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## Wrong U.S. Sugar response

03/02/2009  
Palm Beach Post

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When Gov. Crist found a way to buy U.S. Sugar without approval from the Legislature, many legislators didn't like it. Rival landowners didn't like it, either. The result is a braying of objections from legislators driven by special interests and jealousy.

Foremost among them is Sen. Mike Bennett, R-Bradenton, who believes that he has found a way to kill the deal by doing something that sounds as though he wants to empower voters. Sen. Bennett is attacking the financing.

He believes, not unreasonably, that the South Florida Water Management District is paying U.S. Sugar too much. To raise money for the \$1.34 billion purchase of the company's 180,000 acres that are key to restoring the Everglades, the district is preparing to issue certificates of participation. Those are bonds that do not require voter approval. School districts use them regularly. The water district used them in 2006 to raise \$572 million, the first installment on a \$1.8 billion package of improvements to help the Everglades.

The Legislature didn't get all excited then. Now, in the grand tradition of changing state law to stop something beyond legislative reach, Sen. Bennett has proposed Senate Bill 1436. It would require that water management districts get permission from voters before issuing certificates of participation.

Just how they're supposed to do that, he doesn't say. The district covers 16 counties and has no mechanism for holding an election. That's just the point, Sen. Bennett says. The district's nine-member board is appointed by the governor, who badly wants the sugar deal to go through, and not elected by the public. Sen. Bennett calls that taxation without representation.

Well, maybe. Florida's five water management districts levy a tiny property tax. The unelected board approves that tax rate every year. The money to repay the U.S. Sugar debt, like the money to pay for the 2006 debt, will come from property taxes. The South Florida Water Management District can tax up to 80 cents per \$1,000 of taxable property value - \$240 for a \$300,000 homestead - without the Legislature saying anything. Anything between 80 cents and \$1 requires the Legislature's approval.

But the representation for the public is the governor. More to this point, whatever one thinks of the U.S. Sugar deal, it's between the water district and the company. The Legislature is not involved. Sen. Bennett's bill is cover for rival bidders who want U. S. Sugar's land. Selective outrage usually makes for bad legislation. That's true in this case.

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## Growers facing tough times

03/02/2009

Naples Daily News

Layden, Laura

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Going into the 2009 legislative session, the head of Florida Citrus Mutual has this warning for his industry: Buckle up your seat belts.

The session could be one of the most challenging ever for the citrus industry, said Michael Sparks, the executive vice president and CEO of Florida Citrus Mutual, the states largest citrus grower group. No doubt the primary focus and the emphasis in Tallahassee and rightly so for Florida is all revolving around the legislative budgeting process, he said. As lawmakers face massive budget shortfalls, the agriculture industry in general expects to spend most of its time in defense mode protecting what it has and fending off cuts to important programs.

The regular session begins Tuesday.

Butch Calhoun, the Florida Fruit & Vegetable Associations director of government relations in Tallahassee, describes the theme for the session this way: Less revenue equals more budget cuts. His theme for last years session was the same. But this year the financial picture has worsened. They are looking at a \$5 billion to \$7 billion shortfall in revenue, Calhoun said. Its going to be interesting to see how they make that up. They are talking about raising taxes, raising fees, and doing away with sales tax exemptions. Growers who compete in a global market cant afford to see their sales tax exemptions go away. There are exemptions on everything from seeds to farm equipment. Thats one area theyll be watching this session. I think well be OK, Calhoun said.

We dont have a problem with the Legislature reviewing them and us having to justify them. But we are concerned if they move toward some sort of sunset. The tax and finance committees in the House and Senate have been reviewing the exemptions. No bills have been filed

yet, Calhoun said.

In fact, bills in general are slow in coming this year, he said. There are so many bills that we hear about that have not been filed. We cant react until we see the bills, Calhoun said. The agriculture industry is pushing several bills this session: -- A tomato food safety bill would protect growers who comply with new safety regulations that took effect last July. If growers follow the rules they would be exonerated if there was another salmonella outbreak. Florida is the only state to have such mandatory regulations for the fresh tomato market. The bill was still in the works and had yet to be filed on Thursday. -- A protective bill that would limit new regulation by local governments when it overlaps with existing state and federal regulations. It includes prohibiting county governments from imposing storm water fees on agricultural lands when there are discharge permits or growers are following so-called Best Management Practices approved by the Florida Department of Agriculture and Consumer Services.

As part of the bill, homeowners would have to sign a waiver when they move next to a farm, saying they realize there may be noise, pesticides sprayed, and other nuisances and they wont complain about it to government or try to stop it. Its to try to preserve agriculture, said Calhoun, adding that the idea hasnt been proposed before in Florida. It may be a hot topic, he said. It may ease right through. The industry also supports changes to the Bert J. Harris Jr. Private Property Rights Protection Act, which compensates property owners when government limits the use of their property through regulations. It would make it clear that the two-year limit to make a claim doesnt immediately start when regulations are adopted, but when the property owner realizes their impact. It would clarify theres no cap on claims and that sovereign immunity doesnt apply, Calhoun said.

On the environmental front, the agriculture industry is keeping a watchful eye on a number of bills. One would require the members of the states five water management district boards to be elected, instead of being appointed by the governor. Agriculture has some concern that if the governing board members were elected there would probably be no one from agriculture that could run and get elected to a governing board, Calhoun said. Another bill meant to protect natural springs in the state could hurt agriculture. The Florida Springs Protection

Act would create zones around springs that would be closely monitored and managed to reduce pollution from neighbors.

That could wipe out some farming activities, especially in North Florida, where there are so many springs, Calhoun said.

Other legislation the industry is monitoring includes:

-- A bill that would require voters to approve the states purchase of 180,000 acres from Clewiston-based U.S. Sugar for Everglades restoration. The South Florida Water Management District

approved the purchase in December. The proposed legislation would require voter approval whenever the district is looking to issue certificates of appreciation or bonds, for projects, such as the controversial U.S. sugar buyout.

-- Several bills dealing with fertilizer applications. So far they only seem to apply to yards, not farms, Calhoun said.

Another concern is more cuts to the University of Florida/IFAS budget. That could mean less money for agricultural research. We keep hearing there is probably going to be a 15 percent across-the-board cut, Calhoun said. Terry McElroy, a spokesman for the Florida Department of Agriculture and Consumer Services, said his department isn't looking for anything ambitious this session. Basically what the commissioner is looking for is to keep our programs intact, he said. The budget is such an overriding issue in the session. Agriculture is in pretty good shape. They are actually one of the better-run divisions, said Rep. Trudi Williams, R-Fort Myers, who oversees the Agriculture and Natural Resources Policy Committee. She's working on an agriculture committee bill that will look at some common sense things, such as exempting farm fences from the Florida Building Code and from any local government code or fee. It will include limits on storm water fees and a right to farm provision to allow a farm operation to continue operating in the face of new government regulations.

For citrus, the top priority this session is to get state legislators to approve a new equalization tax that would raise more money for the Florida Department of Citrus and support research, said Sparks, with Florida Citrus Mutual. Importers would pay the same amount charged on boxes of Florida oranges, and they would have an option to earmark the money toward research, administration or regulatory activities.

As part of a 2002 settlement, importers only pay one-third of the box tax.

The citrus industry will also:

-- Support the reauthorization of the Florida Department of Citrus, which sunsets this year. -- Seek general revenue for citrus research.

-- Work to get authority for the Florida Agricultural Statistics Service to make capital purchases to replace vehicles.

-- Protect the agricultural sales tax exemption. -- Guard against raids on the Florida Citrus Advertising Trust Fund, the Florida Department of Agriculture and Consumer Services Inspection Trust Fund, and the Box Tax Trust Fund. We've got to watch out that the dollars that are paid for by growers, that are earmarked for grower activities and trust funds, are not raided, Sparks said. This gets back to helping balance the budget.

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## Lucha por empleos enfrenta al medioambiente

03/02/2009

El Nuevo Herald

MORGAN, CURTIS

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Dos importantes cabilderos se enfrentarán sobre la gran compra de tierras azucareras del estado, pero otra batalla que comienza el martes en la sesión legislativa podría tener un impacto más amplio.

