



LEAGUE OF WOMEN VOTERS® OF FLORIDA

Capitol Report 2012

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Overview

With one week remaining in the Florida legislative session, it's a dangerous time when a lot of proposed legislation will die while other proposals will find new life after being slipped into budget conforming bills. This year there were only three bills of the 2,049 that were filed that had to pass; the budget and the redistricting plans for the legislature and Congress. The redistricting maps were passed three weeks ago which leaves only the state budget on the must-pass list. Of those 2,049 bills filed this year, only 27 have been passed which means a lot of legislation will die when the session comes to an end next week.

Most of the legislative work this week focused on resolving differences in the roughly \$70 billion budget. On Tuesday, when the legislative session appeared dangerously close to running into overtime, House and Senate leaders announced a broad agreement that allowed budget negotiations to move forward. Budget conference committees met continuously through the rest of the week, largely finishing up their work on Friday. The remaining budget decisions will now be negotiated by Senate Budget Chair J.D. Alexander and House Chair Denise Grimsley.

There were two important court hearings this week on cases involving the League of Women Voters of Florida. On Wednesday, the Florida Supreme Court heard oral arguments on the legislature's redistricting maps for the House and Senate. The justices heard from attorneys representing the plaintiffs challenging the maps including the City of Lakeland, the Fair Districts Coalition (the League of Women Voters of Florida, the National Council of La Raza and Common Cause Florida) and the Florida Democratic Party. They also heard from attorneys representing the House and Senate defending the plans.

The question before the court is whether the maps drawn by the legislature comply with the new anti-gerrymandering constitutional amendments 5 and 6 that specifically prohibit drawing districts with the "intent" to favor incumbents or political parties. Members of the court grappled with the question of how far they could go in reviewing the redistricting plans when faced with a March 9th deadline to make a ruling. The Fair Districts Coalition and the other plaintiffs argue the court should take a careful look at whether the maps meet the constitutional standards, especially the Senate map. Attorneys defending the plans argued the court should give "deference" to the legislature and presume the maps were the result of a good faith effort to comply with amendment 5. If the court rules against

the maps it's expected the legislature will take another crack at redrawing them in a special session.

The second court hearing this week involving the League was on the merits of the controversial elections law passed last year by the legislature. The League of Women Voters of Florida, the Florida Public Interest Group Research Fund and Rock the Vote filed a federal lawsuit late last year challenging the constitutionality of parts of the law that put new requirements on so-called "third party voter registration organizations." Because of its voter registration efforts in the past, the League would have been considered a third party voter registration organization. But when the new law went into effect last year, the League announced it was suspending voter registration until legal challenges were resolved.

The law requires voter registration groups to register with the state and have their volunteers sign a form acknowledging personal liability if they violate election laws. It also reduces the time period organizations have to turn in completed voter registration forms from 10 days to 48 hours. The federal judge who heard the case was openly skeptical of the state's defense of the new requirements and seemed sympathetic to the arguments of the League and the other plaintiffs. If the judge issues a preliminary injunction as the League has requested, enforcement of the law would be frozen unless and until a trial is held.

The League continues to support two elections bills (HB 1461 and SB 1596) that essentially accomplish the same result. The bills seek to resolve a conflict in state election law involving the use of a voter's identification at the polls. The League and others worked with the sponsors to successfully resolve a problem with the bills and they now contain identical language, preserving 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. Both bills are awaiting a hearing by the full House and Senate.

The League is also supporting bills that give citizens a "reasonable" right to speak at meetings of local government and state executive branch bodies. The bills (HB 355 and SB 206) were filed by Representative Marty Kiar and Senator Joe Negron in response to two court rulings that found that while Florida's "sunshine law" requires officials meet in public, it does not give the public the right to be heard on issues being discussed at those meetings. The bill has been passed by the Senate and is currently in House messages.

The League is concerned about a bill dealing with women's reproductive rights that was passed by the House this week. Among other things, the bill (HB 277) imposes a 24-hour waiting period before a woman can have an abortion and restricts ownership of abortion clinics to doctors who specialized in abortion procedures during their residency. The House bill also has a controversial provision requiring women be told that fetuses can experience "fetal pain" during an abortion after 20 weeks in the womb. Scientists are divided on whether this is true. The Senate bill (SB 290) is currently stuck in a Senate Committee which is not scheduled to meet again this year and Senate President Mike Haridopolos has been described as "lukewarm" to the idea of bringing the bill to the floor.

Another bill that the League is watching involves the state's water resources. Last year, despite opposition from environmental groups, Governor Rick Scott signed a bill that cut state water management district property taxes by \$210 million. Senate Bill 1986 would restore the budget cuts, but it also gives the legislature the power to approve water management district budgets and tax rates. Environmental groups and the League support restoring the budget cuts, but believe the other parts of the bill represent an attempt by the legislature to take control of the water management district's budgets. A different version of the bill was passed by the House this week and a conference committee has been appointed and charged with working out the differences between the two chambers.

And finally, the League is supporting HB 7117 dealing with energy conservation and renewable energy. Sponsors of the bill are calling it a "modest" start that could snowball in coming years. The bill by Representative Scott Plakon contains many of the recommendations of Agriculture Commissioner Adam Putnam whose office now has the responsibility for overseeing Florida's energy policy.

The bill does not set renewable energy targets like the 20 percent level for renewables by 2020 that was once envisioned by former Governor Charlie Crist. Instead, the bills include provisions that would restore tax exemptions and credits that expired in 2010, require consideration of fuel diversity by the Public Service Commission when deciding whether to permit new power plants and mandate a study on the effectiveness of an existing energy conservation law. The bill will be voted on by the full House next week.

As you can see, this is turning out 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 (marilynnwills@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.

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. For more information about the League's advocacy, check out www.TheFloridaVoter.org