods to come around (in September or January)—i.e., if there is enough funding to add them in the first place.

The Governor and legislators who voted for the bill say that it represents the best option for needy children in difficult budget times. But remember, one of the things making those budget times difficult includes the last five Legislatures'

decisions to provide a combined \$6 billion in tax cuts, like the intangible tax reductions. Governor Bush has advocated successfully for greater exemptions for Floridians who own stocks, bonds, mutual funds, and other assets subject to the intangible tax. Before the last reduction was adopted, individuals paid no tax on the first \$20,000 in assets and for couples filing jointly, on the first \$40,000. Now the limits have increased to no tax on the first \$250,000 of assets for individuals; and for couples, \$500,000. Business exemptions were added, requiring no tax on the first \$250,000 of assets. To help put this into perspective,

| VOTES ON SB 2000 in the Senate | | | |
|---------------------------------------|---------------|---------------------|----------------|
| Yeas - 25 | | Nays - 14 | Not Voting - 1 |
| Y Alexander | Y Dockery | Y Peaden | |
| Y Argenziano | Y Fasano | Y Posey | |
| N Aronberg | Y Garcia | Y Pruitt | |
| Y Atwater | N Geller | - Saunders | |
| Y Bennett | Y Haridopolos | Y Sebesta | |
| N Bullard | N Hill | N Siplin | |
| N Campbell | Y Jones | N Smith | |
| Y Carlton | Y King | Y Villalobos | |
| Y Clary | N Klein | N Wasserman Schultz | |
| Y Constantine | N Lawson | Y Webster | |
| Y Cowin | Y Lee | N Wilson | |
| Y Crist | Y Lynn | Y Wise | |
| N Dawson | N Margolis | | |
| Y Diaz de la Portilla | N Miller | | |

Votes Recorded:
 March 4, 2004: Yea—Saunders
 March 10, 2004: Yea--Saunders

it is useful to know that the minimum \$60 tax liability for a couple reflects assets--excluding the value of their residence—of over half a million dollars (\$560,000). These increased limits will enable an estimated 600,000 higher-income individuals and businesses to avoid paying taxes altogether.

But at election time, those hoping to return to their desks in the Florida Legislature can point to this vote for KidCare funding as doing their "bit" for child health care—and "Look, Ma! No waiting list!"

VOTES ON SB2000 in the House¹

Yeas - 80

Nays - 37

Not Voting - 3

| Member | Member | Member | Member |
|----------------------|---------------------|----------------------|--------------------|
| Y Adams | Y Culp | N Joyner | N Ritter |
| Y Allen | N Cusack | N Justice | Y Rivera |
| Y Altman | Y Davis, D. | Y Kallinger | Y Robaina |
| Y Ambler | Y Davis, M. | N Kendrick | N Roberson |
| Y Anderson | Y Dean | Y Kilmer | Y Ross |
| - Antone | Y Detert | N Kosmas | Y Rubio |
| Y Arza | Y Domino | Y Kottkamp | Y Russell |
| Y Attkisson | Y Evers | Y Kravitz | N Ryan |
| N Ausley | Y Farkas | Y Kyle | Y Sansom |
| Y Baker | N Fields | Y Littlefield | N Seiler |
| Y Barreiro | Y Fiorentino | Y Llorente | Y Simmons |
| Y Baxley | Y Galvano | N Machek | - Slosberg |
| Y Bean | N Gannon | Y Mahon | N Smith |
| N Bendross- | - Garcia | Y Mayfield | N Sobel |
| Mindingall | Y Gardiner | N McInvale | Y Sorensen |
| Y Bense | N Gelber | N Meadows | Y Spratt |
| Y Benson | N Gibson, A. | Y Mealor | N Stansel |
| Y Berfield | Y Gibson, H. | Y Murman | Y Stargel |
| Y Bilirakis | Y Goodlette | Y Murzin | Y Sullivan |
| Y Bogdanoff | N Gottlieb | Y Needelman | Y Troutman |
| Y Bowen | Y Green | Y Negron | N Vana |
| N Brandenburg | N Greenstein | Y Patterson | Y Waters |
| Y Brown | N Harper | Y Paul | N Wiles |
| Y Brummer | Y Harrell | N Peterman | N Wishner |
| N Brutus | Y Harrington | Y Pickens | Y Zapata |
| N Bucher | Y Hasner | Y Planas | |
| N Bullard | N Henriquez | Y Poppell | In the Chair: Byrd |
| CH Byrd | N Holloway | Y Prieguez | Y The Chair |
| Y Cantens | Y Homan | Y Quinones | |
| Y Carroll | N Jennings | Y Reagan | |
| Y Clarke | Y Johnson | N Rich | |
| Y Cretul | Y Jordan | N Richardson | |

¹ SB2000 was substituted for HB1073 for a final floor vote.

Source: United Way of Florida's 2004 Legislative Link.

