



# LEAGUE OF WOMEN VOTERS® OF FLORIDA

## Capitol Report 2012

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### Overview

It's the last day of the 2012 legislative session and while the Legislature seems poised to pass a budget later this evening, a lot of other legislation will go by the wayside. It is also now apparent that the Legislature will be coming back for at least one special session on redistricting and possibly more on other issues including the proposed overhaul of Florida's no-fault automobile insurance law.

Last year there was a meltdown in the Senate on the final night of the session as Republican Senator Jack Latvala led a revolt against the Senate leadership for supporting substantial changes in law that were placed in budget conforming bills. This week there were plenty of signs that a revolt was happening again and the pace in the Senate slowed to a crawl.

Early in the week legislative leaders struck a deal on a \$70 billion state budget which ensured that the Legislature would be able to meet the required 72-hour waiting period before voting on the spending plan. Notably the budget includes the creation of Florida Polytechnic University in Lakeland, a priority of departing Senate Budget Chief J.D. Alexander. The Polytechnic campus had been a part of the University of South Florida, but will now become Florida's 12th university. The agreement diffused a standoff that began when Alexander proposed steep cuts to the USF budget in his effort to make the Lakeland campus independent.

Even though they talked about difficult budget times and a \$2 billion shortfall, legislative leaders still made sure there were plenty of earmarks for special projects in their districts. While the most high profile earmark was Senator Alexander's university, other legislative leaders scored big as well. Senate President Mike Haridopolos got \$10 million for a new Space Coast "economic development commission" and House budget chief Denise Grimsley got \$520,000 for her hometown high school to create an "international baccalaureate" program. House Speaker Dean Cannon got several million dollars in funding for a number of projects in his hometown of Orlando.

The Legislature's budget was dealt a blow this week when a Leon County court judge ruled that the decision last year to require public employees to pay 3% of their salary toward their pensions was an unconstitutional breach of the state's contract. The judge ordered the money to be returned to the employees with interest. Governor Scott has said he will

appeal the ruling, but if it stands it leaves a \$1 billion budget hole in last year's budget and another \$1 billion hole in the coming year. Like last year, this year's budget included no pay raises for state employees.

There was big news on Friday from the Florida Supreme Court on the legislative redistricting maps. The Court sided with the plaintiffs who were challenging the Senate's map and ruled that it is invalid and does not meet the anti-gerrymandering requirements of the Fair Districts constitutional amendment 5. Those requirements specifically prohibit drawing districts with the "intent" to favor incumbents or political parties. The Court also upheld the House's map in the 5-2 opinion. The landmark ruling sends the Senate's map back to the Legislature so it can be redrawn to conform to the high court's interpretation of the new amendment.

The plaintiffs in the case included 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. The three Fair Districts groups and the Democratic Party have also filed separate Circuit Court lawsuits in Tallahassee challenging the congressional map, which does not get an automatic Supreme Court review.

Tension in the Senate this week reached a fever pitch over the so-called "parent trigger" bill. The bill would allow parents at low-performing schools to choose a turn-around strategy for the school. One option would be for parents to petition to have the school converted into a charter school. Last week, the Senate leadership attempted to fast-track the bill directly to the Senate floor. A coalition of Democrats and Republicans blocked the attempt so the leadership scheduled a last minute budget committee hearing clearing the way for the measure to come before the full Senate.

The League worked hard to alert its members to contact their Senators in opposition to the bill. On the Senate floor on the last day of the session, supporters argued the parental trigger option was the only way to create lasting change at struggling schools. Opponents said the proposal was intended to benefit for-profit charter school companies, which would welcome the potential new business. In another stunning defeat for the Senate leadership and a victory for the League and other opponents, the bill was defeated on a 20 to 20 tie vote.

The League scored another victory on the last day with passage of a bill (HB 7117) that encourages the use of renewable energy. Sponsors of the bill are calling it a "modest" start that could snowball in coming years. The bill 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 bill includes provisions that would restore tax exemptions and credits that expired in 2010.

In the final hours of the session, the League continues to support an elections bill (HB 1461) that seeks 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 bill, 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. The bill is currently in House messages after being approved by the Senate, although at this writing, time is rapidly running out.

The League is also supporting a bill that would give citizens a "reasonable" right to speak at meetings of local government and state executive branch bodies. The bill (SB 206) was filed by 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. Again, the bill was passed by the Senate and is currently in House messages with time running out.

The League was concerned about a bill dealing with women's reproductive rights, but on Monday a bipartisan coalition in the Senate blocked the bill from being heard on the Senate floor. Among other things, the bill (SB 290) would have imposed a 24-hour waiting period before a woman can have an abortion and restricted ownership of abortion clinics to doctors who specialized in abortion procedures during their residency. The League considers the defeat of this bill a victory and wishes to thank Republican Senators Mike Bennett, Evelyn Lynn, Paula Dockery, Nancy Detert, Dennis Jones and Charlie Dean for voting with Democrats to keep the bill from coming to the Senate floor.

Another bill that the League was watching involved 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, a compromise bill worked out in a conference committee, would restore the budget cuts and place control of the water management district's budgets under the Governor, instead of the Legislature. Again, this represents a victory for the Florida Conservation Coalition, the League and others.

As you can see, this was an interesting and exciting legislative session and one in which the League of Women Voters of Florida was very active. There will be at least one more Capitol Report that will be a final wrap-up of the 2012 session. We will also continue to update you on any future special sessions that are likely to be scheduled. Thank you very much for your support of our lobbying efforts. All in all it was a very good session for the League and your help made all the difference.

### **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](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)