



# LEAGUE OF WOMEN VOTERS® OF FLORIDA

## Capitol Report 2012

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### Overview

The legislative session is nearing its half-way mark and there was plenty of action this week on issues of concern to the League of Women Voters of Florida. After two days of debate, the Florida House Friday approved its version of redistricting maps for the legislature and Congress. The plans were approved on a party-line vote with Democratic members speaking against the maps and voting “no.” Republican House members praised the work of the Reapportionment Committee and the process which they said was the most transparent and open ever.

The maps include a plan for the State House that was developed by the House Reapportionment Committee. It would put 38 of the chamber’s 120 incumbents in districts where they would have to run against another member. That’s in contrast to the Senate and Congressional maps which don’t appear to endanger any incumbents.

The Senate plan mirrors the one that was passed two weeks ago by the full Senate. The Congressional plan is a compromise that was worked out by Senate Reapportionment Committee Chair Don Gaetz and House Committee Chair Will Weatherford. The maps now go back to the Senate which can give them final approval if no changes are made. The League is on record saying it does not believe any of the redistricting plans drawn by the legislature meet the requirements of the Fair District amendments 5 and 6.

In related news, a three-judge Federal Appeals Court this week upheld a lower court’s finding that Fair Districts’ amendment six is constitutional. Amendment six, which applies the Fair Districts standards to Congressional districts, was challenged by Congresswoman Corrine Brown and Congressman Mario Diaz-Balart. The League has been critical of the fact that the House of Representatives joined the lawsuit resulting in Florida taxpayers paying to both challenge and defend the amendment.

Meanwhile, work on the state budget continued this week. The House Appropriations Committee passed its \$69.2 billion spending plan on Wednesday with Republicans voting yes and Democrats voting no. The House plan goes along with Governor Scott’s request to add \$1 billion in new education funding, but it stops short of endorsing his controversial plan to cut \$1.9 billion in Medicaid payments to Florida hospitals. The plan raises college tuition by 8% and eliminates 4,700 state jobs, many from the closing of six prisons. It’s

expected the budget plan will come before the full House next week. The Senate is moving much slower on the budget with subcommittees still working on their specific areas.

An interesting battle is developing in the Senate over a budget-related issue; prison privatization. The majority party in the Senate is split over a plan (SB 2038) by the Senate leadership to outsource all Department of Corrections operations in an 18-county region in South Florida. Republicans and Democrats in the Senate are questioning claims by the Senate leadership that the state would save at least \$16.5 million by paying private companies 7% less than what it costs the state to operate the 26 facilities.

With the bill on second reading, Republican Senator Mike Fasano proposed an amendment that would postpone the prison privatization and instead require state economists to study the financial impact. Senate President Mike Haridopolos abruptly ended floor debate on the bill Tuesday afternoon and the Senate hasn't returned to the bill since. On Wednesday, President Haridopolos stripped Senator Fasano of his Chairmanship of the Criminal and Civil Justice Budget Subcommittee and his membership on the Budget Committee. The fractured GOP caucus is similar to what happened at the end of the session last year when Republican Senators joined Democrats to block some of the leadership's priorities.

The League has been monitoring the prison privatization bill, but has not taken a position for or against it. Currently the national League of Women Voters is developing a position on privatization issues. The League is opposed to a companion bill (SB 2036) that would inject more secrecy and less accountability into efforts to privatize functions of state-run agencies. Senate Bill 2036 would do away with a current requirement that there be a cost-benefit analysis and the development of a "business case" before an agency is privatized to determine whether the move would reduce costs and provide more efficient services. The Senate Bill would delay production of a "business case" until after lawmakers have ordered an agency to outsource a service or a program and the contract has been awarded. The League and others believe this bill which is awaiting a hearing in the Senate Budget Committee is not in the best interest of open government.

An elections bill that the League supports was passed by the Senate Rules Committee this week. The bill is by Senator Diaz de la Portilla, Chair of the Ethics and Elections Subcommittee. SB 1596 seeks to resolve a conflict in state election law involving the use of a voter's identification at the polls. The Rules Committee voted down an attempt by Senator Joe Negrón to amend the bill to prohibit the use of electronic terminals that some voting officials use to swipe driver's licenses to verify voter eligibility. The amendment would have meant that counties who have purchased the expensive technology that speeds up the voting process would not be able to use the machines.

A House version of the elections bill cleared its first committee hearing, but it still contains language that removes what the League believes is an essential voter protection against someone challenging a voter's right to vote based on the address on the voter's identification card. The League hopes this bill (HB 1461) will be amended when it comes before the House State Affairs Committee to conform to the Senate version which keeps the current protection against voter challenges in the law.

