



REPRESENTATIVE  
OSCAR BRAYNON  
STATE REPRESENTATIVE

DISTRICT 103

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A NEWSLETTER FROM YOUR DISTRICT 103 STATE REPRESENTATIVE



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STATE REPRESENTATIVE

# Oscar Braynon

## 2009 LEGISLATIVE UPDATE

ADDRESSING THE NEEDS OF THE STATE OF  
FLORIDA AND THE CITIZENS OF DISTRICT 103.

**LEGISLATIVE ASSISTANT:**  
Oneca Lowery

- COUNCILS/COMMITTEES:**
- Government Operations Appropriations Committee, *Democratic Ranking Member*
  - Governmental Affairs Policy Committee, *Democratic Ranking Member*
  - Economic Development & Community Affairs Policy Council
  - Full Appropriations Council on General Government & Health Care

**THIS NEWSLETTER CONTAINS IMPORTANT INFORMATION ABOUT YOUR 2009 FLORIDA STATE LEGISLATURE, INCLUDING NEW LAWS THAT MAY AFFECT YOU!**



## PUBLIC SAFETY UPDATE

SEAT BELT LAW, PRESCRIPTION MEDICATION ABUSE, 'RACHEL'S LAW' AND VICTIMS OF SEXUAL ASSAULT GET LEGISLATIVE ATTENTION

Public safety and security are fundamental responsibilities of state government, and the 2009 legislative session produced new measures and funding to address crime prevention, victim assistance and law enforcement.

Thanks to our efforts, Florida will soon join a majority of other states that give police the power to ticket drivers and front seat passengers solely for failing to buckle up. Seat belts save lives. The measure has the added benefit of putting the state in line for a federal grant that could reach \$35 million.

To help combat the drug trade and the abuse of addictive medications, a measure passed would require Florida pharmacists and others to report drug sales to a statewide database. The step aims to crack down on abuse and help doctors and pharmacists curb narcotics abusers who attempt to get excessive prescriptions from multiple sources.

The Legislature recognized the dangers facing confidential informants used in law enforcement investigations by crafting a law to require police departments to adopt policies to protect these individuals. Named "Rachel's Law," the measure was developed a year after the death of Rachel Hoffman, a 23-year-old Florida State University graduate.

We also championed legislation to help victims of sexual assault. Florida law will now require officers who investigate complaints of sexual battery to provide victims with information about access to medical treatments, forensic examinations, and crisis intervention services. Victims are not always aware of free services available through their local rape crisis center, and it's imperative that law enforcement officials do everything in their power to assist these individuals.

## Dear Friends and Neighbors:

I am pleased to serve as your voice in the Florida House of Representatives at a challenging time for our state government.

The recently ended 2009 legislative session was one of the toughest on record. My priorities throughout the session were to focus on Florida's economic recovery, creating new jobs, public education, health care, public safety and fighting for middle-class families and those who need the services of our state.

In writing a new state budget, we faced a \$6 billion revenue shortfall. The Legislature responded by reducing programs and services, draining trust funds and increasing fees, many of which will impact working-class families. For these and other reasons, I voted against the budget because I don't think it adequately met our state's needs.

But I am pleased that I was one of the first in the Legislature to endorse the use of new federal economic recovery dollars approved by President Barack Obama and Congress that were used to help balance the new \$66.5 billion state budget for Fiscal Year 2009-10.

During the past Session with the help of my colleagues in the Florida House of Representatives HB 1205 was passed and signed into law effective July, 1st 2009 allowing local government the ability to take advantage of Surtax funds.

I have produced this newsletter as a public service to give you a more complete and unfiltered picture of the legislation we passed - and the specific positions I took - during the recent Session. If you have any questions, need help with a state agency or simply want to offer your advice or opinion on the issues, I urge you to call my District office at (305) 654-7100 or send me an e-mail at [Oscar.Braynon@myfloridahouse.gov](mailto:Oscar.Braynon@myfloridahouse.gov).

It has been a pleasure to serve you in the Legislature and I look forward to next year's session as well as your continued support.

Sincerely,

Oscar Braynon II  
State Representative, District 103





Rep. Braynon Making Education a Priority.



Mayor Gibson and Rep. Braynon at HUD Making Home Affordable Program.



Rep. Braynon sponsored messenger Program recipient Nefertiti Dukes.



Dade Days with North Dade Chambers of Commerce Representatives.



Dade Days with City of Opa Locka Mayor Kelley and Commissioner Tydus.



Rep. Braynon presenting on House Floor.



# Charter County Transit System Surtax

**“PROMOTING AND SHAPING FUTURE ECONOMIC DEVELOPMENT AND REDEVELOPMENT IN MIAMI-DADE AND, ESPECIALLY HERE IN DISTRICT 103, IS DEPENDENT ON PROVIDING CONVENIENT, READILY AVAILABLE PUBLIC TRANSPORTATION OPTIONS.”**

Promoting and shaping future economic development and redevelopment in Miami-Dade and, especially here in District 103, is dependent on providing convenient, readily available public transportation options.

HB 1205 is a bill that will allow municipalities within Miami-Dade, especially the City of Miami Gardens, to establish interlocal agreements in order to receive

maintenance of roads or bridges in the county. No more than 25% can be used for nontransit uses.

Additionally, these funds can be utilized by the charter county for the payment of principal and interest on bond monies used for the planning, development, construction, operation, and maintenance of roads and bridges.