Universal Pre-Kindergarten Program

Sponsors —

HB821: Representative Gustavo Barreiro (R-Miami); Cosponsors: Kevin C. Ambler; Rafael Arza (R-Hialeah); Gaston I. Cantens (R-Miami); Bev Kilmer (R-Panama City); Juan C. Zapata (R-Miami)

SB3036: Senator Lisa Carlton (R-Charlotte, Manatee, Sarasota); Cosponsors: Lee Constantine (R-Altamonte Springs); Anna P. Cowin (R-Leesburg); Evelyn J. Lynn (R-Clay, Marion, Putnam, Volusia)

Probably the most contentious issue to dominate the 2004 Florida Legislature was the passage of the Universal Pre-Kindergarten (UPK) Program. The residents of Florida overwhelmingly voted for a 2002 constitutional amendment to mandate the creation of a voluntary Universal Pre-K program in the state by 2005. Although legislators could have worked on the creation of a program in the 2005 legislative session, a bill was passed this year to address the issue.

Two primary viewpoints emerged: an emphasis on a quality universal pre-k program defined by fundamental education principles; and concern with the financial impact of more ambitious UPK program criteria that would require higher levels of funding. Eventually, the latter group won the battle between the House and Senate. Yet, at this writing, it remains uncertain as to whether Governor Bush will sign or veto that version of the program.

Currently, children in Florida are not scoring well on any credible learning indicators. According to the National Center for Education Statistics, more than three out of every ten students starting kindergarten do not know the alphabet or possess adequate social and behavioral skills to pay attention in class.¹ As many know, academic success starts in the early years, with most development occurring from birth to age five. Only thirty-two percent of Florida's

pre-school aged children attend some kind of publicly financed instruction before kindergarten, and most likely only about 10 or 15 percent attend private programs.²

It was Miami-Dade County's mayor, Alex Penelas, who organized a petition drive to place a constitutional amendment for a universal pre-kindergarten program on Florida's 2002 ballot. Not wanting to drain funding away from other important social services if passed, the amendment stated that funds explicitly set out for education, health, and development could not be used for the pre-k program. The voters approved the amendment, showing that

"the education of children is a fundamental value of the people of the state of Florida"³, and that the costs associated with its implementation were not too high for such a vital program.

The Legislature first decided to act on the voter's mandate in 2003 by requiring the State Board of Education to create an advisory council that would conduct a study on the curriculum, design, and standards for an effective universal pre-k program. Based on their recommendations, two popular bills were offered this session. The first, Senate Bill 3036, became the bill-of-choice for advocates wishing to build a strong UPK program. According to Governor Jeb Bush and child advocates, the second bill, House Bill 821 fell significantly short of the constitutional

The breath of children is the reason for the world's existence.

Maimonides, *The Laws of Torah Study*, 2:1

amendment’s intent and the Florida Department of Education task force’s recommendations.

For example, HB821 ignored the Task Force recommendations of a six-hour day, a one-to-ten teacher-student ratio, Gold Seal accreditation to qualify schools and teachers, and a prerequisite that teachers have a bachelor’s degree. Instead, the House bill only promised a three-hour day, no Gold Seal accreditation requirement, and teachers minus the strict degree or accreditation standards. On both the House and Senate bills, child advocates urged representatives to do more for UPK, like allowing parents a choice of settings, local governance, and a minimum of 720 hours of instruction.

Although the Senate took up its own bill for the third reading on the Senate floor, in the end, it was the House version it adopted unanimously—substituting HB821 for SB3036, which was “laid on the table.” Child advocates, the Florida Board of Education, and Governor Jeb Bush collectively denounced the final universal pre-kindergarten bill, and a possible veto continues to loom since there is time for the Legislature to revisit the issue next year.

1. “Children’s Campaign Sets the Record Straight,” Children’s Campaign, 30 March 2004.
2. “Penelas seeks state pre-K program,” Tyler Bridges, The Miami Herald, 2 December 2001.
3. Section 1, Public Education, Florida Constitution.

