



LEAGUE OF WOMEN VOTERS® OF FLORIDA

Capitol Report 2013

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Overview

The sixth week of the legislative session is over and there was action on the League's top three priorities of election reform, campaign finance reform and ethics reform, subjects on which the League continues to advocate for improvement on every day with key legislators and leadership.

League members from all over the state were in Tallahassee this week to assist in our advocacy and lobbying efforts. The timing of your visit was perfect as the legislature enters the final weeks of the legislative session and key bills are in need of a strong push to make sure they have the momentum to become law.

Election Reform

The House passed an election reform bill ([HB 7013](#)) with one dissenting vote on the opening day of the session. This week the Senate Rules Committee passed its election reform proposal ([SB 600](#)) by a party-line vote with the Democrats on the committee voting against the bill. The League spoke in favor of the bill, but also said it would like to see improvements made to it. The Democrats didn't offer amendments as they have in previous meetings and simply voted against the bill. Senate Ethics and Elections Committee chair Senator Jack Latvala once again offered to negotiate with the Democrats and their leader Senator Chris Smith. They did not respond to Senator Latvala's offer to negotiate.

The Senate and House bills differ in some ways and agree in others, but they would have the overall effect of reducing the long lines at the polls that occurred in the 2012 election. The Senate bill is expected to be up for a hearing by the full Senate on Tuesday of next week.

Good things the bills do:

- **Significantly increase the hours and days allowed for early voting** and give the Supervisors of Elections more flexibility in selecting early voting sites. The League continues to press for adding as a mandate the last Sunday before election day, the single most popular early voting day...so far not in the bill.

- **Place a 75 word limit** on the first version of ballot summaries for legislatively proposed constitutional amendments. (This limit only applies to the Legislature. If the ballot summary is rejected by the Courts, the Attorney General may propose an alternative summary that is longer than 75 words.)
- **Allow a voter to “fix” an absentee ballot** that is “spoiled” because a signature has changed OR IS MISSING or for other possible reasons- a key League request.

Good things the bills still do NOT do, that the League has been strongly advocating for:

- **They do not allow voters who have moved to make address changes** at the polls on election day.
- **They do not mandate early voting on the last Sunday** before an election.
- **They do not provide for an expedited voting process** for the elderly and disabled.

Bad things the Senate Bill does:

- **It would require a “witness” to sign someone’s absentee ballot.** This is unnecessary and will result in more absentee ballots that are disqualified because of problems with the witness’s signature.
- **It would require a written request for absentee ballots** to be sent to an address other than the voter’s home address. Again, this is unnecessary and will make it more difficult for members of the military or someone who is travelling to get an absentee ballot.

Campaign Finance Reform

The House has proposed a campaign finance reform bill ([HB 569](#)) that was passed by a party-line vote by the full House. Democrats opposed the bill. While the bill had been improved from the original proposal to raise campaign contribution limits from \$500 to \$10,000, it still raises contribution limits higher than the League would like.

The Senate Rules Committee passed its campaign finance bill ([SB 1382](#)) this week and it is significantly better than the House bill. Following an announcement earlier in the week by Governor Scott that he would likely veto a bill that raises campaign contribution limits, the Rules Committee voted to keep the limit on direct contributions to candidates at \$500. The bill still faces a hearing by the Appropriations Committee before it goes to the floor.

Currently the League is opposing both the House and Senate campaign finance reform bills. While both bills do some good things, the League believes the bad outweigh the good.

Good things the bills do:

- **Enhance reporting and disclosure requirements.**
- **Eliminate shadowy political committees** known as CCE's.
- **Place a limit on "turnbacks"** from surplus campaign funds to political parties. Currently there is no limit.

Bad things the House bill (HB 569) does:

- **Increase campaign contribution limits** above the current \$500 limit. The Senate bill (SB 1382) keeps the contribution limit at \$500. The House raises the limits for all races.

Bad things both bills do:

- **Allow a candidate to carry-over money** for a re-election campaign. This provision unfairly benefits incumbents. The League continues to work with committee members individually to eliminate this provision.

Ethics Reform

On the opening day of the legislative session, the Florida Senate passed an ethics reform bill ([SB 2](#)). The bill does some good things, but also contains provisions that would weaken ethics law. This week, the House State Affairs Committee was expected to take up the House version ([HB 7131](#)), but Committee chair Representative Steve Crisafulli announced it was being pulled from the agenda. It now appears that the ethics bill, which is a priority for Senate President Gaetz, is linked to the campaign finance bill, a priority for House Speaker Weatherford. Because the Senate eliminated the campaign contribution limit increases contained in the House bill, the House seems to be holding up passage of the ethics bill.

