



LEAGUE OF WOMEN VOTERS®
OF FLORIDA

Capitol Report 2011

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Filed by: Ben Wilcox, LWVF Governmental Consultant

Overview

As I write, the Florida legislature is working to pass any remaining legislation before voting on its budget agreement at around 10:15 Friday night. It's expected they will sine die and adjourn later this evening. There has been final action on most of the issues of concern to the League of Women Voters of Florida. It's now clear that this will not be a good year for the League in the Florida legislature.

Early in the week the House and Senate reached agreement on a \$68 billion budget during secret talks between top legislators and Governor Scott. They reached the agreement by trading tax cuts wanted by Governor Scott for hometown spending wanted by lawmakers. The budget contains about \$156 million for "turkey" or hometown projects for key legislators including projects that fund county health departments, a regatta center, college buildings, a botanical garden and veterans programs.

The Governor will get to sign a budget that includes tax cuts and business incentives that total about \$308 million; one-eighth of the \$2.4 billion he requested. After initially balking at the Governor's proposed corporate tax cut, legislative leaders agreed to remove the tax from about 15,000 of the smallest businesses in the state at a cost to the budget of about \$37 million.

The biggest budget losers include hospitals which will face a 12% cut in Medicaid reimbursements, public schools which face an 8% cut and the Everglades restoration effort which will barely have enough money to continue. Thousands of state jobs will be eliminated and the state workers who keep their jobs will take a 3% pay cut to contribute to their pensions for the first time.

Two tax-related constitutional amendments will go before Florida voters in 2012 and one, I'm sorry to say, is Senate Joint Resolution 958 or TABOR. The League has strongly opposed TABOR going back to 2008 when it was before the Tax and Budget Reform Commission. TABOR would place a formula to limit revenue growth in Florida in the state constitution. The formula is based on the rate of inflation and population growth. In Colorado, the only state that has tried TABOR, the results were disastrous. It forced drastic cuts to education, health, public safety and infrastructure. TABOR was a priority of Senate President Mike Haridopolos and in both the House and Senate there was enough support for the required 3/5ths vote

for passage. It now goes directly to the ballot with no opportunity for a veto by the Governor.

The legislature also approved another proposed constitutional amendment that would reduce the annual growth in assessed value on commercial property and non-homesteaded property (second homes and rentals) from the current 10% limit to no more than 5%. It creates a new “first-time” homebuyer tax break for anyone who hasn’t owned a home in Florida for the last three years. This first-time buyer’s exemption will end after five years.

The legislature appears poised to enact major reform of the way growth is managed in Florida undoing the landmark Growth Management Act of 1985. The plan would virtually eliminate state growth management oversight for cities and counties, deregulate developers and make it harder for citizens to go to court to block local growth decisions.

The legislature also surprised environmentalists this week by voting to reverse a fundamental concept that has guided Florida environmental law for the past 30 years. With little debate in the second-to-the-last-day of session, the House voted to give final approval to HB 993, but only after adding a controversial “burden of proof” amendment. Currently developers have to prove housing developments, strip malls or other projects won’t cause harm to the environment. Under the new law, concerned neighbors, citizens groups and environmental activists will have to prove a project will cause harm.

In the area of healthcare, the legislature agreed on a major plan to overhaul Medicaid. The House and Senate compromise will push the majority of the state’s 2.9 million low-income and elderly recipients into a health maintenance organization or patient service network in an attempt to curtail the program’s \$22 billion price tag. The plan would divide the state into 11 regions and Medicaid patients would be served by a managed-care organization in their assigned region. The compromise excludes about 30,000 Medicaid recipients who are developmentally disabled.

Also this week, the legislature approved three bills dealing with women’s reproductive rights. One measure would require that all women seeking an abortion have an ultrasound (HB 1127) and have the option to see and hear the results. Another bill (HB 1247) would make the state’s parental notification of abortion law stricter, making it more difficult for a minor to get a judge’s approval for the procedure. The bill requires a minor who seeks a waiver for an abortion to do so in circuit court rather than anywhere in the appellate circuit in which she lives. That’s problematic for minors who live in rural areas where family members or neighbors may be on close terms with courthouse workers or observers.