Llamémosle "Empleos versus Medio Ambiente".

Para tratar de activar la estancada economía, algunos legisladores están procurando "aligerar" toda una serie de regulaciones medioambientales y de crecimiento. Las proposiciones son de borrar o debilitar cosas tales como las protecciones de ciénagas y fauna silvestre y requerimientos de que los urbanizadores mejoren las carreteras para lidiar con las congestiones de tráfico creadas por los nuevos proyectos.

Una ya redactada, el Proyecto 360 del Senado, podría tener implicaciones significativas para condados urbanos tales como Miami-Dade y Broward, eliminando prácticamente la fiscalización estatal de nuevas grandes obras como la proyectada comunidad de Parkland, de 7,000 casas, en el SW de Miami-Dade. Otras medidas propuestas podrían prohibirle al Condado Miami-Dade, que tiene sus propias y estrictas regulaciones para tierras cenagosas, que hiciera valer sus leyes ambientales cuando éstas sean más severas que las del estado.

Los defensores de esto argumentan que las reformas regulatorias, respaldadas por grupos de los giros de urbanización, podrían dar lugar a un auge y más empleos al hacer ciertos procesos "duplicativos" de obtener permisos para casas, oficinas y otros edificios más económicos y más rápidos.

"Sólo hay tres maneras de hacer dinero. Se pueden aumentar los precios, rebajar los gastos, o aumentar los volúmenes", dice el senador Mike Bennett, republicano de Bradenton y patrocinador de varias medidas de reformas. "Lo primero que debe hacer el gobierno es disminuir los gastos de gobierno".

Los grupos ecologistas y la Liga de Ciudades de la Florida advierten que esas medidas podrían producir más expansión descontrolada que hicieron que la Florida, agobiada por la reposiciones, ganara la peor clasificación en un artículo reciente de la revista New Yorker.

"Existe el mito de que de algún modo esas reglas ecológicas obstaculizan nuestra economía", dice Eric Draper, un cabildero de Audubon de la Florida. "Eso no es cierto. Todo lo que estaba prosperando hace dos años estaba prosperando bajo las mismas normas".

Las proposiciones son lo suficientemente amplias como para opacar la pelea sobre la petición de \$1,340 millones del

governador Charlie Crist para comprar 180,000 acres de la U.S Sugar Corporation para la restauración de los Everglades, una gestión a la que la rival Florida Crystals se opone ferozmente.

Los dos influyentes grupos políticos, que generalmente están en el mismo bando en Tallahassee, han hecho acopio de fuerzas formidables. U.S. Sugar, procurando cimentar respaldo para una gestión que le resolvería los déficit económicos y ofrecería años de agricultura lucrativa con un contrato económico anual de \$50 por acre, ha registrado a 39 cabilderos. Florida Crystals, resuelta a bloquear el asunto y conseguir ellos algo mejor para sus intereses, tiene 20.

Una tercera compañía, The Lawrence Group of Tennessee, también está tratando de comprar U.S. Sugar, y ha contratado al influyente cabildero miamense Ron Book.

"Florida Crystals y U.S. Sugar están trabadas en mortal combate", dice Thom Rumberger, un abogado y cabildero de The Everglades Trust, que ha duplicado su propio equipo de cabildeo (a ocho) para respaldar una gestión que según los ecologistas puede resolver la escasez de agua y los problemas de contaminación de los Everglades.

Pero hasta los legisladores que sostienen que el precio es muy elevado en un estado que está recortando fondos para las escuelas y los ancianos tienen dudas sobre lo que podrá hacerse para bloquear eso.

Bennett y la representante Trudi Williams, republicana de Fort Myers, han copatrocinado un proyecto de ley que limitaría la capacidad de los distritos de manejo de agua de emitir certificados de participación. El Distrito de Manejo de Agua del Sur de la Florida planea usar dichos certificados, que son similares a los bonos, para costear la medida.

Williams, que ejerció como presidente de la junta nombrada por el distrito bajo el gobernador Jeb Bush, admitió que Crist puede vetar proyectos de ley para proteger algo gestionado por él.

"Para ser honestos, la legislatura no tiene fiscalización ni autoridad sobre los distritos, de modo que el gobernador fundamentalmente puede hacer lo que él quiera", dice ella.

Pero eso puede cambiar. Algunos legisladores esperan intentar controlar la autoridad de los distritos acuíferos y la influencia sobre éstos del gobernador. Algunas posibilidades: proponer juntas elegidas o presupuestos o adquisiciones de terrenos aprobadas por la legislatura.

Los distritos de agua no van a ser las únicas agencias bajo la mirilla.

Otro objetivo importante es la agencia de manejo de crecimiento del estado, el Departamento de Asuntos Comunitarios (DCA), que estudia las enmiendas de crecimiento de los condados y grandes proyectos llamados DRIs o Desarrollos de Impacto Regional tales como Parkland en el SW de Miami-Dade. Las críticas del DCA han jugado un papel importante en años recientes en el bloqueo de proyectos más allá de los confines de desarrollo establecidos en Miami-Dade.

Bajo el proyecto de Bennett, dependería de los condados decidir si procuran o no la opinión de la agencia. El proyecto de ley también moderaría las normas y el proceso de permisos para "ocupación urbana".

Charles Pattison, director ejecutivo de 1,000 Friends of Florida, un grupo promotor de políticas de "crecimiento inteligente", dice que él respaldó la promoción de construcción en ciudades, pero que la definición del proyecto de ley de lo "urbano" podría dar lugar al respaldo simplemente de más crecimiento.

Un criterio de 1,000 personas por milla cuadrada se aplicaría a áreas que sólo tienen 1,5 casas por acre, dijo él, y eso empujaría la urbanización densa a suburbios rurales y pueblos pequeños.

"Es como tratar de resolver el problema construyendo más", dijo Pattison. "Si lo que ya hicimos no funcionó hagámoslo más aún",

Pero Bennett y Williams ven una moderación de las regulaciones, al menos temporalmente, como una clave para suscitar inversiones y empleos.

Hace dos semanas, Williams presidió un comité sobre la simplificación de permisos en la Cámara de Representantes del estado. Las ideas sometidas por constructores, industria y empresas abarcaban desde abreviar la aprobación de minas de rocas a la prohibición de que agencias estatales o de gobierno dictaran normas más estrictas sin aprobación legislativa hasta el 2010.

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## **Economic woes renew push against growth limits**

03/02/2009

Miami Herald - Online

CURTIS MORGAN

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The state's economic woes are adding fuel to the push by lawmakers to ease environmental and growth-management regulations.

Two lobbying heavyweights will square off over the state's controversial Big Sugar land buy, but another battle in the legislative session opening Tuesday could have broader impacts.

Call it Jobs vs. Environment.

To light a fire under the frozen economy, some lawmakers are seeking to "streamline" a slew of environmental and growth regulations. Proposals call for erasing or weakening everything from wetlands and wildlife protections to requirements that developers improve roads to handle the traffic glut of new projects.

One already drawn up, Senate Bill 360, could have major

implications for urban counties like Miami-Dade and Broward, virtually eliminating state oversight of new mega-developments, such as the proposed 7,000-home Parkland community in Southwest Miami-Dade. Other proposed measures could bar Miami-Dade County, which has its own strict wetland ordinances, from enforcing environmental rules tougher than state standards.

Advocates argue a regulatory overhaul backed by builder and industry groups could spur growth and jobs by making "duplicative" permitting processes for homes, offices and other buildings cheaper and faster.

"There are only three ways to make money. You can either raise the price, increase the volume or decrease the cost," said Sen. Mike Bennett, R-Bradenton, sponsor of several reform measures. "The first thing government should do is decrease the cost of government."