The House ethics bill significantly improves on the Senate bill, but some concerns remain. The League is working with former Florida Ethics Commission executive director and ethics expert Phil Claypool to further improve the House bill. Republican Representative Mike Fasano is sponsoring 12 amendments written by Claypool to the ethics bill that if adopted would result in meaningful ethics reform that the House can pass and send back to the Senate. The House ethics bill is likely to be heard next week by the House State Affairs Committee.

Good things the bills do:

- **Place restrictions on dual public employment** aimed at former House Speaker Ray Sansom's situation where on the day he was sworn in as House Speaker he also

received a six figure job at a Community College in his district.

- **Increase the ability of the Ethics Commission to collect fines** that are owed.
- **Require financial disclosure forms to be put online** and require the Ethics Commission to develop an electronic filing system for financial disclosure.
- **Allow referrals of ethics complaints** from the Governor's office, FDLE, state attorneys and the U.S. Attorney.
- **Require four hours a year of ethics training** for constitutional officers.

Bad things both bills do:

- **Include a "get out of jail free card"** that gives public officials 30 days to go back and fix an error on a financial disclosure form after an ethics complaint has been filed and not face a penalty, no matter how serious the error was.

Bad things the Senate bill does:

- **The Senate bill blinds the public** when public officials place their assets into a blind trust to avoid conflicts of interest. The Ethics Commission has recommended blind trusts, but the Commission's proposal requires the official to disclose what goes into the trust and what comes out which the Senate bill doesn't do. The House bill is significantly better in this area requiring that disclosure.
- **The Senate bill requires the Ethics Commission to dismiss complaints** that involve "de minimis" or unintentional violations. This essentially creates a new opportunity for defense attorneys to have complaints dismissed at every stage of an investigation and puts the burden on the Ethics Commission to prove intent. The House bill fixes this problem and says the Commission "may" dismiss a complaint rather than "shall."

Health Care Reform

Governor Scott has called for lawmakers to expand Medicaid to 900,000 or more poorer Floridians as part of the federal health care overhaul. The League supports the expansion of Medicaid and is asking its members to **call or e-mail Senate President Gaetz**, gaetz.don.web@flsenate.gov, (850) 487-5001, and **Speaker Weatherford**, will.weatherford@myfloridahouse.gov, (850) 717-5038, and let them know that Florida citizens want them to implement the federal Affordable Health Care Act.

So far, the House of Representatives has said it will turn down the federal funding for Medicaid expansion even if it means forfeiting billions of dollars to other states. This week, House Republicans released their health care proposal, a bare-bones alternative to

expanding Medicaid. The plan would bypass more than \$50 billion in federal aid and sets up a clash between Governor Rick Scott and the Senate. The House plan would provide coverage to up to 130,000 disabled adults and adults with children, far less than the 1 million Floridians who would receive coverage if Florida receives the federal money.

The Senate is considering two proposed plans. The first, by Senator Joe Negrón, would have Florida accept the federal money, but not have government run the program. Instead it would be managed by the private nonprofit Florida Healthy Kids Corp. A second plan by Senator Aaron Bean is similar to the House approach and would not accept the federal funding, but use state dollars to provide subsidies to help poor people cover the cost of private health insurance.

Right to Speak

Another top priority for the League this year is a bill that would give citizens a “reasonable” right to speak at meetings of local government and state executive branch bodies. The Senate bill ([SB 50](#)) was filed by Senator Joe Negrón 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 was passed by the Senate and is currently in House messages.

The House bill ([HB 23](#)) still faces a hearing by the State Affairs Committee before it goes to the full House.

Other Issues

The League is also monitoring the legislature’s work on the issues of Internet sales taxation, the “parent trigger” bill, environmental protection, health care and immigration.

2013 Legislative Summit

I would like to take this opportunity to personally thank League members who joined us in Tallahassee for the 2013 legislative Summit. It was great to see everyone and your efforts on behalf of the League are much appreciated!!! Thanks to you and other League members in the state who support our advocacy efforts, I’m sure this will be a great legislative session for the League of Women Voters of Florida.

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 2013 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: Promote reunification of immediate families; meet the economic, business and employment needs of the United States; be responsive to those facing political persecution or humanitarian crises; and provide for student visas. Ensure fair treatment under the law for all persons. In transition to a reformed system, support provisions for unauthorized immigrants already in the country to earn legal status.

Get Involved!

Ben Wilcox is the League's professional lobbyist for the 2013 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