



LEAGUE OF WOMEN VOTERS®  
OF FLORIDA

## Capitol Report 2010

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### Final Report

It's the beginning of June and Governor Charlie Crist has not acted on all of the legislation passed during the 2010 legislative session. The most notable piece of legislation remaining is House Bill 1143, a health care bill that includes a provision requiring women seeking an abortion in the first trimester of pregnancy to pay for and undergo an ultrasound whether they want it or not. It's not Governor Crist's fault that he hasn't acted on this bill because the legislature only sent the bill to him on June 7th. Speculation is that legislative leadership was holding onto the bill to allow abortion opponents to flood the Governor's office with calls asking him to sign it into law.

The bill also bans abortion coverage in insurance policies purchased through state-based insurance exchanges that are a crucial part of the new federal health-reform law. That provision would take effect in 2014, when exchanges begin, and goes further than the abortion restrictions approved by Congress and President Obama.

This legislation conflicts with the League's policy on reproductive choice and the League is urging Governor Crist to veto House Bill 1143. The Governor has said he has concerns about the bill and it appears likely he will veto it, especially now that he is running as an independent for the U.S. Senate and is not affiliated with a political party.

Governor Crist signed into law the \$70.2 billion state budget passed by the legislature, but he line-item vetoed \$371 million in projects, many of which were put in the budget by legislative leaders for their districts. While the budget maintains current levels of public school funding, it slashes money for human service programs including ones that provide prenatal care to poor women and prevent child abuse.

Most disappointing is that, other than adopt a new gambling pact with the Seminole Indians, the legislature did nothing to put the state on a more sustainable path in the future.

*Next year, the stimulus funds will no longer be available leaving the state facing a \$6 billion deficit.* That does not include the potential revenue hit the state could take from the oil leak in the gulf. Despite urging from the League to do so, the legislature refused to consider repealing special interest tax exemptions on items like bottled water and Internet sales. And even though the state is facing increasingly difficult economic times, the legislature created more tax exemptions for the sale of yachts, private airplanes and professional sporting events.

With the exception of House Bill 1143, there has been final action on all of the issues that fall under the League's priorities. This turned out to be a very good year for the League in the Florida legislature, primarily because of Governor Crist's willingness to veto bad legislation.

The one exception is House Joint Resolution 7231 which passed in the final week. It will be proposed constitutional amendment 7 on the November ballot following the FairDistrictsFlorida amendments 5 and 6. The League worked to find enough votes to prevent passage of this legislation, but the leadership of each chamber was able to lock down most of their members and pass the bill by the required 3/5ths vote. It goes directly to the ballot with no chance of a veto by the Governor.

The proposed constitutional amendment would basically nullify the FairDistrictsFlorida amendments 5 and 6 if they are adopted by the voters. The amendment says "communities of common interests may be respected and promoted." This provision would in effect allow the legislature to justify gerrymandering or manipulating district lines for political purposes. It also requires the legislature to give priority to the standards contained in the legislature's amendment over the standards in the FairDistrictsFlorida amendments.

Joining the League in opposition to this proposed amendment are a number of allies including the NAACP which has taken issue with claims by the amendment's supporters that it would strengthen protection of minority voting rights. The NAACP has called the proposed amendment a "sham." The legislature's amendment says "the state shall take into consideration the ability of racial and language minorities to participate in the political process and elect candidates of their choice." The voting rights language in the Fair Districts amendments is much stronger stating "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial and language minorities to participate in the political process or to diminish their ability to elect representatives of their choice."

Like the Fair Districts amendments, amendment 7 will also have to be adopted by the voters, but it is misleading and difficult to understand its true intent. **The League, along with the NAACP and others, have filed a legal challenge that seeks to have amendment 7 removed from the ballot because it purports to do something that it doesn't really do.** By placing the amendment after the Fair Districts amendments 5 and 6, the legislative leadership is hoping people will think it also reforms the redistricting process when in fact it really preserves the status quo. The League is hopeful the courts will agree that amendment 7 is deceptive and strike it from the ballot.