Environmental groups and the Florida League of Cities warn that the moves could produce more of the uncontrolled sprawl that earned foreclosure-ridden Florida the "Ponzi State" label in a recent New Yorker magazine piece. "You've got this myth that somehow environmental rules are what is hindering our economy," said Eric Draper, a lobbyist for Audubon of Florida. "That's just not true. Everything that was booming two years ago was booming under the same sets of rules."

#### SUGAR DEAL

The proposals are sweeping enough to overshadow the high-stakes fight over Gov. Charlie Crist's \$1.34 billion bid to buy 180,000 acres for Everglades restoration from the U.S. Sugar Corp -- a deal fiercely opposed by rival grower Florida Crystals.

The two political powerhouses, usually on the same side in Tallahassee, have beefed up typically formidable forces. U.S. Sugar, seeking to cement support for a deal that would put it back in the black and offer years of profitable farming from a cut-rate \$50-an-acre annual lease, has registered 39 lobbyists. Florida Crystals, bent on blocking the deal or cutting one better serving its business interests, has 20.

A third company, The Lawrence Group of Tennessee, also is angling to buy U.S. Sugar and has hired influential Miami lobbyist Ron Book.

"Florida Crystals and U.S. Sugar are locked in mortal combat," said Thom Rumberger, a lawyer and lobbyist for The Everglades Trust, which has doubled its own lobbying staff to eight to support a deal environmentalists say can solve the Everglades' water shortage and pollution problems.

But even lawmakers who argue the price is too high in a state slashing funds for schools and the elderly are uncertain what they can do to block it.

Bennett and Rep. Trudi Williams, R-Fort Myers, have co-sponsored a bill that would limit the ability of water management districts to issue certificates of participation. The South Florida Water Management District plans to use the certificates, which are similar to bonds, to bankroll the deal.

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## Editorial Feds finally help Everglades

03/02/2009

News Press - Online

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After almost a decade of foot-dragging, Congress may finally be ready to pay its promised share of Everglades restoration.

It matters deeply to Southwest Florida, because restoring the natural water system of South Florida can help protect Lee County's river and coastal waters from agricultural pollution flushed out from interior farm lands in years of heavy rain and high water.

A healthy coastal estuary and clean water and beaches are crucial to our local economy. Clean and plentiful water, which is what Everglades Restoration promises, are also essential to the state's cities, farms, businesses and natural areas. The U.S. House last week passed a budget bill with \$183 million for Everglades projects, including \$28 million for more restoration work on the Kissimmee River north of Lake Okeechobee. That promises to reduce agricultural pollutants reaching Southwest Florida.

There is \$74 million for making the dike around the lake safer, which may reduce pressure on water managers to release polluted lake water into the Caloosahatchee River, where it has caused devastating algae blooms in Lee County. "It's a good day for the Everglades," said Kirk Fordham, chief executive officer of The Everglades Foundation, after the House measure passed. "Finally, the federal government is stepping up to the plate." President Obama's budget also includes Everglades money, and restoration agencies are hoping (who isn't?) for federal stimulus money.

The joint federal/state Comprehensive Everglades Restoration Program was announced with great fanfare in 2000. Since then, many elements of the ambitious project have stalled, in large part because the federal government failed to pony up its half of the money. Estimates of the cost of the entire project have exceeded \$10 billion. The state under Gov. Jeb Bush decided to push ahead on certain key projects on its own. So far, Florida has spent about \$2 billion, or six times the federal outlay.

These are crucial days for southern Florida's environment. The state purchase of 180,000 acres of sugar cane farm land in the Everglades, also crucial to restoration, is hanging in the balance.

Our federal leaders must honor their commitment to the Everglades.

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## With economy sputtering, spinners are spinning like tops

03/01/2009

Sarasota Herald-Tribune

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With economy sputtering, spinners are spinning like tops

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Even in the best of economic times, lawmakers and PR spin artists like to pump up audacious job creation numbers to sell a plan.

But in these dismal times, the spinning is out of control. Consider these promises:

The Seminole tribe says that an agreement allowing expanded gambling at its casinos would create 45,000 new jobs. That's a lot of blackjack dealers.

Proponents of the Sun Rail commuter train in greater Orlando offer a few different numbers -- 13,000 new jobs almost immediately and 260,000 new jobs over the next 30 years. Wow.

The Everglades Trust said the \$1.34 billion plan to buy U.S. Sugar and restore the Everglades would generate 30,000 jobs. Whether that accounts for the virtual closing of sugar towns like Clewiston is not mentioned.

Those all pale in comparison to stimulus rhetoric. The White House has estimated that the \$12.2 billion the state will receive in "stimulus money" over the next three years will create or retain 206,000 jobs. Crist has tacked more on to that, saying that his budget proposal will create or retain 314,590 jobs.

Surely we're missing more stunning job creation promises. But just adding these four up would mean at least a couple of hundred thousand new jobs.

Consider that the state's most recent unemployment figures showed 751,000 Floridians with no jobs.

It seems we're just a few more promises away from full employment.

Lobbying for Glades deal

How worried are environmentalists that the Legislature may scuttle Crist's \$1.3 billion plan to buy U.S. Sugar and restore the Everglades? Well, it's the middle of February and there are already campaign-style mail pieces seeking to pressure lawmakers.

We saw one mailed to a friend in Sebring, the heart of Sen. J.D. Alexander's district. It was paid for by the Everglades Trust and touts the deal as "breathtaking in its significance and scope," with many testimonials from environmental supporters as well as Crist.

The mailer ends with a plea to call Alexander and "ask him to support the River of Grass Acquisition."

Lawmakers are bit skittish about the price of the deal, which could reduce other South Florida environmental projects. There is increasing concern that the state is overpaying for the land as real estate values collapse.

Sen. Mike Bennett, R-Bradenton, has pushed for a voter referendum to approve the deal.

And residents in Clewiston and other rural areas fear the loss of thousands of jobs and a generations-old way of agricultural life.

Compiled from reports by Joe Follick and Lloyd Dunkelberger of the H-T Capital Bureau.

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## Budget Tops Many Challenges to Be Taken Up

03/01/2009

Ledger, The

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Lawmakers will use their 60-day annual session in Tallahassee to consider more than 2,000 bills and pass a new state budget that takes effect July 1. Here are the major issues:

No issue will dominate the 2009 Florida Legislature more than the annual state budget. The slumping state economy, which has brought new construction and growth to a near standstill, has caused state revenues to plummet. The state budget has dropped from a \$73 billion high in 2007 to about \$65 billion.

Relying on nearly \$5 billion in federal stimulus money, Gov. Charlie Crist has recommended a \$66.5 billion spending plan for the 2009-10 budget year.

But lawmakers fret that Crist is relying too heavily on the one-time federal funding and it could lead to major problems when the money dries up in the next few years and if the state's economy has not by then rebounded enough to refill the state coffers with sales taxes and other revenue.

Crist recommended more than \$500 million in fee increases, which lawmakers may look at. Legislators are also expected to consider some tax increases, including the cigarette tax. But legislative leaders also warn that more budget cuts are likely given that analysts project the state could be facing a budget shortfall of \$3 billion or greater in the next year even if a lot of the federal funding can be used.

### GAMBLING

Gov. Crist wants lawmakers to endorse a deal that would let the Seminole Tribe expand its casinos in exchange for an immediate \$288 million for next year's budget, as well as much as \$100 million in annual payments if the tribe retains the exclusive use of

card games like blackjack.

The Seminoles say the expansion will lead to more economic development in the state and create some 45,000 jobs.

## THE EVERGLADES

Lawmakers are asking a lot of tough questions about Gov. Crist's ambitious plan to buy 180,000 acres of land in the Everglades from U.S. Sugar Corp., the nation's largest producer of cane sugar, for \$1.34 billion. The move would also remove thousands of acres of agriculture land that has been blamed for polluting the Everglades ecosystem.

Environmental groups strongly support the purchase, saying it could speed up the restoration of the vast South Florida wetlands system.

Although no state money is going directly toward the project, lawmakers say they want to closely scrutinize the proposed purchase.

