



LEAGUE OF WOMEN VOTERS®

O F F L O R I D A

Capitol Report 2013

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Overview

The eighth week of the legislative session is over and there was lots of 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.

It all happened on Wednesday. The House and Senate negotiated a deal outside the public eye that gives House Speaker Will Weatherford and Senate President Don Gaetz a victory on issues the leaders have identified as top priorities. For Speaker Weatherford it was campaign finance reform and for Senate President Gaetz it was ethics reform. The bills were passed by both chambers and are on the Governor's desk. A seven day clock is now running for the Governor to take action which means if he decides to veto either or both bills; the legislature would still have time to override that veto before its scheduled adjournment on Friday of next week.

Election Reform

Also on Wednesday, the full Senate took up its election reform package ([HB 7013](#)) for a final vote. When the bill was on second reading last week, Senate Ethics and Elections Committee chair Senator Jack Latvala accepted two amendments that address the League's top two priorities. One amendment would allow voters who have moved from one county to another to update their voter registration addresses at the polls if those counties have electronic poll books.

A second amendment sponsored by Senator Latvala removed a provision in the bill that would have required someone to "witness" the signing of an absentee ballot. The League opposed that provision because it would have led to a spike in disqualified ballots due to problems with the witness signature. It would have done nothing to reduce absentee ballot fraud since there would be no way to verify whether the person who witnessed the ballot signing actually exists. The adoption of these two amendments last week represented a great victory for the League.

This week the bill was not changed except for the removal of a provision that limited voter assistance provided at the polls. While the League supports this bill, it does share the concerns of Supervisors of Elections about a provision that has been added to the bill. An amendment added last week would allow Florida's Secretary of State to wipe out bonuses for elections supervisors who are deemed "out of compliance" with elections standards. The sponsor, Senator Diaz de la Portilla, said the amendment was prompted by elections complications in five Florida counties deemed "low-performing" by Secretary of State Ken Detzner after the November election.

The provision would allow the Secretary of State to place supervisors on "non-compliant status" for a minimum of one year if they do not file reports with the state on time; ensure that ballots are distributed, collected, counted and reported according to law; and safeguard and account for voted ballots. The League shares the concern of the Supervisors that the amendment gives the Secretary of State, who is appointed by the Governor, too much authority over the Supervisors who are constitutional officers elected by county voters.

HB 7013 is now in the House where it is expected to be considered next week. If it is passed as is in the House it goes to the Governor. If it is amended in the House it will need to go back to the Senate.

Good things the bill does:

- **Significantly increases 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.
- **Places 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.)
- **Allows 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.
- **Allows voters in most Florida counties who have moved to make address changes** at the polls on election day. This was something the League led the push for.

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

- **Mandate early voting on the last Sunday** before an election. The bill does give Supervisors the flexibility to have early voting on that Sunday, but it doesn't mandate it.
- **Provide for an expedited voting process** for the elderly and disabled.

Bad things the Bill does:

- **Requires a written request** for absentee ballots to be sent to an address other than the voter's home address. This is unnecessary and will make it more difficult for someone who is travelling to get an absentee ballot. An amendment added to the bill last week exempts members of the military from this requirement.
- **Gives the Secretary of State new authority** over the Supervisors of Elections to find them "out of compliance" with election standards and penalize them.

Campaign Finance Reform

As mentioned earlier, the campaign finance reform bill ([HB 569](#)) was the subject of behind the scenes negotiations this week that resulted in the bill's passage on Wednesday. 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 and the **League is now asking Governor Scott to veto the bill.**

While the bill does some good things, the League believes the bad outweigh the good.

Good things the bill does:

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

Bad things the House bill (HB 569) does:

- **Increases campaign contribution limits** above the current \$500 limit. The bill increases the contribution limit for statewide races to \$3,000 per election cycle and for legislative and local races the limit goes up to \$1,000. The League believes raising the limits on campaign contributions not only reduces the likelihood of contributions from ordinary Florida voters, but it also has been shown to reduce voter turnout, something that Florida can ill afford.
- **Gives Political Committee's the ability to accept unlimited contributions** and make unlimited independent expenditures.
- **Allows a candidate to carry-over \$20,000 form one election cycle to another** for a re-election campaign. This provision unfairly benefits incumbents.

Ethics Reform

An ethics reform bill ([SB 2](#)) was the other part of the deal that was struck by legislative leaders leading up to its passage on Wednesday. The League supports the bill which does some very good things, but also contains a couple of provisions that fall short of what the League had hoped for.

When the bill was debated in the House, Republican Representative Mike Fasano sponsored 12 amendments that were designed to improve the bill. The Fasano amendments were not adopted. Representative Jim Boyd, chair of the House Ethics and Elections subcommittee, explained that if any amendments were adopted it would violate the agreement that had been reached with the Senate.

Good things the bill does:

- **Bars elected officials from taking advantage of their positions** to get taxpayer funded jobs.
- **Increases the ability of the Ethics Commission to collect fines** that are owed.
- **Blocks lawmakers from lobbying state agencies** for two years after they leave office.
- **Requires financial disclosure forms to be put online** and requires the Ethics Commission to develop an electronic filing system for financial disclosure.
- **Allows referrals of ethics complaints** from the Governor's office, FDLE, state attorneys and the U.S. Attorney.
- **Requires four hours a year of ethics training** for constitutional officers.

Bad things the bill does:

- **Includes 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.

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. The House 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 Negron, 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.

Environmental Permitting

The League is opposing two bad environmental bills that would do damage to millions of acres of wetlands across the state. House bill [999](#) was passed by the full House this week and is now awaiting action by the Senate. Its Senate companion, Senate bill [1684](#), is currently on the Senate calendar. The bills include two critical provisions that need to be removed. The first deals with **the exemption for 298 Special Districts from local wetland permitting rules**, and the second is the **pre-emption of and moratorium on local fertilizer ordinances**.

The Senate could take action on either of these bills at any time. Please **contact [your Senator](#) today** to voice your opposition to the session's worst environmental bills – SB1684 and HB999.

Call to Action!!!

The League is asking its members to contact [Governor Rick Scott](#) and urge him to act on three priority issues. Ask Governor Scott to:

- **Sign Senate bill 2**, the first real ethics reform in Florida in 37 years !
- **Veto House bill 569, a deeply flawed attempt at campaign finance reform.** This bill drastically increases campaign financing limits and would result in a staggering amount of money flooding into our political process and drowning out the voices of average citizens.
- **Veto the alimony bill ([SB 718](#))!** This measure virtually eliminates permanent alimony and limits settlements for marriages that don't last long. It also allows for the reopening of divorce cases in which alimony settlements have been made. This bill takes away the discretion of judges and leaves divorced spouses with no income,

no retirement and limited job prospects. It also requires a mandatory 50-50 custody arrangement taking away all flexibility from of judges to establish custody arrangements based on the individual needs of the family.

Other Issues

The League is also monitoring the legislature's work on the issues of Internet sales taxation, the "parent trigger" bill and immigration.

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 (marilynwills@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