Other than HJR 7231, the League had a successful legislative session. House Bill 105 requiring testing of civic education at the middle school level was signed into law by Governor Crist. As you know, the League helped pass a requirement three years ago that civic education be taught in middle school. The new testing requirement will ensure that

civic education is being taught in a meaningful way. This was a victory for the League.

Another victory for the League was passage of campaign finance reform legislation that will restore some reporting and disclosure requirements for what's known as Electioneering Communication Organizations or ECO's. These political committees typically have nice sounding names like "The Committee for Florida's Future," but in reality they allow people to raise unlimited amounts of money and run political advertising with no accountability. In 2008, a judge struck down the ECO reporting requirements because they were too broad. Passage of HB 131 restores some of those requirements for the 2010 election.

The legislature passed a bill early in the session that contained the ECO reporting requirements, but also would have recreated "Leadership Funds." These are new campaign finance accounts controlled by legislative leaders. The legislation would have allowed legislative leaders to solicit and accept unlimited amounts of contributions from special interests at any time during the year, even during the legislative session. The League led the charge to urge Governor Crist to veto it. Governor Crist did veto that bill and the League is glad the legislature saw fit to pass the ECO reporting requirements later in the session without the Leadership Funds provision.

The two bills that would allow state funded vouchers to go to private schools died in the Rules Committees of both Houses. The Florida Supreme Court has ruled that vouchers to private and parochial schools are unconstitutional. The proposed legislation which the League opposed would have changed the Constitution to allow this practice.

The so-called Taxpayer Bill of Rights or TABOR legislation also died in committee. Senate Joint Resolution 2420 by Senator Haridopolos would have required state government to follow a strict formula for raising and spending funds. The League opposes this legislation and spoke strongly against it in the committee because it would have severely restricted the ability of future legislatures to raise new revenues and meet the state's needs in education, public safety and health care.

The League also opposed Senate Bill 6 which would have tied teacher pay raises to student test scores, rather than degrees earned or years of experience. It also would have abolished the program that rewards teachers for becoming National Board Certified. The bill was passed by the legislature, but Governor Crist vetoed it after the League and others voiced their opposition.

For issues affecting the environment, 2010 was a mixed bag. On a positive note, the budget includes \$15 million in funding for Florida Forever, the state's premiere land buying program. It also includes \$10 million in funding for Everglades restoration. Also passed at the last minute was Senate Bill 550 which seeks to add new protections for Florida's water resources.

At the urging of the League and others, Governor Crist vetoed a bad bill that would have required all substantive rules adopted by agencies like the Environmental Regulation Commission and the Department of Community Affairs to be ratified by the legislature. The bill would have delayed rule implementation and given the legislature the ability to override rules it didn't like.

The legislature failed to act on a bill to provide incentives to energy companies to develop sustainable energy resources, yet in the House of Representatives, a number of committee

meetings were held to lay the groundwork for a bill that would allow offshore oil and gas drilling off Florida's coast. The bill was never voted on because Senate President Atwater wanted to take a more cautious approach. The League was prepared to oppose the legislation if it had come up in committee.

The failure by the legislature to "reauthorize" the Department of Community Affairs, the agency that regulates growth in the state, has the most potential for environmental harm. The Agency will continue to exist in "limbo" for another year, but it will be much more vulnerable to elimination, dismantlement and political pressure next year. The League will continue to advocate for the reauthorization of the Department of Community Affairs whenever possible.

Thanks very much to all League members who helped us in our advocacy efforts this year. We know we ask a lot of you, but please know this; our success is due to you.

### **League Priority Issues for 2010**

The LWVF has set six program areas for 2010 including Government, Education, Justice, Social Policy, Sustainability and Natural Resources. Under three program areas there are priority subcategories as follows:

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

- **Equitable Taxation** - The League supports tax legislation which 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, that provide access for minorities, are compact and, when possible, take local characteristics such as political and geographical boundaries into consideration.
- **Citizen Initiatives** - 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.

**Social Policy:** Priority is Health Care.

**FOR FURTHER INFO:** The newsletter is available at the LWVF's website: <http://www.lwvfla.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](http://www.leg.state.fl.us).

**P.S. Have you checked out our website lately? [www.TheFloridaVoter.org](http://www.TheFloridaVoter.org)**



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