Two bills that would restrict access to legal abortions in the state passed the House Civil Justice Subcommittee this week. The two measures which the League opposes include so-called “fetal pain” legislation that would outlaw abortions after 20 weeks (HB 839) and another that would require doctors to sign affidavits confirming that abortions are not being done because of the race or gender of the fetus (HB 1327). Critics claim the bills infringe on the ability of women and doctors to make medical decisions. The two bills along with another anti-abortion bill (HB 277) will be heard next in the House Health and Human Services Committee. HB 277 would require a 24 hour waiting period before having an abortion and place new regulations on clinics and doctors. Please contact the members of the Health and Human Services Committee at <http://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?SessionId=70&CommitteeId=2593> ask them to vote “NO” on HB 839, HB 1327 and HB 277!

There was also action this week on two bills dealing with the state’s water resources. The first bill deals addresses what is known as “reclaimed water” which comes from highly treated sewage. Under Florida law, reclaimed water is treated as a public resource. It has become increasingly vital for watering lawns, replenishing water bodies and meeting industrial needs; tasks that would otherwise consume drinking water.

House bill 639 would have exempted reclaimed water as a state asset and transferred control of it to the cities and utility companies that produce it. The sponsor of the bill, Representative Dana Young, agreed to compromise amendments this week that forbid water management districts from forcing local governments and utility companies to give away water they pay to treat. A coalition of environmental groups which had opposed the measure was pleased with the amendments and no longer opposes the bill.

The second measure seeks to spell out where the “ordinary high water mark” is for state waters. The ordinary high water mark is the line between private property and what’s considered the public’s waterways including swamps, rivers and lakes. House Bill 1103 would allow the ordinary high water line to be marked lower, allowing more land to be designated as private. The League and other environmental organizations were concerned the public could lose access to waterways if the bill had passed. The House sponsor of the bill, Representative Tom Goodson, now says the bill is dead for this year.

I would like to take this opportunity to personally appeal to League members to join us in Tallahassee for the 2012 legislative Summit. I have said before how valuable it is to our lobbying efforts to have you here in Tallahassee speaking to your local Senators and Representatives. Your presence is a powerful reminder that they were elected by voters like yourselves and that you expect them to listen when you take the trouble to come here and talk with them about our priorities and concerns. In addition to the serious work there are lots of fun events that are planned and we hope to see many of you in Tallahassee beginning Tuesday, February 21<sup>st</sup>. Please visit the League’s website at <http://events.r20.constantcontact.com/register/event?oeidk=a07e5b49arf870bd29c&llr=jhigmrda> for more details.

As you can see, it's sure to be an interesting and exciting legislative session and one in which the League of Women Voters of Florida will be very active. We will be asking for your help to lobby for and against issues that the League believes are critical. Thank you in advance for your support of our lobbying efforts.

### **League Priority Issues**

The League has set three program areas for the 2012 legislative session, including Government, Education and Social Policy.

Government: Promote an open government that is responsive to the people of the state.

- Finance and Taxation: Support a state fiscal structure that is equitable in its distribution of tax responsibility and responsive to public needs.
- Reapportionment: Actively promote and support the reapportionment process.
- Ethics: Promote the strengthening of the Florida Commission on Ethics, including the areas of independence, subpoena power and the ability to levy fines and initiate an investigation.
- Election Law: Support greater flexibility in the selection of early voting sites.

Education: Support a free public school system for Florida with high standards for student achievement and with equality of educational opportunity for all that is financed adequately by the state through an equitable funding formula.

- Promote adequate funding of public education with no use of public funding for the expansion of funding of private education through a voucher program.
- Promote the extension of public school testing of student achievement to private schools, charter schools and any institutions that receive state funding.

Social Policy: Secure equal rights and equal opportunity for all. Promote social and economic justice and the health and safety of all Americans.

- Health Care: Support implementation of the federal Health Care Reform Law in Florida, emphasizing access for all and control of costs.
- Immigration: Support the rights of legal immigrants to prevention or reduction of poverty, a minimum basic level of health care at affordable costs, the well-being of children and families and access to free public schools with federal and state financial assistance to communities disproportionately impacted by immigration.

### **Get Involved!**

Ben Wilcox is the League's professional lobbyist for the 2012 legislative session. We are still looking for folks to participate in the Lobbying Corps, so please contact Marilyn Wills (marilynwill@msn.com) or Rebecca Sager (rsager@music.org) if you are interested.

Updates on League legislative issues will be provided on a regular basis through Capitol Report, which is published every week during the session. Important information may also be accessed at [www.leg.state.fl.us](http://www.leg.state.fl.us).

Watch for your Capitol Report each Friday of the session for news on priority issues and what you can do to help. For updates on or copies of proposed legislation, call legislative information at 1-800-342-1827 or visit the Florida Online Sunshine homepage at [www.leg.state.fl.us](http://www.leg.state.fl.us). For more information about the League's advocacy, check out [www.TheFloridaVoter.org](http://www.TheFloridaVoter.org)