## SCHOOLS

The budget crunch is leading lawmakers to reconsider the state's classroom-size caps that were endorsed by voters in 2002. By the fall of 2010, the cap is scheduled to take full effect, limiting class sizes to 18 students in prekindergarten through third grade, 22 students in grades four through eight and 25 students in high schools.

To change the standard, lawmakers would have to ask voters to pass a new constitutional amendment - a move that will be opposed by teachers' unions and many parents.

Lawmakers are advancing proposals that would keep the class size limits based on a schoolwide average - as they are now - rather than moving to the more stringent actual class limits.

## ENERGY

Two key elements in Gov. Crist's sweeping energy initiative will be at stake in this legislative session. Lawmakers will consider proposals to impose stricter tailpipe pollution standards on cars and light trucks and to create a renewable energy standard for the state's utilities.

The so-called "clean-car" measure would allow Florida to impose tougher emissions standards on new cars and trucks. But car manufacturers and some business groups oppose the move, arguing that it is too costly and that Florida should wait for a national emissions standard.

The renewable energy standard would require electric power companies to generate 20 percent of their energy from renewable sources, such as wind or solar power. A key debate will revolve around whether that standard should also include nuclear power.

## PROPERTY INSURANCE

With another hurricane season beginning in June, lawmakers will debate new property insurance measures this spring.

Chief Financial Officer Alex Sink is again making a plea to reduce the size of the Hurricane Catastrophe Fund and limit the state's financial exposure, although such a move could increase insurance rates for many Floridians.

Some lawmakers are also pushing legislation that could block State Farm from selling auto insurance in the state if it follows through with plans to leave Florida's property insurance market.

Others will be focusing on the state-backed Citizens Property Insurance, with House leaders saying they want to make sure Citizens, which is the state's largest insurer of residences, becomes the "insurer of last resort" again.

## GROWTH

With Florida's economy in the tank, lawmakers are looking at ways to revive development in the nation's fourth-largest state.

One proposal would loosen restrictions on developments in population-dense counties, including the elimination of what some developers deem as the burdensome "development of regional impact" review process. Proponents say the revision will steer development to more urbanized areas and lessen the state's urban sprawl.

But environmental groups are leery of the measure, arguing that the process is one of key ways to truly evaluate the impact of major developments like new malls or major subdivisions.

## TUITION

Gov. Crist wants to let state universities increase their tuition by as much as 15 percent a year until the schools reach the national average for public university tuition. Five schools already have the ability to raise the so-called "differential tuition." But lawmakers will look at extending that ability to all 11 schools.

Lawmakers may also debate changes to the popular Bright Futures program, including making the scholarship a fixed amount rather than a percentage of the tuition costs. They could also tie Bright Futures to a financial need-based formula, rather than one based only on academic performance.

## TAXES

Facing the budget crisis and a potential budget shortfall of \$3 billion or more - even after using some of the hoped-for \$12.2 billion in federal stimulus money, lawmakers are looking at the possibility of tax increases for the first time in years.

The most likely move seems to be an increase in the state cigarette tax, which is one of the lowest rates in the country. Some have suggested increasing it by as much as \$1 per pack, citing the potential to raise more than \$1 billion.

But legislative analysts have warned the tax may not raise that much, and the state's ability to increase the tax may be somewhat limited by the federal government's decision to increase the national cigarette tax by 61 cents.

Lawmakers also likely to review and perhaps repeal some of the state's numerous sales tax exemptions.

## WORKERS' COMP

Business groups and insurance companies say a 2003 workers' compensation law passed by the Legislature has saved Florida employers more than \$3 billion over the past six years. But in the fall, the state Supreme Court struck down part of the law that essentially capped lawyer's fees in the cases that involve injured workers.

Business lobbyists say allowing increased attorney fees will drive up workers' comp rates. In fact, state regulators approved a 6.4 percent increase following the court decision. They will push for legislation to return the law closer to its 2003 version, although the trial lawyers are likely to oppose the move.

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## Can Crist be part of the budget solution?

03/01/2009

Sarasota Herald-Tribune - Online

Joe Follick

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TALLAHASSEE - The seeds of resentment have been planted in the Legislature as lawmakers from the left and the right grumble under the pressure of budget blues that have dropped state spending by \$7 billion in the past two years.

And their anger may be vented toward Gov. Charlie Crist as lawmakers open their annual 60-day session on Tuesday with deep cuts in education and health care spending likely.

After lawmakers made a difficult decision to cut spending for a popular environmental land purchasing program in January, Crist vetoed the cut despite feelings among some lawmakers that he had promised to support them.

While even conservative Republicans are taking tentative tiptoes toward the sensitive topic of tax increases, Crist loudly proclaimed they were not necessary.

And as legislative leaders like Senate budget chief J.D. Alexander, R-Lake Wales, have made a point of encouraging frugality to the point of selling off state airplanes, Crist has ramped up his frequent flier status by flying from Pensacola to Miami with the king and queen of Spain last month while lawmakers analyzed the budget line by line.

Crist stopped in Tallahassee for his budget announcement before flying to Washington, D.C., for a meeting with President Barack Obama and an appearance on 'Meet the Press.' Combine that whirlwind with the nonstop chatter about whether Crist will run for U.S. Senate in 2010 or run for re-election with an eye on the White House in the future, and many lawmakers wonder where Crist's focus really lies. 'As soon as he got the job, he seemed to be looking on to the next thing,' said Rep. Keith Fitzgerald, D-Sarasota, a political science professor at New College. 'He's

interested in the job, but he's just as interested in being in the national spotlight.' Brian Ballard, one of Tallahassee's top lobbyists and a top fundraiser and friend of the governor, said Crist's forays into national politics and international relations are performed with Florida in mind as he seeks federal aid and foreign investments.

Ballard added that Crist might avoid the historic challenges that Florida's governors usually face as the two-year honeymoon ends. 'I think they traditionally give governors the first year and maybe a little bit of the second year and then they start challenging him,' said Ballard. 'So far, I think he's done better with the Legislature than any governor I've been around. And a guy with 70 percent approval, very few politicians will want to flick the guy in the nose a couple of times.' Crist was not in Tallahassee last week and did not return calls requesting comment. Like his political idol -- Ronald Reagan -- Crist possesses a rare personal touch and a nose for the political winds.

Former Rep. Don Brown, R-DeFuniak Springs, was one of the few lawmakers to publicly rip Crist's plan to expand state-run Citizens Property Insurance.

He said Crist has put the state on the path to ruin by putting all taxpayers on the hook to pay for premiums in case of a disastrous hurricane. 'I think his hold on the Legislature has lightened up a little bit,' said Brown. 'I don't know that it's lightened up enough that the members will have the courage to actually try to fix the situation. They are more willing now to recognize the crisis but then again, when they look at the governor's popularity ratings, it scares the stew out of them.' It is more likely that opposition will come from lawmakers simply ignoring Crist rather than attacking him. Sen. Mike Bennett, R-Bradenton, has critiqued Crist's plan to spend \$1.34 billion from the South Florida Water Management District to buy U.S. Sugar and restore the Everglades. But rather than a frontal assault, Bennett was conciliatory in a letter last week. 'Under normal circumstances, I would wholeheartedly agree with the governor,' the letter said. 'But I am also committed to the constituents I am elected to serve and the state interests I am elected to defend. I believe, in the current economic slump, we simply cannot afford this purchase.' Sen. Dennis Jones, R-Seminole, has served in the Legislature for nearly 30 years. Asked if Crist's anti-tax optimism was making it harder for lawmakers to sell the depth of the crisis to constituents, Jones said, 'some could look at that and draw that conclusion. But the bottom line is we do not have enough money to meet the expectations of our population.' Ballard said that beyond Crist's popularity, lawmakers still remember his first year in office when Crist vetoed a record amount of projects favored by legislators. 'Even if his popularity ratings were a lot lower, it's not like they don't know he won't use the veto pen,' Ballard said of Crist. 'I think people have underestimated Charlie the first two years and I don't think he has to worry about that anymore.'

