



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Transportation, *Chair*
Agriculture
Appropriations Subcommittee on Finance and Tax
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Education
Health Policy

SELECT COMMITTEE:
Select Committee on Patient Protection
and Affordable Care Act

SENATOR JEFF BRANDES

22nd District

April 1, 2014

Ananth Prasad, Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Dear Secretary Prasad,

It has come to my attention that there is a dispute over whether the Pinellas Suncoast Transit Authority (PSTA), an Independent Special District as defined in §189.403 F.S., is in violation of state law regarding the participation of governmental entities in political advocacy. These allegations involve scarce taxpayer resources, and are, therefore, significant and deserve the utmost attention.

Recently the PSTA launched an educational campaign titled "Greenlight Pinellas", directly messaging and distributing materials to Pinellas residents concerning a proposed transit development initiative. These materials include novelties such, pens, and necklaces. The initiative includes a referendum for a 14% increase of the sales tax in Pinellas County that will appear on the November ballot. An unrelated political campaign, "Greenlight Yes", was also recently formed to directly advocate for this referendum.

Importantly as stewards of public tax monies, and under §104.31 F.S. and §106.113 F.S., local governmental entities and their staff are prohibited from expending funds on behalf of, or advocating for, an initiative that is political in nature and pending consideration by referendum of the electorate. However, local media attention surrounding the "Greenlight Pinellas" educational campaign has raised several critical questions that suggest potential violation of state law.

I am requesting that the Florida Department of Transportation Inspector General immediately conduct a review of the "Greenlight Pinellas" educational campaign. Specifically, I ask that the Inspector General review the expenditure by the PSTA of approximately \$800,000.00 for promotions of this campaign to determine if the expenditure constitutes a violation of state law.

Much of the money the PSTA spends comes from Federal funds that are directly appropriated to, or pass through, the Department. The prohibitions referenced in §106.113 F.S. applies to any

REPLY TO:

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Senate's Website: www.flsenate.gov

DON GAETZ
President of the Senate

GARRETT RICHTER
President Pro Tempore

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taxpayer dollars spent by a state entity regardless of whether the funds originated from state or federal sources.

Violations of our election laws and wasteful use of taxpayers' hard earned tax monies erode the fundamental principles of representative democracy and reduce the legitimacy of voter referenda. When questions arise concerning the conduct of a governmental entity influencing a political initiative it is our responsibility to act. Thank you for your consideration of this serious matter.

Kind regards,

A handwritten signature in black ink, appearing to read "Jeff Brandes", with a long horizontal flourish extending to the right.

Jeff Brandes

CC: The Honorable Don Gaetz, President of the Senate
The Honorable Will Weatherford, Speaker of the House
Senator Jack Latvala, Senate Ethics and Elections Committee Chairman
Senator Joe Abruzzo, Joint Legislative Auditing Committee Co-Chairman
Representative Lake Ray, Joint Legislative Auditing Committee Co-Chairman
Brad Miller, PSTA Director
David Martin, Florida Auditor General
Robert Clift, FDOT Inspector General
Pinellas County Legislative Delegation:
Senator Arthenia Joyner
Representative Ed Hooper
Representative Darryl Rouson
Representative Larry Ahern
Representative James Grant
Representative Kathleen Peters
Representative Dwight Dudley
Representative Carl Zimmerman