The Final Vote on HB821 in the House

| | | | | |
|----------------------------------|---------------------|----------------------|---------------------|-------------------|
| Y Adams | N Bucher | Y Goodlette | N Machek | Y Ross |
| Y Allen | N Bullard | N Gottlieb | Y Mahon | Y Rubio |
| Y Altman | Y Byrd | Y Green | Y Mayfield | Y Russell |
| Y Ambler | Y Cantens | N Greenstein | N McInvale | N Ryan |
| Y Anderson | Y Carroll | N Harper | N Meadows | Y Sansom |
| N Antone | Y Clarke | Y Harrell | Y Mealar | N Seiler |
| Y Arza | Y Cretul | Y Harrington | Y Murman | Y Simmons |
| Y Attkisson | Y Culp | Y Hasner | Y Murzin | N Slosberg |
| N Ausley | N Cusack | N Henriquez | Y Needelman | N Smith |
| Y Baker | Y Davis, D. | N Holloway | Y Negron | N Sobel |
| Y Barreiro | Y Davis, M. | Y Homan | Y Patterson | Y Sorensen |
| Y Baxley | Y Dean | N Jennings | Y Paul | Y Spratt |
| Y Bean | Y Detert | Y Johnson | N Peterman | N Stansel |
| N Bendross- Mindingall | Y Domino | Y Jordan | Y Pickens | Y Stargel |
| Y Bense | Y Evers | N Joyner | Y Planas | Y Sullivan |
| Y Benson | Y Farkas | N Justice | Y Poppell | Y Troutman |
| Y Berfield | N Fields | Y Kallinger | - Prieguez | N Vana |
| - Bilirakis | N Fiorentino | N Kendrick | Y Quinones | Y Waters |
| Y Bogdanoff | Y Galvano | Y Kilmer | Y Reagan | N Wiles |
| Y Bowen | N Gannon | N Kosmas | N Rich | N Wishner |
| N Brandenburg | Y Garcia | Y Kottkamp | N Richardson | Y Zapata |
| Y Brown | Y Gardiner | Y Kravitz | N Ritter | |
| Y Brummer | N Gelber | Y Kyle | Y Rivera | |
| N Brutus | N Gibson, A. | Y Littlefield | Y Robaina | |
| | Y Gibson, H. | Y Llorente | N Roberson | |

Imagine . . . No Hunger

Sponsors —

HB231: Representative Ron Greenstein (D-Broward); Cosponsors: Ed Jennings (D-Gainesville) and Dwight Stansel (D-Live Oak)

SB620: Senator Burt Saunders (R-Lee and Collier); Cosponsors: Mike Fasano (R-New Port Richey) and Al Lawson (D-Tallahassee).

Another non-controversial bill that would have created a license plate, profiting the Florida Association of Food Banks, did not make it through the 2004 Florida Legislature. The proceeds from the proposed “Imagine” license plate would have benefited low-income individuals seeking emergency food services at food pantries across Florida. An advisory board of the Florida Association of Food Banks, consisting of a member representative from each of the Association’s affiliated food banks, would have reviewed the distribution of the funds. With these monies, the Association estimated it could have served approximately 100 million meals to hungry persons in the first year after the passage of the bill.

The bill had a number of committee assignments to hurdle in the Senate, but it sailed through its four committees of substance unanimously only to stagnate in its Appropriation subcommittee assignment of Transportation and Economic Development. After waiting for a place on the agenda for over two weeks, the bill died as the Session ended. Its other committees of reference were: Transportation; Agriculture; Governmental Oversight and Productivity; and Finance and Taxation.

On the House side, the bill passed its two substantive committees of Transportation (unanimously) and Finance and Tax (see voting record below) as well as secured unanimous support from the Appropriation subcommittee of Transportation and Economic Development. In the final days of the Session, the House bill was withdrawn from its Appropriations Committee assignment and placed on the House’s Special Order Calendar for a floor vote but died on the Second Reading Calendar as the Session ended.

Votes in the House Finance & Tax Committee

| | | | | |
|--------------------|-------------------|--------------------|-------------------|------------------|
| Y Allen | N Brummer | Y Jennings | - Llorente | Y Rich |
| Y Altman | Y Dean | Y Johnson | Y Meador | Y Ryan |
| Y Attkisson | Y Gottlieb | Y Kallinger | Y Murzin | Y Sansom |
| Y Baxley | Y Holloway | N Kendrick | Y Peterman | Y Sobel |
| Y Brown | Y Homan | Y Kilmer | Y Poppell | Y Stargel |

Total Yeas: 22 Total Nays: 2 Total Missed: 1 Total Vote: 25

The introduction of yet another license plate to the state’s existing collection of 88 gave pause to some legislators, like Senator Evelyn Lynn (R-Ormond Beach), who filed one of the Session’s shortest bills. SB107, in its entirety, read: “The Department of Highway Safety and Motor Vehicles may not issue any new specialty license plates after June 30, 2004.” This bill, however, failed to make it on the agenda of its first committee.

Farm Worker Legislation

Postsecondary Student Fees for Children of Migrant Workers

Sponsors —

SB1182: Senator Mike Bennett (R-Bradenton); Cosponsors: Larcenia Bullard (D-Miami) and Evelyn Lynn (R-Ormond Beach).

HB241: Representative Bill Galvano (R-Bradenton); Cosponsors: Rafael Arza (R-Miami), Anne Gannon (D-Delray Beach), and Bob Henriquez (D-Tampa).

Modeling successful legislation in other states, both of these bills would have made higher education more accessible for the children of migrant farm workers. Currently, children of migrant farm workers who have attended Florida schools all of their lives while their parents toiled in Florida's farms must pay full out-of-state tuition rates at local universities and colleges. The bill proposed to amend state law that defines residency status for the assignment of in-state tuition fees, so that students who have attended a Florida high school for at least three months per school year for two school years and have a parent who is currently employed in Florida as a legal, migrant farm worker are exempted. Although the legislation did not enable students to also receive state financial aid or Bright Future's Scholarships, the bills would have eliminated a major barrier for those who could not otherwise afford the higher out-of-state rates.