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## Crist Dealing With Irate Lawmakers

03/01/2009

Ledger - Online, The

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TALLAHASSEE |

The seeds of resentment have been planted in the Legislature as lawmakers from the left and the right grumble under the pressure of budget blues that have dropped state spending by \$7 billion in the past two years. But their anger may be vented toward Gov. Charlie Crist as lawmakers open up their annual 60-day session on Tuesday with deep cuts in education and health care spending likely. After lawmakers made a difficult decision to cut spending for a popular environmental land purchasing program in January, Crist vetoed the cut despite feelings among some lawmakers that he had promised to support them. While even conservative Republicans are taking tentative tiptoes toward the sensitive topic of tax increases, Crist loudly proclaimed they weren't necessary. And as legislative leaders like Senate budget chief J.D. Alexander, R-Lake Wales, have made a point of encouraging frugality to the point of selling off state airplanes, Crist has ramped up his frequent flier status by flying from Pensacola to Miami with the King and Queen of Spain last month while lawmakers analyzed the budget line by line. Crist stopped in Tallahassee for his budget announcement before flying to Washington, D.C., for a meeting with President Barack Obama and an appearance on 'Meet the Press.' FOCUS QUESTIONED Combine that whirlwind with the nonstop chatter about whether Crist will run for U.S. Senate in 2010 or run for re-election with an eye on the White House in the future and many lawmakers wonder where Crist's focus really lies. 'As soon as he got the job, he seemed to be looking on to the next thing,' said Rep. Keith Fitzgerald, D-Sarasota, a political science professor at New College. 'He's interested in the job, but he's just as interested in being in the national spotlight.' Brian Ballard is one of Tallahassee's top lobbyists and a top fund-raiser and friend of the governor. He said Crist's forays into national politics and international relations are performed with Florida in mind as he seeks federal aid and foreign investments. Ballard added that Crist may avoid the historic challenges that Florida's governors usually face as the two-year honeymoon ends. 'I think they traditionally give governors the first year and maybe a little bit of the second year and then they start challenging him,' said Ballard. 'So far, I think he's done better with the Legislature than any governor I've been around. And a guy with 70 percent approval, very few politicians will want to flick the guy in the nose a couple of times.' Crist was not in Tallahassee last week and did not return calls requesting comment. STILL POPULAR Like his political model - Ronald Reagan - Crist has an unmatched personal touch and intangible magic sense for the political winds. Despite the worst economic collapse in modern state history, Crist maintains approval ratings of nearly 70 percent and even his staunchest critics realize there is little political gain in battling him. Former Rep. Don Brown, R-DeFuniak Springs, was one of the few lawmakers to publicly rip Crist's plan to expand state-run Citizens Property Insurance. He said Crist has put the state on the path to ruin by putting all taxpayers on the hook to pay for

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## The Sunshine State (Eventually)

03/01/2009

Ledger - Online, The

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One of Gov. Charlie Crist's trademark lines of optimism is his prediction that the 'sun always comes up first in Florida.' It's a metaphorical hug, assuring Floridians that the economic malaise will lift soon in the Sunshine State. But a Crist supporter - Alan Timm of Longboat Key - read Crist's sunlight claim in a Sarasota Herald-Tribune story. He then sent the governor a letter this month that gently offers a bit of geographic correction: 'Dear Governor: I appreciate your efforts and leadership in helping us receive fair insurance rates. My wife and I are former residents of Maine but are now Florida residents. We do spend our summers in Maine and the kids are still taught that sunrise first touches the U. S.A. in Maine' upon the beginning of each day. Timm provides a copy of a Web site that points out, as he writes, 'The sun does shine first on Cadillac Mountain in the Acadia National Park area, but Maine must acknowledge Florida gets much more of it. 'Best wishes for continued success. I think you are doing a great job.'

JOBS FOR EVERYBODY Even in the best of economic times, lawmakers and PR spin artists like to pump up audacious job-creation numbers to sell a plan. But in these dismal times, the spinning is out of control. Consider these promises: The Seminole tribe says that an agreement allowing expanded gambling at its casinos would create 45,000 new jobs. That's a lot of blackjack dealers. Proponents of the SunRail commuter train in greater Orlando offer a few different numbers - 13,000 new jobs almost immediately and 260,000 new jobs over the next 30 years. Wow. The Everglades Trust say the \$1.34 billion plan to buy U.S. Sugar and restore the Everglades will generate 30,000 jobs. Whether

that accounts for the virtual closing of sugar towns such as Clewiston is not mentioned. Those all pale in comparison to stimulus rhetoric. The White House has estimated that the \$12.2 billion the state will receive in 'stimulus money' over the next three years will create or retain 206,000 jobs. Crist has tacked more on to that, saying that his budget proposal will create or retain 314,590 jobs. Surely we're missing more stunning job-creation promises. But just adding these four up would mean at least a couple hundred thousand new jobs. Consider that the state's most recent unemployment figures showed 751,000 Floridians with no jobs and it seems we're just a few more promises away from full employment.

**EVERGLADES CAMPAIGN** How worried are environmentalists that the Legislature may scuttle Crist's \$1.3 billion plan to buy U.S. Sugar and restore the Everglades? Well, it's the middle of February and there are already campaign-style mail pieces seeking to pressure lawmakers. We saw one mailed to a friend in Sebring, the heart of the district for state Sen. J.D. Alexander, R-Lake Wales. It was paid for by the Everglades Trust and touts the deal as 'breathtaking in its significance and scope' with many testimonials from environmental supporters as well as Crist. 'Gov. Charlie Crist's bold vision to acquire 'the missing link' for Everglades restoration needs your help,' the mail piece says. 'In Tallahassee, competing Big Sugar interests are endangering what Gov. Crist terms 'an historic opportunity to protect a unique place.' 'Without the U.S. Sugar land acquisition, there's virtually no way to prevent harmful lake water releases to our estuaries every 'wet' season, improve Lake Okeechobee and truly restore the Everglades.' The mailer ends with a plea to call Alexander and 'ask him to support the River of Grass Acquisition.' Lawmakers are bit skittish about the price of the deal which could reduce other South Florida environmental projects. There is increasing concern the state is overpaying for the land as real estate values collapse. Sen. Mike Bennett, R-Bradenton, has pushed for a voter referendum to approve the deal. And residents in Clewiston and other rural areas fear the loss of thousands of jobs and a generations-old way of agricultural life.

**HELP FOR HURRICANES** U.S. Sen. Bill Nelson says he is filing legislation to provide a federal backstop for Florida's Hurricane Catastrophe Fund. The bill would let the federal government step in with low-interest federal loans if the CAT fund cannot meet its financial obligations after a major storm. Recent reports have suggested that Florida's fund, which guarantees up to \$28 billion in insurance payments, will not be able quickly pay its claims because of the difficulty of floating a major bond issue in the troubled financial markets. U.S. Rep. Ron Klein, D-Boca Raton, is sponsoring a House version of the bill, which would also let multiple states pool their risks for natural disasters, such as hurricanes or earthquakes. Klein managed to get a similar bill passed by the House in 2007 but it died in the Senate, in part, because of opposition from former President George W. Bush. Nelson said the legislation may be more viable this time because it has President Barack Obama's backing. 'We need a more disciplined, structured plan for providing federal assistance following any major disaster,' Nelson said in a statement.

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## Legislative leaders grumble about Crist

03/01/2009

Gainesville Sun - Online, The

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## **LAWMAKERS MUST PIECE TOGETHER THE STATE'S NEXT SPENDING PLAN**

03/01/2009  
Sun Sentinel

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When the 84th Legislature gathers Tuesday, it faces a historic economic downturn that is straining Florida's ability to provide basic services.

The 60-day annual session represents the biggest challenge yet for Gov. Charlie Crist. In his third year, the governor must navigate the state through a recession that is causing record foreclosures, a rising jobless rate and a seemingly endless plunge in state revenues.

The cash crunch is so severe that the Legislature's Republican leaders are weighing tax increases on cigarettes, alcohol and goods and services exempt from sales taxes, such as bottled water and electricity.

"It's the budget, the budget, the budget - with minimal distractions," said House Speaker Larry Cretul, R-Ocala.