Earlier in the week the legislature approved HB 97 which prohibits health insurance plans created through the federal health care law from offering coverage of

abortion. It also passed HJR 1179 which proposes a constitutional amendment to ban the use of taxpayer money for abortions.

The terrible elections bill that we have discussed before was given final approval on Thursday by both the Senate and then the House. House Bill 1355 makes major changes to Florida's election laws. It contains burdensome provisions that would impact the League's ability to carry out one of our core missions; to register voters. The bill requires groups who register voters to sign-up with the state and list its officers and the names and addresses of all members who will be registering voters. It sets an unrealistic deadline of 48 hours for League members or other voter registration groups to turn in a completed voter registration form. Missing the deadline means you may be fined.

Other bad provisions contained in the bill include no longer allowing voters who have moved to a different county to change their address when they go to the polls, reducing the time period for early voting and shortening the time period that citizen initiative petitions are valid from 4 to 2 years.

The League worked very hard to defeat this legislation. We participated in a press conference on Monday with U.S. Senator Bill Nelson who spoke strongly against the legislation. We prepped members of both the House and Senate with questions and talking points for debate. In the end, both chambers passed the bill in what was pretty much a party-line vote. The League was successful in helping mount a spirited debate in the House with an eye toward laying the groundwork for a legal challenge to the third party voter registration part of the law. The League successfully challenged similar legislation that was passed in 2005. The League believes the law represents an attempt at partisan voter suppression and is an attack on the rights of voters. Now we are calling on Governor Rick Scott to stand up for democracy and VETO House Bill 1355. Please call (850) 488-7146 or email the Governor here: <http://www.flgov.com/contact-gov-scott/email-the-governor/>.

And finally, there was some good news this week. House Speaker Dean Cannon's plan to re-shape the Florida Supreme Court was greatly watered down before passage by the legislature. Originally the proposed constitutional amendment would have split the high court into two, five-justice divisions, allowing the Governor to appoint 3 new members of the Court. The Senate refused to go along and amended the House plan to get rid of the court split. What's left? Senate confirmation of justices, a provision making it easier for the legislature to reject court rules and another giving the House access to now-confidential investigations of judicial misconduct.

This was the final week of the 2011 legislative session and the League of Women Voters of Florida would like to thank you for supporting our lobbying efforts this year. It's been a difficult year, but I am confident it would have been much worse without the League's presence and voice. Thank you, thank you, thank you!

League Priority Issues

The LWVF has set four program areas for 2011, including Government, Education, Social Policy and Natural Resources.

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

- **Equitable Taxation**: The League supports tax legislation that does not jeopardize local service, addresses infrastructure deficits, and removes unfair tax exemptions that affect governments' ability to serve citizens.
- **Redistricting Reform**: The League supports single-member election districts that are equal in population, provide access for minorities, are compact and, when possible, take local characteristics such as political and geographical boundaries into consideration.
- **Citizen Initiatives**: For the past four sessions, the League has fought against passage of new restrictions on the citizens' initiative process. As bills addressing citizen initiatives arise; the League will oppose bills that increase the moneyed interests' strangle-hold on the initiative process and the legislative process and, where appropriate, advance the idea of a citizen statutory initiative.
- **Elections**: The League supports legislation that promotes stricter election audits and would give the Supervisors of Elections more flexibility in selecting early voting sites.

Education: Priorities are Funding, Accountability and Civic Education.

- The League supports legislation that provides for a free public school system 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.

Social Policy: Priority is Health Care.

- The League supports measures to implement Florida health care in a manner consistent with the LWVUS position on health care reform.

Natural Resources: Priorities are resource management, land use, energy, freshwater resources, coastal management, environmental protection, public participation, and agriculture.

Get Involved

Ben Wilcox is the League's professional lobbyist for the 2011 legislative session. We are still looking for folks to participate in the Lobbying Corps, so please contact Marilynn 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 further information, check out the *Florida Voter* newsletter, available at www.TheFloridaVoter.org. 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.