The Senate bill additionally extended the same benefit to dependent children of active duty members of U.S. Armed Services attending a public community college or state university within 50 miles of the military establishment where their parent(s) is/are stationed. This version passed unanimously in its two substantive committees: Education and Commerce, Economic Opportunities, and Consumer Services but died in the Appropriations Subcommittee on Education. The House bill was referred to three substantive committees: Higher Education, Education

K-20, and Finance and Tax along with an Appropriations Education subcommittee and full committee. It never moved through its first committee.



Tuition Rate Comparison for Full-time Student per Credit Hour¹

| Public Institution | Out of State Rate | In-State Rate |
|--------------------------|-------------------|---------------|
| Community College | \$141.00 | \$47.86 |
| Undergraduate university | \$328.74 | \$63.41 |
| Graduate level | \$509.08 | \$160.22 |
| Law School | \$530.27 | \$182.09 |

The children of migrant farm workers pay \$3,944.88 on average for tuition, while the in-state average is \$760.92.

The Alfredo Behena² Act

Sponsors —

SB 2954: Senator J.D. Alexander (R-Lake Wales); Cosponsors: Dave Aronberg (D-Palm Beach, Lee, et al.); Jeff Atwater (R-Palm Beach); Larcenia Bullard (D-Miami); Paula Dockery (R-Lakeland); Tony Hill (D-Jacksonville); Evelyn Lynn (R-Ormond Beach)

HB1307: Representative Ralph Poppell (R-Titusville); Cosponsors: Gaston I. Cantens (R-Miami); Bill Galvano (R-Bradenton); Anne M. Gannon (D-Palm Beach); Marcelo Llorente (R-Miami); Frank Peterman, Jr. (D-Pinellas); Curtis Richardson (D-Tallahassee); David Rivera (R-Miami); John K. Stargel (R-Polk); Juan C. Zapata (R-Miami)

This law creates the Florida Agricultural Worker Safety Act and represents the Governor's farm worker initiative to "work towards protecting the health and welfare of farm workers while providing efficient government services." It reactivates and renames the Legislative Commission on Migrant and Seasonal Labor and revises its advisory committee's membership. It is projected to increase state revenues by \$180,000. Under its provisions, the Department of Business and Professional Regulation (DBPR) is directed to establish a best-practices program for farm labor contractors, who—if desiring designation as a "best practice farm labor contractor"—must meet certain requirements to be established by DBPR.

The bill further amends current statutes relating to farm labor contractors to:

- Authorize the DBPR to inspect farm labor contractors' books;
- Prohibit a farm labor contractor from employing a person acting as a farm labor

contractor who does not have a current certificate of registration;

- Require a farm labor contractor to be available to receive service of process;
- Establish definitions for "minor violations" and "major violations;"
- Increase the fee for a certificate of registration from \$75 to \$125;
- Establish civil penalties for "minor violations"³ up to a cumulative maximum of \$2,500;
- Establish civil penalties for "major violations"⁴ up to \$2,500.
- Provide for revocation of registration for multiple violations in a 2-year period.

The Florida Agricultural Worker Safety Act, to be administered by the Department of Agriculture and Consumer Services, also seeks to ensure that farm workers receive protection from exposure to agricultural pesticides. It requires notification to farm workers about pesticides and other health and safety information within 30 days of their application. Without this state legislation, farm workers are only protected under federal regulations that allow farm workers and health care workers to receive information after pesticide poisoning has occurred.

This provision revisits the "farm worker's right to know" section of the Florida Pesticide Law that Impact and its allies first passed in 1994 (with a 1998 "sunset"). Failing to reauthorize it in 2003, advocates gained a powerful ally in the Governor this Session, and consequently several state agencies followed suit, including the departments of Agriculture and Consumer Services, Business and Professional Regulation, Health, Community Affairs, the Office of the Attorney General, and the Agency for Workforce Innovation. Enjoying unanimous passage in all of its committees in both houses, the bill was voted into law on the last day of the 2004 Session.

Granting Driver's Licenses to Florida's Undocumented Workers

Sponsors –

S1360: Rudy Garcia (R-Hialeah);
Cosponsor Frederica S. Wilson
(D-Miami)

Introduced in the Senate, this legislation would have given undocumented immigrants in Florida the right to obtain driver's license permits for two years. Instead of demanding the usual identification for driver's licenses (i.e. a green card, a U.S.-issued employment authorization card, or proof of nonimmigrant classification), the applicant could submit an identification card from the embassy or consulate of his or her country of citizenship under the new law. Only people that are not from countries on a "terrorist list" and with which the United States possesses diplomatic relations could apply in this manner.

