



# LEAGUE OF WOMEN VOTERS® OF FLORIDA

## Capitol Report 2012

February 10, 2012

Filed by: Ben Wilcox, LWVF Governmental Consultant

### Overview

Wednesday marked the half-way point of the legislative session and the differences between the House and Senate are many. The House has passed its version of a \$69.2 billion state budget, killed the most heavily lobbied bill of the session – a destination-casino proposal and generally seems to be working smoothly toward a resolution of the legislative session. The Senate, on the other hand, is moving slower than the House on the budget and remains divided over a prison privatization proposal favored by the leadership.

On Thursday afternoon, the Senate did take up and pass the legislative and Congressional redistricting plans that were passed last week by the House. The Congressional map now goes to Governor Rick Scott who can approve it or veto it. The legislative maps will go before the Florida Supreme Court. Florida Democratic Party officials filed a lawsuit challenging the Congressional map immediately after its passage alleging it violates the anti-gerrymandering provisions of the Fair Districts amendments in the Florida constitution. The Democrats also say they will contest the legislative maps during the Supreme Court review.

The League of Women Voters of Florida and the other members of the Fair Districts Coalition including Common Cause Florida and The National Council of La Raza also announced their intention to challenge the Congressional plan in court. The groups released a statement that said “The Legislature's Congressional Plan is filled with unconstitutional political gerrymanders intended to favor one political party and certain incumbents, while disfavoring the other political party and other incumbents. The State's intentional and purposeful use of the redistricting process to secure various incumbents' reelection undermines the voters' will and violates the Florida Constitution.”

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 state Senate and Congressional maps which don't appear to endanger any incumbents. The Senate plan mirrors the one that was passed three 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.

Meanwhile, work on the state budget continued this week. The House of Representatives passed its version of a \$69.2 billion spending plan on Thursday 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. Democrats argued the \$1 billion increase for the public schools is not really an increase at all because it doesn't quite makeup for last year's \$1.3 billion cut.

The plan raises college tuition by 8% and eliminates 4,700 state jobs, many from the closing of four prisons. The House budget spares two prisons that were slated for closing, one in Jefferson County and one in Hillsborough County. While the funding for the prisons is preserved, the Department of Corrections still has the authority to move forward with the closings if it chooses.

The Senate is moving slower on the budget than the House, but the leadership hopes its version of a spending plan will be voted out of the Budget Committee next week. While there are some similarities in the plan being developed in the Senate and the House plan, there are also stark differences. The Senate is opposed to increasing college and university tuition, but it has proposed much more significant cuts to mental health and substance abuse programs.

The Senate is also slated to resolve a budget-related issue next week; 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. Lacking the votes to kill Fasano's amendment, Senate President Mike Haridopolos had pulled the bill from consideration. He now says there will be an up-or-down vote on the amendment next Tuesday. The division in the 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 House State Affairs Committee this week. The bill is by Representative Matt Gaetz. HB 1461 seeks to resolve a conflict in state election law involving the use of a voter's identification at the polls. Unlike the Senate version, the House bill that came before the State Affairs Committee still contained 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 and others worked with Representative Gaetz and convinced him to accept an amendment by Representative Jeff Clemens that conforms the House bill to the Senate version and keeps the current protection against voter challenges in the law. Please contact Representative Gaetz and thank him for working with the League to resolve this issue.

<http://myfloridahouse.gov/Sections/Representatives/details.aspx?MemberId=4478&SessionId=70>

The progress of three bills dealing with women's reproductive rights slowed this week. The three measures which the League opposes include so-called "fetal pain" legislation that would outlaw abortions after 20 weeks (HB 839), 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) and a third (HB 277) which would require a 24 hour waiting period before having an abortion and place new regulations on clinics and doctors. The League and other critics claim the bills infringe on the ability of women and doctors to make medical decisions. The three bills will be heard next in the House Health and Human Services Committee. Please contact the members of the Health and Human Services Committee at

<http://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?SessionId=70&CommitteeId=2593> and ask them to vote "NO" on HB 839, HB 1327 and HB 277!

The League continues to support an ethics bill by Senator Paula Dockery that would prohibit any legislator from voting on issues from which he or she would receive personal gain. Senate Bill 552 has 12 co-sponsors in the Senate, but the leadership assigned it to five committees, making it almost impossible for it to pass in a 60-day session. The bill was passed unanimously by the Governmental Oversight and Accountability Committee and is currently in the Senate Judiciary Committee. Please contact Senate President Mike Haridopolos and ask him to allow the bill to be heard in the Judiciary Committee and move forward. <http://www.flsenate.gov/Senators/s26>

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. Please visit the League's website at <http://thefloridavoter.org/events/legislative-summit> 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 (marilynwillms@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)