## LAWS THAT TAKE EFFECT IN JULY 2009 ENACTED LEGISLATION

**SB360 – Growth Management:** The legislation removes some state government tools to manage growth, require road improvements and prevent overdevelopment. According to some reports, the state may no longer mandate that most local governments require developers to pay for road improvements needed to handle traffic their projects generate. And among other changes, very large developments may no longer be subjected to broad studies of their effect on neighboring communities.

**SB344 – Seat Belts:** The Dori Slosberg and Katie Marchetti Safety Belt Law will allow police officers to pull drivers over for not wearing their seat belts and is predicted to save hundreds of Floridians' lives. The new law makes it a primary charge not to be using a seat belt while driving. Previously, a motorist could only be issued a ticket for that offense if they had been stopped for a separate moving violation. A ticket will be \$93. Child restraint fines now start at \$143.

**SB762 – University Tuition and Fees:** The bill authorizes all 11 state universities to charge a tuition differential, subject to approval by the Board of Governors. Seventy percent of the tuition differential must be used to enhance undergraduate education and 30 percent, or the equivalent amount from private sources, must be used to provide financial aid to undergraduate students with financial need. The bill allows for an increase in tuition each year until Florida's fees reach the national average. The bill is designed to help Florida's higher education system counteract cuts that have reduced course offerings, increased class sizes and resulted in more classes taught by graduate assistants instead of professors.

Florida's undergraduate tuition is among the lowest in the country. Nevertheless, the higher cost will not be covered by Bright Futures Scholarships. Opponents to the bill said this is not the time to raise tuition because of the strain students and families already face due to the national recession. Furthermore, many oppo-

**NEED INFORMATION ABOUT VOTING IN MIAMI-DADE COUNTY?**  
You can register to vote, change your voting address or party, or get general election information from the Miami-Dade County Election Department website: [www.miamidade.gov/elections](http://www.miamidade.gov/elections). You can call them at (305) 499-8683. The address is: Miami-Dade Elections, 2700 NW 87th Avenue, Doral, Florida 33172. Office Hours are 8 a.m. - 5 p.m. Monday-Friday.

## Voting Rights Bill Thwarted

I am thrilled by the defeat of legislation that could have frustrated efforts by many Floridians to participate in elections and organize political campaigns.

Numerous nonpartisan public interest groups joined other opponents in successfully fighting this legislation. These opponents say it would have spurred lawsuits, triggered federal intervention, and caused more election troubles like what Florida experienced in 2000.

Among its provisions, the bill would have made it illegal for observers to get within 100 feet of a line of voters. According to The New York Times, "That provision would criminalize election protection programs... that operate outside of polling places on Election Day to ensure that eligible voters know their legal rights

and are able to cast ballots."

The legislation, according to the newspaper, also would have imposed rules on voter registration drives, including stringent new requirements on how rapidly registration forms must be submitted to elections officials.

Senior citizens who do not have driver's licenses would have been affected under the proposal because they would not have been allowed to use photo identification issued by retirement centers or neighborhood associations at the polls. These and other provisions would have added burdensome new restrictions, and I am pleased this proposal failed to reach the governor's desk.

# Florida Public Education Funding

**GETS HELP FROM THE ECONOMIC STIMULUS PACKAGE**

I worked tirelessly alongside my colleagues in the Legislature to secure much-needed funds for Florida's schools, teachers and students, and I am proud of our efforts.

I am pleased that the Legislature has put to use nearly \$2 billion in federal economic recovery funds approved by President Barack Obama's administration. These dollars will help give schools and teachers the resources they need in hopes that we will one day have a world-class education system.

I hope that we can improve education funding. The proposed Fiscal Year 2009-10 state budget increases per-student spending only modestly, reaching a statewide average of \$6,873. We can do better, especially considering Florida school funding has fallen since

Our college and university systems also need our support. The total budget for colleges and universities will increase slightly, from nearly \$3.2 billion to a proposed \$3.4 billion in the year ahead. But the additional funding comes at a cost: higher tuition paid by our students and their families.

The proposed higher education budget raises university tuition by up to 15 percent a year and caps Bright Futures scholarships. The move saves the state \$34 million but will cost students at least \$197 more per year at schools with 8-percent tuition hikes, and nearly twice that for students who choose schools that raise tuition by 15 percent.



increase in graduated filing fees for civil and family cases involving sums between \$50,000 and \$250,000. It will increase by \$1,505 for sums in excess of \$250,000. There also is a \$115 increase in probate filing fees, and a \$100 increase in filing fees for non-family civil cases.

**SB2108 – Court Fees:** Among the bevy of fee increases the Legislature approved this year to fill budget gaps are increases in court filing fees. Over the past two years, the Florida court system budget has been cut by about 10 percent and had nearly 300 jobs eliminated. The budget for the past year was \$433 million, compared to \$491 million the prior year. The court fee changes approved include a \$505

**SB1840 – Tobacco Surcharge:** After a three-year effort by Representative Jim Waldman, D-Coconut Creek, and others, the Legislature agreed to raise the fee on cigarettes by \$1 per pack. Florida presently spends over \$1.25 billion on tobacco related illnesses. This fee will raise nearly one billion dollars in new revenue, which will be matched by \$2 billion from the federal government and will be used for Medicaid programs. Statistics show that for every 10 percent increase in the price of cigarettes there are an estimated 7 percent fewer youth who will begin smoking. Less youth smoking may mean lower Medicaid costs due to a decrease in tobacco related illnesses in the future.