According to the Miami Herald, other states considered similar legislation last year, and Hawaii and Kansas adopted laws to allow illegal aliens to obtain driver's licenses.⁵ Governor Jeb Bush backed the bill, declaring the legislation as a way to protect the rights of hundreds of thousands of undocumented immigrants already working in the state and not treating them as "lepers to society".⁶ Besides giving immigrants a safe way to commute to work everyday, advocates said that the bill would make Florida's roads safer for everyone since undocumented immigrants would then be able to legally purchase insurance. Opponents of the bill argued that the legislation encourages illegal immigration and clashes with security measures against terrorism. Proponents, on the other hand, believed that the legislation would do exactly the opposite – by creating records of people that law enforcement previously had no record of, the information could be used to track crime and, in the worst-case scenario, terrorism. The creators of this bill ensured that proper security steps would be taken before granting driver's licenses. For example,

licenses would be given only to those who meet 15 particular requirements, including⁷:

- Present a current identification card issued by the embassy or consulate of his or her home country, or present an alternative form of identification such as a passport, national identity card, or other official proof of identification issued by the country of citizenship, as prescribed by the department.
- Present a second form of identification, subject to approval by the department, such as an employer identification card or taxpayer identification number.
- Submit to being fingerprinted.
- Submit proof of an established presence in this state for at least six months during the five years preceding the date of application.
- Affirm that he or she has not been convicted of a crime that would constitute a felony in this state.
- Establish proof of ownership or lease of a motor vehicle or document his or her need to operate a motor vehicle.

The creators of the bill also established that the Department of Motor Vehicles must receive directly from the embassy or consulate the following information about the applicant⁸:

- Documentation on whether the applicant has been convicted of a crime that would constitute a felony in this state (The committee substitute specified that a driving permit may not be issued to an applicant who has been convicted of a crime that would be classified as a felony in this state.);
- A certified copy of the applicant's driving record in his or her country of citizenship, if available.

- Certification that the form of identification presented by the applicant is legitimate.
- Certification that the country has established a process to ensure that a person may not obtain more than one identity.
- Verify through federal agencies that the applicant is not subject to a deportation order and is not classified as a security risk to the United States.
- Conduct a criminal background check on the applicant using his or her fingerprints.

Though Florida law enforcement officials from around the state worked against the bill, it got as far as the Senate Committee on Commerce, Economic Opportunities, and Consumer Services, passing 12 to 1. Subsequently in mid-Session, the bill was temporarily postponed in the Committee on Transportation a few days before Senator Rudy Garcia decided to drop his sponsorship of the legislation. Up to that point, Representative Gustavo Barreiro (R-Miami Beach) had planned to introduce a companion bill in the House.

Commerce, Economic Opportunities, and Consumer Services

| FINAL VOTE | | SENATORS |
|------------|-----|--------------------------------------|
| Yea | Nay | |
| X | | Michael S. Bennett (R-Bradenton) |
| X | | Alex Diaz de la Portilla (R- Miami) |
| | X | Haridopolos (R-Melbourne) |
| X | | Dennis L. Jones, D.C. (R-Pinellas) |
| | | Ron Klein (D-Palm Beach) |
| X | | Evelyn J. Lynn (R-Clay) |
| X | | Gwen Margolis (D-Broward) |
| X | | Lesley "Les" Miller, Jr. (D-Tampa) |
| X | | Burt L. Saunders (R-Lee) |
| X | | Debbie Wasserman Schultz (D-Broward) |
| X | | Frederica S. Wilson (D-Miami) |
| X | | Stephen R. Wise (R-Jacksonville) |
| X | | JD Alexander (R-DeSoto), VICE-CHAIR |
| X | | Rudy Garcia (R-Hialeah), CHAIR |

Thus said God:

***Let not the wise man glory in his wisdom; let not the strong man glory in his strength;
Let not the rich man glory in his riches; but only in this should one glory:
In that you strive to know Me: I am God, who acts with kindness,
justice, and equity in the world;***

It is in these that I delight.

Jeremiah 9:22-23

¹ Full-time is equivalent to 12 credit hours.

² Alfredo Behena was a long-time advocate with the Farm Worker Association's office in Pierson and helped organize farm workers to come to Tallahassee on issues before the Florida Legislature. He was killed in a car accident in the spring.

³ Defined as a violation of a specific state or federal law or rule that does not result in economic or physical harm to any person recruited, transported, supplied, or hired by a farm labor contractor or create a significant threat of such harm.

⁴ Defined as a violation of a specific state or federal law or rule that does result in the above.

⁵ "Governor endorses illegal-alien driving bill," Michael Vasquez and Gary Fineout, Miami Herald, 06 April 2004.

⁶ "Gov. Bush backs bill to license illegals," Steve Bousquet, Joni James and Sandra Amrhein, St. Petersburg Times, 7 April 2004.