Even after a January special session to cut billions from the current year's budget, legislators likely will have to pull out the budget knives again to keep state government running through the summer. Most of those short-term cuts are expected to focus on public schools, the state's largest expense.

Then, legislators will craft a 2010 budget with a \$5 billion-and-growing shortfall - a hole too big to be filled by the anticipated

massive infusion of federal stimulus money.

Crist, meanwhile, is banking on increased revenue to balance the books. On Feb. 20, he pitched a \$66.5 billion spending plan that's balanced with higher fees on everyone from college students to drivers and water-bottling companies, expanded gambling revenue and federal money. The House and Senate will consider his budget but vote on their own versions.

Legislators aren't sure that's the whole answer: "The easiest thing would be to raise a bunch of taxes, take the stimulus money, and we all go on our merry way," Cretul said. "Until it comes time to pay again. Sooner or later, somebody's going to pay."

Josh Hafenbrack can be reached at [jhafenbrack@SunSentinel.com](mailto:jhafenbrack@SunSentinel.com) or 850-224-6214.

## Agenda

Find out what are the top issues and what action legislators may take. Page 3

## INFORMATIONAL BOX:

### Tough decisions

Session's top issues include Indian gambling, taxes, Everglades land deal

### Proposal

#### Indian gaming

A gambling deal with the Seminole Tribe that would allow blackjack and baccarat to continue will be considered. Gov. Charlie Crist signed a compact with the tribe in 2007. The state Supreme Court threw it out because Crist lacked legislative approval.

### Pros

Big bucks: The deal would give the state \$288 million for next year's budget. The tribe promises at least \$100 million a year for 25 years. Seminole casinos in Florida employ more than 10,000 people. Currently, the state gets nothing from gambling at Indian resorts.

### Cons

Racing losses: South Florida's pari-mutuel racetracks say they cannot survive if the deal is approved. Indian resorts enjoy a much lower tax rate and offer more attractive gambling games. Thousands work at the 26 dog and horse tracks and jai-lai frontons in the state.

### Facts

Vegas style: The Seminoles operate seven resort casinos, including the Hard Rock Hotel & Casino in Hollywood, with slots, blackjack and baccarat in South Florida, Orlando and Tampa markets. Broward County pari-mutuels have slots and poker, but state law bans blackjack.

### Proposal

## Higher cigarette tax

South Florida Democrats are pushing for a tax increase of \$1-per-pack on cigarettes, which would put Florida slightly above the national average. The current state tax is 34 cents per pack.

### Pros

More money, less smoke: Raising the cigarette tax by \$1 per pack would generate at least \$700 million, which could be used to defray Medicaid costs and invest in education and cancer research. Advocates hope the higher tax would curb smoking and reduce illnesses.

### Cons

Smokers hit hard: The cigarette tax is regressive because the poor pay a larger share of their income for cigarettes. And low- and middle-income people are more likely to smoke. Some say raising taxes in a recession would only deepen the state's economic woes.

### Facts

Smoking rates fall, anyway: Florida's cigarette tax is sixth-lowest in the nation and hasn't changed since 1990. Even so, smoking rates have fallen steadily, especially among teens. Today, less than 15 percent of teens and 22 percent of adults smoke statewide.

## Proposal

### Everglades land deal

Some legislators want to slow or stop the \$1.34 billion plan to buy U.S. Sugar land to renourish the Everglades. One bill would put the deal to a vote in the South Florida Water Management District, composed of the 16 counties that would pay for it.

### Pros

Helps birds, water storage: With 180,000 acres of land, the state wants to restore the flow of water to the Everglades, damaged by decades of development. It also would give South Florida more water storage and help endangered wading birds and other species.

### Cons

Hefty price tag: The water district may not be able to afford the deal. Most of its money comes from property taxes, jeopardized by the housing collapse. Taking land out of agriculture could eliminate thousands of jobs around Lake Okeechobee.

### Facts

Lots of land: The land buy includes 150,000 acres of sugar cane and 30,000 acres of citrus fields. The state would lease land back to U.S. Sugar for at least seven years to keep the company in business.

## Proposal

## School funding

Pinched by two years of funding cuts, Florida's public schools are bracing for more reductions that could mean layoffs and fewer programs in some districts. Schools are even facing another round of cuts for this fiscal year, which ends in June.

### Pros

Saved by the feds? Stimulus money could pump \$2.7 billion into Florida schools, but a chunk is in jeopardy because the state cut school funding in recent years. The governor's budget would boost funding by \$183 per student, relying on optimistic predictions and gambling money.

### Cons

Largest expense: At \$18 billion, public education is the state's biggest expense. It would be difficult to avoid education cuts without raising taxes on some things; cigarettes, Internet sales, and goods and services like bottled water and electricity are on the table.

### Facts

No layoffs so far: In the past two years, the state has cut \$128 million from Broward and \$80 million from Palm Beach County K-12 schools, leading both districts to eliminate vacant positions and cut other expenses. Both have avoided layoffs or major classroom cuts.

### Proposal

#### Sales tax holiday

SB 396 would revive Florida's back-to-school sales tax holiday from Aug. 1-11. The holiday exempts clothing, bags and shoes priced \$50 or less from the state's 6-cent sales tax, along with school supplies less than \$10. Another bid is under way to reinstate a tax holiday on hurricane supplies.

### Pros

Stimulative effects: Retailers will push hard for the sales tax holiday because stores often pair the tax break with other discounts to attract customers. Also, many customers buy higher priced items that aren't tax exempt while shopping, bolstering sales tax revenue for the state and sales for the retailer.

### Cons

Canceled last year : Forgoing sales tax revenue might be a tough sell in a tight budget year. Last year, legislators canceled a seven-day holiday because it was expected to cost \$23 million in lost revenue.

### Facts

An annual tradition: Since 1988, Florida has had back-to-school tax holidays ranging from 7 to 10 days most years, skipping the holiday only in 2002, 2003 and 2008 due to tight budgets.

### Proposal

## Dangerous dogs

Rep. Perry Thurston, D-Plantation, is leading an effort to target some breeds of dogs considered dangerous, such as pit bulls. HB 189 would allow cities and counties to ban or restrict ownership of some breeds.

### Pros

Local control: Thurston says his constituents carry sticks when they walk in their neighborhoods because of dangerous dogs. Currently the state has "breed-specific" regulations.

### Cons

Don't punish the dog: Dog lovers, particularly owners of pit bulls, say bans on specific breeds punish dogs for their irresponsible owners. They are vocal and will flood legislators' inboxes with objections.

### Facts

A better chance: This is the second year that Thurston has proposed the dog-limiting bill. Last year, it attracted blog postings and a flood of e-mail, but no committee would hold hearings. This year, a senator has agreed to sponsor a similar bill, a major procedural hurdle.

### Proposal

#### Sex education

The Florida Healthy Teens Act would require schools that have sex-education programs to include information about condoms and other forms of contraceptives.

### Pros

Benefits of condoms: The state would still promote abstinence as the only way to prevent pregnancy and sexually transmitted diseases. But schools would be required to provide information on the "health benefits and side effects" of contraceptives.

### Cons

Encourages sex: Social conservatives, including religious groups, oppose teaching about condoms in public schools. They say it encourages premarital sex. The bill would require teaching about condoms in sixth grade at an "age appropriate" level.

### Facts

Teen pregnancy: Florida has the sixth-highest teen pregnancy rate in the nation. The state also has the second-highest AIDS rate. The bill is unlikely to pass in the Republican-dominated Legislature.

### Proposal

#### Teen driving age

A proposal by two Broward legislators would raise Florida's minimum driving age from 16 to 17. The age for receiving a

learner's permit would be raised one year, to 16.

#### Pros

Reduce teen accidents: Moving the driving age up one year could reduce accidents by teens, who studies show are most likely to be involved in accidents. The bill would limit new drivers to one passenger (except siblings) for the first six months they have licenses.

#### Cons

What will parents say? Parents rely on the convenience of having their teenage children drive to school, work and extracurricular activities.