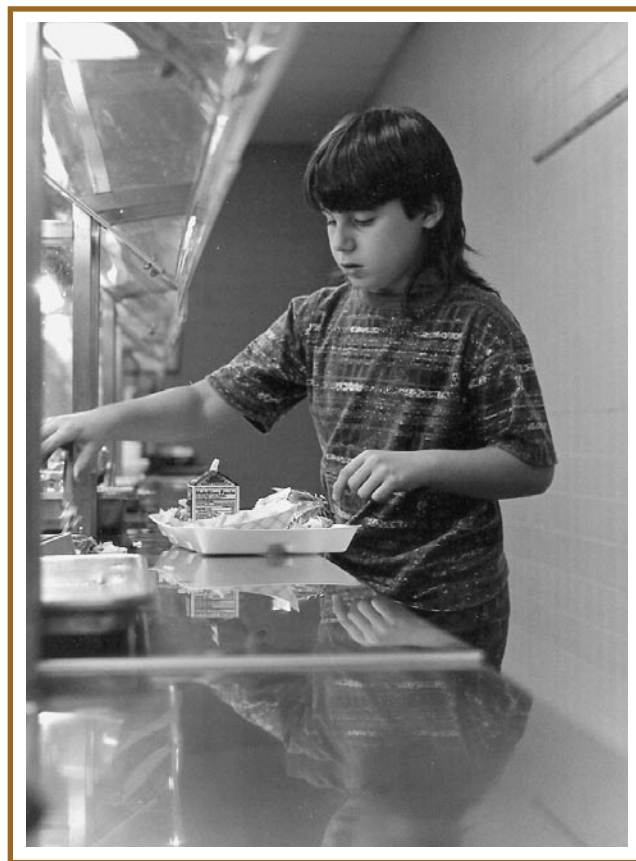
⁷ "Senate Staff Analysis and Economic Impact Statement," S1360, Florida Senate.

⁸ Senate Staff Analysis and Economic Impact Statement," S1360, Florida Senate.

The Reauthorization of Federal Child Nutrition Programs

Reauthorization of the child nutrition programs is proving to be a multi-year process. As of yet, Congress has passed no legislation, but there has been progress towards that end. The Child Nutrition Improvement and Integrity Act (H.R. 3873)—having passed the House with only five dissenting votes—has become the bill of choice among the variety of congressional legislation addressing child nutrition reauthorization. This bill amends the Richard B. Russell National School Lunch Act (NSLA) and the Child Nutrition Act of 1966 (CNA) to create better access to the programs by sponsoring new pilots (three of which are scheduled to expire June 30th) and revising the requirements relating to eligibility. Here are some of its key provisions:

- Expands the successful paperwork-reduction (Lugar) pilots in the Summer Food Service Program that have already resulted in better access for low-income children receiving meals during the summer.
- Allows children up to the age of 18 in homeless and domestic violence shelters to qualify for free snacks and meals.
- Allows more low-income children from military families to receive free and reduced price school meals by excluding privatized military housing from income when determining eligibility.
- Allows for-profit childcare centers to participate in the Child and Adult Care Food Program (CACFP) if enrollment includes at least 25 percent low-income children.
- Provides migrant children with automatic eligibility for free school meals.



- Provides healthier meals to students by requiring participating schools to adopt “school wellness policies”.
- Makes the application process for school meals easier for many low-income families.
- Improves the WIC program by adding more comprehensive and healthy guidelines for supplemental food and eliminating burdensome certification requirements for low-income mothers.

The Senate moved its own child nutrition reauthorization bill as far as its Agriculture Committee just before the Memorial Day recess and is expected to go to the Senate floor

Broader use of the programs has been shown to reduce hunger, reduce obesity, reduce infant mortality, get children ready for school, and help children achieve more and behave better in school. For virtually every domestic challenge our country faces, expanding use of the programs should be a linchpin in the response.

Jim Weil,
President of the
Food Research and Action Center

when it reconvenes. The bill (currently without a bill number) has similar provisions to H.R. 3873 with a few additions or differences:

- A mandatory direct certification phase-in for food stamp households applying for free and reduced-price school meals;
- The permanent authorization and expansion of the current fourteen-state Lugar summer food pilots to six new states (CO, MS, LA, MI, OR, OH)--more than the House's three;
- CACFP pilot project expands area eligibility for family child care in undesignated rural areas by decreasing the threshold of free and reduced price meals from 50 to 40 percent (FY2006 -07). The House has a similar pilot for summer food program in Pennsylvania;
- Extends the current fruit and vegetable pilots (IA, MI, IN, OH) by adding four additional states and two tribal organizations;
- A three-year summer food rural transportation pilot for 60 sponsors in five states; and (subject to Congressional funding) allows five states, or subdivisions within states, to offer free meals to households with incomes up to 185 percent of poverty.

Among a small number of issues to be worked out prior to Senate floor action on child nutrition reauthorization is the issue of "competitive foods"—foods sold in competition with school meals programs. Senator Tom Harkin (D-IA) continues to press for language to be included in the Senate bill that will establish local school wellness policies (included in H.R. 3873) but also would call for a report that includes non-binding recommendations for standards for the sale and consumption of all foods sold at school to be shared with all local school food authorities along with technical assistance and guidance. The Harkin amendment and a similar one moving through the House previously failed in committee.

Our leaders must view the child nutrition programs, the Food Stamp Program, WIC and the other assistance programs as health investments, instead of grudgingly bestowed handouts. If we do not do this, we are condemning millions of our children to permanent "school unreadiness" and inevitable failure. Is that really the kind of world we want for ourselves, our children and for future generations?

John T. Cook
and
Deborah A. Frank,
Boston Medical Center

The Federal Agricultural Job Opportunity, Benefits, and Security Act

When conservative Republicans and liberal Democrats, big farmers and union activists agree on something, it's worth noting. When their consensus concerns as complicated and freighted an issue as immigration reform, there's even greater reason to think something worthwhile is stirring.

Los Angeles Times, 1 October 2003

President Bush's immigration reform plan to promote a temporary worker program for migrant farm workers failed in Congress this year. People representing a cross-section of political and economic ideologies are instead describing the Agricultural Job Opportunity, Benefits, and Security Act of 2003 (AgJobs) as the best hope for a better policy towards migrant farmworkers in the United States.

AgJobs revises the current H-2A temporary foreign agricultural worker program to extend workers' legal protections. AgJobs would also grant undocumented agricultural workers temporary resident status, and make it possible for an estimated half-million farm workers to "earn" permanent resident immigration status after six consecutive years of work in the United States. Introduced in September of last year--three months before the President showcased his own plan--S. 1645 and H.R. 3142 enjoy broad bi-partisan support, beginning with the bills' sponsors: Senators Edward Kennedy (D-Mass.) and Larry Craig (R-Idaho) and Representatives Howard Berman (D-Calif.) and Chris Cannon (R-Utah), respectively. Florida's Senator Bob Graham and Senator Bill Nelson serve as two of the Senate bill's 62 cosponsors; and over half of the Florida congressional

delegation¹ is among the 110 cosponsors of the House version.

In addition to this healthy collection of bi-partisan legislators, the bill is also backed by a variety of interests representing agriculture, labor unions, and farm worker advocates. A listing of the organizations that have signed on in support of Ag-Jobs extends over pages, including the U.S. Chamber of Commerce, United Farm Workers, the Episcopal Church, Birdseye Food, Evangelical Lutheran Church in America, A. Duda and Sons, American Immigration Lawyers Association, Farm Labor Organizing Committee, Southern Poverty Law Center, and a host of state organizations (including Florida Impact).

Despite this impressive and uncommon array of support and House Majority Leader Bill Frist's (R-Tenn.) promise to give the bill floor time when it arrives in the House, there has been no forward movement of the bill in Congress since the end of October (when it was referred to the House Subcommittee on Immigration, Border Security, and Claims).

1 Allen Boyd, Corrine Brown, Jim Davis, Lincoln Diaz-Balart, Mario Diaz-Balart, Mark Foley, Porter Goss, Katherine Harris, Alcee Hastings, Kendrick Meek, Adam Putnam, Ileana Ros-Lehtinen, and Robert Wexler.

The following duties . . . concern rich men and employers: Workers are not to be treated as slaves; justice demands that the dignity of human personality be respected in them, ... gainful occupations are not a mark of shame to man, but rather of respect, as they provide him with an honorable means of supporting life. It is shameful and inhuman, however, to use men as things for gain and to put no more value on them than what they are worth in muscle and energy.

Pope Leo XIII, 1891, #31,
Rerum Novarum (On the Condition of Workers)

The Federal Budget

[Excerpted from the Center on Budget and Policy Priorities]

People analyzing budgets often pay relatively little attention to funding levels that a budget proposes for discretionary programs¹ for years after the coming year, since Congress only appropriates funds for these programs one year at a time. Furthermore, the White House has tried to deny that the budget cuts are even being planned. The White House has claimed that the reduced funding levels for 2006 and subsequent years that are contained in the President's budget have no meaning, are purely "formulaic," and are no way an indication that the Administration is seeking these budget cuts. The evidence is now abundant, however, that funding cuts of this magnitude are indeed what the Administration is seeking and that the budget proposals should be taken seriously.

In May, the Washington Post reported that OMB had recently sent a memorandum to federal departments and agencies directing them to include widespread funding cuts in the fiscal year 2006 budgets that they submit to OMB this summer. The memo directs agency heads to adhere to the funding levels that are contained in the 1,000-page OMB computer run from the President's budget. It tells agency heads that if they want to propose a higher level of funding for a budget account than the amount shown in the OMB computer run, then they must offset the increase by proposing deeper budget cuts in other budget accounts within their agency.²

Furthermore, the budget proposes to lock in place for each year through 2009 the overall discretionary funding levels and discretionary spending levels that the budget proposes. This would be done through the enactment of binding discretionary spending caps. The caps would tie the hands of future policymakers. If approved, they would make the proposed funding cuts likely to occur. On April 2,

the White House formally transmitted this legislation to Congress.