#### Facts

Contest winner: Rep. Ari Porth, D-Coral Springs, sponsored a contest in which teams from 17 schools submitted bills. Porth and a panel of judges chose to introduce the driving age bill that came from students at Monarch High in Coconut Creek.

#### Proposal

#### Property taxes

Gov. Charlie Crist wants to limit to 5 percent the annual assessment increases on rental and commercial properties and second homes. The package of tax changes also would give a tax break up to \$5,000 to first-time home buyers.

#### Pros

Help for housing: Crist says these would jump-start Florida's housing market by luring first-time home buyers and investors. The 5 percent cap for landlords, businesses and snowbirds would help those hit hard in the recent real estate boom.

#### Cons

Key problem unsolved: The central inequity in Florida's property tax system is caused by Save Our Homes. It limits to 3 percent annual assessment increases for those with homestead exemptions. Local governments would lose property tax revenue to pay for services.

#### Facts

Goes to voters: If approved by the Legislature this year, the changes would go to voters in 2010 and need 60 percent approval. Along for the ride: provisions to close a loophole that raises tax bills in a declining market and to simplify challenging government appraisals.

#### INFORMATIONAL BOX:

Leaders of the Legislature

Jeff Atwater

R-North Palm Beach

President of the Senate

Politics: Senate president, 2008-present; Florida Senate, 2002-present; Florida House, 2000-2002

Career: Market president for Broward and Palm Beach counties, Riverside National Bank

Notable: His ancestor, Napoleon Bonaparte Broward, was the county's namesake and governor of Florida from 1905-09. As a senator, Atwater has been a leading voice on property insurance issues.

J.D. Alexander

R-Lake Wales

Chairman, Ways and Means Committee

Politics: Senate, 2002-present; Florida House, 1998-2002

Career: Citrus grower

Notable: Alexander is a scion of the Ben Hill Griffin land baron family, which has holdings from Central Florida through the Everglades. As the Senate's budget chief, Alexander will exert enormous influence on efforts to solve the state's budget crisis.

Al Lawson Jr.

D-Tallahassee

Minority leader

Politics: Senate, 2000-present; House, 1982-2000

Career: Insurance agent and president of marketing firm

Notable: Lawson is the Legislature's longest-serving member. He plans to challenge seven-term Democratic incumbent Allen Boyd for Florida's 2nd Congressional District.

Larry Cretul

R-Ocala

Speaker of the House

Politics: House, 2002-present

Career: Real estate broker

Notable: Cretul rose to speaker after Rep. Ray Sansom, R-Destin, was ousted amid a grand jury investigation into his dealings with his hometown college. Cretul is known as soft-spoken and affable. He's also known for an affinity for Harley Davidson motorcycles and race cars.

David Rivera

R-Miami

Chairman, House Budget Committee

Politics: House, 2002-present

Career: Public affairs consultant

Notable: Rivera was the top lieutenant to former House Speaker Marco Rubio, R-West Miami, during the past two years. Known for a sharp-elbowed political style, Rivera plans to run for a state Senate seat from Miami in 2010.

Franklin Sands

D-Weston

Minority leader

Politics: House, 2004-present

Career: Wellness consultant

Notable: Son of an immigrant factory worker, Sands built a fortune selling mail-order jewelry but was a victim of the Bernard Madoff investment scandal. Sands has made embryonic stem cell research a legislative priority.

INFORMATIONAL BOX:

Stay informed during the session

Follow a bill in the House of Representatives or find your representative at [myfloridahouse.gov](http://myfloridahouse.gov)

Follow a bill in the Senate or find your senator at [flsenate.gov](http://flsenate.gov)

House and Senate sessions are broadcast online and archived on video at both Web sites.

Test your knowledge of the Florida Legislature

Take our quiz about the Florida Legislature. [SunSentinel.com/legislativequiz](http://SunSentinel.com/legislativequiz)

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## **Budget concerns overshadow other legislative priorities at upcoming session**

02/28/2009

Naples Daily News

MICHAEL PELTIER

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Southwest Florida delegates say the upcoming session will likely be remembered for one thing and one-thing only: A \$5-billion budget gap that must be closed by lawmakers forced to balance critical services with the states ability to pay. But that would be a mistake.

As lawmakers prepare to return Tallahassee on Tuesday to kick off the 60-day session, its true that Floridas current financial challenge will dwarf all other issues as they determine how to fill the void left by shrinking revenue forecasts without causing undue damage to education, social services and environmental protection. But the budget wont be all consuming. They will also address a bevy of issues that directly affect Southwest Florida including the potential sale of U.S. Sugar Corp, Alligator Alley leasing and a gambling compact with the Seminole Indians, whose holdings include a casino in Immokalee. Weve got more than just the budget on the table, said Rep. Matt Hudson, R-Naples. There are a lot of other things& that are going to have a direct impact on the people in my district. BUDGET:

The crux of the budget debate for lawmakers is this: How much should the state tap into one-time federal funds to get through the next few years.

Crist has proposed using nearly \$12 billion in federal stimulus aid over the next three years to help the state get by until the economy picks up.

Crist has described the remarkable \$787-billion federal stimulus as a shot in the arm, for each of the next three years. Democrats are largely on board, but many fellow Republicans are less enthusiastic about a proposal that spends billions of one-time federal cash on programs that would require additional state money down the road. There are a lot of strings attached with Obamabucks, said Rep. Tom Grady, R-Naples. There may be unintended consequences. The problem that we have is too much debt yet his solution is a trillion here and a trillion there. Without it, lawmakers will be forced to cut more than \$5 billion from a budget that is already more than \$8 billion leaner than it was two years ago. To do that, they will have to raise revenues a cigarette tax has been proposed eliminate sales tax exemptions, cut programs or sweep trust funds that have already been tapped to make ends meet. The elephant in the hall is the budget, said Sen. Garrett Richter, R-Naples.

**ENVIRONMENTAL PROGRAMS** Gov. Charlie Crist's plan to spend \$1.34 billion to purchase 180,000 acres from U.S. Sugar Corp. is expected to draw considerable attention.

The proposal, which would require the South Florida Water Management District to issue bonds, has drawn praise from environmental groups that call it the lynchpin of Everglades restoration efforts. This \$1 billion makes those other investments work, said Eric Draper, deputy director of Audubon Florida. This allows us to get the water from one place to another. The proposal kills the deal without proposing a viable alternative. Critics, including Rep. Trudi Williams, R-Fort Myers, say it too much money to ask taxpayers to fork over without knowing for sure that all the land is needed to make the project work. Williams is expected to file a measure to require the district to get voter approval before going forward. We dont even know exactly

how much land they need, Williams said. Its a lot of money that taxpayers will be on the hook for. They need to have a say. Also in play is the immediate future of Florida Forever. Lawmakers in January proposed temporarily halting the land-buying program to balance the budget. Crist vetoed the cut and has included funding for the \$300 million program in his budget recommendation. Stay tuned.

#### SEMINOLE GAMING

Lawmakers are being asked to approve a deal between Crist and the Seminoles after the Florida Supreme Court last summer ruled the governor overstepped his authority when he forged a deal with the tribe without legislative approval. Since then, the tribe has begun blackjack at its casinos in Hollywood, Tampa, and Immokalee and Vegas-style slots in all seven casinos.

Crist wants lawmakers to approve the deal, which would pump at least at least \$375 million over the first three years of the agreement and at least \$100 million a year after that.

Non-Indian track owners say the state could make billions more by allowing them to offer comparable games to compete with the tribe. Track and fronton owners want lawmakers to lower the current 62 percent tax rate on Broward and Miami Dade-based casinos and allow tracks including Naples-Fort Myers Greyhound Track to offer slot machines and other games.

The pitch, however, faces long odds. Florida voters have repeatedly rejected statewide gaming. The question now is whether the states economic woes will trump citizens concerns. If you support (expanding gaming) nows the time to try it, said Hudson, a critic.