Under the Administration's discretionary "cap" proposal (which is outlined in Chapter 14 of the budget volume entitled "Analytical Perspectives"), there would be a single funding cap and a single spending cap for discretionary programs for each of the next five years. If policymakers exceeded the caps, the law would require across-the-board cuts in discretionary funding to ratchet discretionary funding and spending back to the caps.³

The caps would make it more likely that cuts of the magnitude the budget proposes in domestic discretionary programs would be enacted. In fact, the President's budget may understate the likely dimensions of the cuts in domestic discretionary funding outside homeland security if the caps are enacted. Defense, homeland security programs, and domestic programs would all be under one overall funding cap (and one overall spending cap); the caps for each year would be set at levels equal to the total amounts the Administration's new budget shows for discretionary programs in that year. As a result, reducing the size of the President's proposed cuts in domestic discretionary programs outside homeland security, while still fitting within the caps, would entail cutting national security funding below the President's budget request. Given the current environment, this is unlikely to occur.

What is more likely is that the funding levels provided for defense in years after 2005 will be greater than the amounts shown for those years in the Administration's new budget. The findings of a major analysis the Congressional Budget Office issued last year indicate that the President's budget significantly understates likely defense costs in coming years.

CBO has found that the amounts which the Administration's budget shows for defense in the "out-years" are significantly below the costs in those years of the Administration's own Future-Year Defense Plan, which serves as the Administration's multi-year defense blueprint. This suggests the Administration may request higher levels for defense in future budgets than the levels shown in the Administration's current budget. Adding to this likelihood is the fact that the Administration's current budget leaves out all costs for continuing the war on terrorism after fiscal year 2004. CBO estimates the ongoing costs in this area, after operations in Iraq and Afghanistan are completed, at about \$25 billion a year.

If the proposed caps are enacted and higher amounts are provided for defense and anti-terrorism efforts in years after 2005 than the levels that the current budget shows, domestic discretionary programs outside homeland security will face larger cuts than those described here. Each additional dollar of funding for defense and fighting terrorism would mean an additional dollar of cuts in domestic programs.

But the budget also would make the tax cuts permanent and add new tax cuts on top. The cost in 2009 of the tax cuts that have been enacted and the new tax cuts that are proposed would be more than six times as great as the amount that would be saved by cutting domestic discretionary programs.⁴ The tax cuts just for the top one percent of households would cost more than would be saved from all of the domestic discretionary cuts.

The Government has changed dramatically since I was in the White House. I was with Presidents Bush and Ford early last week and we all agreed that since all of us left office, there has been a hardening of concern in the Federal Government and the other levels of government, a sternness about people who are unfortunate, a condemnation of people who are different from ourselves, a discrimination against people who are poor and deprived that is quite traumatic in its impact.

Jimmy Carter, 1997

1. "Discretionary" programs exclude entitlements, such as Medicare, food stamps, or veterans' pensions but include WIC, Title I education, and the low-income energy assistance program—to name a few.

2. For more details, see David Kamin, Richard Kogan, and Bob Greenstein, "Administration Memo Confirms Plans for Budget Cuts in Many Domestic Discretionary Programs in 2006," Center on Budget and Policy Priorities, Revised June 1, 2004.

3. It should be noted that the discretionary spending caps were respected through much of the 1990s; they were widely flouted only after surpluses returned. The new fiscal environment would mean the caps would be likely to be enforced if enacted.

4. In 2009, the tax cuts enacted since 2001 and the new tax cuts included in the current Administration budget would cost either \$220 billion or \$250 billion, depending on whether the cost of related relief from the Alternative Minimum Tax is included.

QUESTIONNAIRE FOR CANDIDATES CONCERNING HUNGER

- 1) What specific steps would you take to address the problem of hunger in the United States?
- 2) How would you improve access to nutrition for low-income families, children and elderly? Are there rules relating to eligibility that should be changed?
- 3) What policies would you propose in the following areas:
 - a) food stamp benefits and eligibility?
 - b) school-based meals and child nutrition outside school hours (e.g., summer and afterschool food)?
 - c) programs for young children in child care?
 - d) WIC?
 - e) congregate meals, home-delivered meals, and emergency food assistance?
- 4) Should payments in any of these programs be changed?
- 5) What would you suggest to educate the public and officials re: the extent and causes of hunger in the United States and the solutions thereto?
- 6) Hunger usually is a reflection of poverty, as well as families' struggle to pay for other basic needs. What policies would you propose to ensure low-income families:
 - a) access to livable incomes?
 - b) access to affordable housing?
 - c) access to health coverage?
- 7) How would you propose to reduce child poverty?



Celebrate Florida Impact's **25th Anniversary**

Support our 2004 Annual Campaign!



Since 1979, Florida Impact has been dedicated to reducing hunger and poverty in Florida. Impact educates and enlists the people of Florida to secure justice for and with those whose economic rights have not been realized. We also work to increase access to food programs by conducting aggressive outreach strategies and public policy advocacy. Through your generous support we can continue to inspire the people of Florida to do justice.

YES! I will support Florida Impact's 2004 Annual Campaign

AMOUNT PLEDGED OR DONATED: \$ _____

(Contributors receive annual publications.)

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Organization: _____

Address: _____

Telephone: _____ Email: _____

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