#### ALLIGATOR ALLEY

Financial difficulties are also prompting state transportation officials to consider privatizing Alligator Alley. The 78-mile stretch of road netted \$23.5 million in 2007, with tolls for the road currently at \$2.50 in cash or \$2 with the SunPass

Officials are considering leasing it to a private company, which would provide the state with an upfront infusion of cash while allowing the company to recoup its investment by collecting tolls over a period of time. State officials envision of lease of more than 50 years, if a deal can be worked out.

Sen. Dave Aronberg, R-Greenacres, has filed a measure to block such a deal, saying the toll roll should be kept under state ownership and control. We should not be selling this to private, foreign investors, Aronberg said. Contact this correspondent at mpeltier1234@comcast.net

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## Stuart environmentalist proposing using U.S. Sugar's Everglades property as 'restoration reserve'

02/28/2009

Jupiter Courier

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If the purchase of 180,000 acres of sugarcane between Lake Okeechobee and the Everglades goes through as planned, the restored River of Grass will recharge groundwater systems, reduce phosphorous pollution and save the St. Lucie River estuary from disastrous discharges.

Since summer, the South Florida Water Management District has been negotiating what's become a \$1.34 billion deal with U.S. Sugar Corp. to buy the firm's land in order to save what's left of the Everglades; but Karl Wickstrom of Stuart says we might as well kayak and canoe, fish and bird-watch there, too.

Wickstrom, publisher of Florida Angler magazine and a leader of the Rivers Coalition, is proposing a restoration reserve he said would attract birders from throughout our country and from all over the world. It would have some of the best kayaking trails in Florida, as well as some of the best freshwater fishing. Parts of the reserve also could be dedicated to more intensive park activities: baseball diamonds, soccer fields, tennis courts and picnic areas.

Wickstrom said the cost of implementing his vision will depend on what we do and how we do it. Noting that the cost of land usually is the biggest hold-up in preservation efforts, Wickstrom said, "We're in an extraordinary situation: We already have the land. ... As much as possible, I think the reserve should be self-sustaining. Visitors would need places to eat and places to sleep, as well as concessionaires to rent kayaks and guide anglers and birders," Wickstrom said, all generating revenue for the reserve and surrounding communities.

Kirk Fordham, chief operating officer of the Everglades Foundation, said his group is in favor of any proposal that would make the Everglades ecosystem more accessible. The whole purpose of the restoration is not just creating water supply and saving endangered species, but bringing natural resources back to the people. Melissa Meeker of Stuart, the Treasure Coast representative on the water districts governing board, said the organization definitely (is) looking at getting some eco-tourism and green-friendly business opportunities, as well as some sustainable agriculture, into the mix. Meeker added that whatever recreational facilities are developed will depend on the project's footprint after the sale and any land swaps with other sugar interests.

RESTORATION SOFTWARE ' To learn more about the land purchase, including upcoming planning workshops, go to [www.sfwmd.gov](http://www.sfwmd.gov) and click on Reviving the River of Grass. ' For more about Karl Wickstrom's proposal, go to [www.riverscoalition.org](http://www.riverscoalition.org) and click on Coalition Endorses Restoration Reserve.

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## Everglades leader tapped for top Army post in possible boon for South Florida projects

02/27/2009

Palm Beach Post

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y PAUL QUINLAN

Palm Beach Post Staff Writer

Thursday, February 26, 2009

A longtime Everglades advocate has landed a key White House post, one in a recent cascade of signs that Washington may finally make good on old promises to restore the dying marsh.

The Obama administration has named Terrence "Rock" Salt as deputy assistant secretary of the Army overseeing the nation's civil works projects.

Salt, a retired Army colonel, has two decades' experience working on the Everglades and Kissimmee River restorations with the U.S. Army Corps of Engineers and the Interior Department.

The news comes just after the U.S. House on Wednesday approved a spending bill that includes \$183 million for seven key Everglades projects, including \$74 million for repairs of the Herbert Hoover Dike.

Hopes for the Everglades are already high following Obama's appointment of Carol Browner, a Florida native and Environmental Protection Agency chief under the Clinton administration, as his czar of energy and climate change. That's in addition to Gov. Charlie Crist's ongoing effort to purchase 180,000 acres of U.S. Sugar Corp. farmland for use in Everglades restoration.

"It's fair to say that the planets may be aligning right now," said Kirk Fordham, CEO of the Everglades Foundation.

By itself, the prospect of more money flowing to the Everglades from Washington marks a major turnaround.

In 2000, Congress and the state of Florida agreed to split the costs of a now-\$11 billion Everglades restoration plan. Since then, Florida has put \$2 billion toward the effort, outspending Washington 6 to 1.

But equally frustrating to the effort have been the bureaucratic disputes, Byzantine procedures and general intransigence to environmental restoration, which Everglades advocates hope Salt's and Browner's appointments will overcome.

Salt will temporarily serve as interim assistant Army secretary for civil works, replacing the Bush administration's John Paul Woodley

Jr., before moving into the deputy post.

~'paul\_quinlan@pbpost.com

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## 'GLADES ADVOCATE APPOINTED TO CIVIL WORKS POST

02/27/2009

Sun Sentinel

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## Bennett sour on sugar deal

02/27/2009

Sarasota Herald-Tribune - Online

Joe Follick

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Latest evidence that lawmakers are targeting Gov. Charlie Crist's \$1.34 billion plan to buy U.S. Sugar in order to restore the Everglades comes in this op-ed piece from Sen. Mike Bennett, R-Bradenton. He has previously pushed for voter approval in South Florida for the deal. Here's the entire letter:

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In an environment of reduced spending, the U.S. Sugar deal is being touted by Governor Crist as a sweet deal for Florida. Under "normal" circumstances, I would whole-heartedly agree with the Governor although I have been incorrectly quoted as labeling the sugar deal as a bad idea. I support environmental preservation and protection of our water supply. As a Floridian for over 50 years, I would love to see the Everglades returned to its original habitat and ensure clean water for future generations. But, I am also committed to the constituents I am elected to serve and the state interests I am elected to defend. I believe, in the current economic slump, we simply cannot afford this purchase.

A basic principle of sound finance -- that most every citizen understands -- is, "Don't buy something you can't afford." In an economic downturn, where Florida is struggling to stay afloat and maintain a balanced budget, basic principles are more important than ever. Legislators are saddled with cutting funds for many good and important programs and projects. There is nothing sweet about this difficult process.

Perhaps I could be more supportive if the South Florida Water Management District (SFWMD) would provide important answers to certain questions like: 1) how much of the land they actually need, 2) how will the land be used, and 3) how do they plan to finance the necessary construction following the purchase. But they have not provided these answers. It seems that SFWMD would like the legislature to rubber-stamp the plan while they sign away over a billion dollars in taxpayer money to a project that has more questions than answers.

Merely acquiring the land is not sufficient to benefit the Everglades, and yet SFWMD is moving forward with the mindset of buy now, plan later. The sense of urgency surrounding this deal concerns me. Too many times mistakes are made when projects are green-lighted and do not receive due process. Considering the Florida Department of Environmental Protection's (DEP) role in overseeing this purchase, wouldn't it make sense for them to perform an appraisal? Yet, they haven't. Why are we buying 180,000 acres when all we need is somewhere less than 100,000 acres? During her appearance before the Senate Committee on Community Affairs, Carole Wehle, SFWMD's Executive Director, said that the thinking of SFWMD is to buy everything they can now, and then sell what they don't need later. However, SFWMD has not provided the names of any potential buyers for those

unnecessary acres.

Undoubtedly, this deal would put the Everglades on the fast track to restoration - but where does that leave the state? What about the 16 surrounding counties that will be strapped with a debt - \$3 billion with interest - over the next 30 years? Then there's the human cost of taking land out of sugar production: The possible loss of 10,711 farm-related jobs, according to a recent study by the University of Florida. As property tax collections decline and the Governor proposes even more property tax cuts, how will SFWMD pay the mortgage? Additionally, SFWMD will actually have to stop other restoration projects already in progress in order to afford this purchase. And to complete the restoration, SFWMD would still need to spend about \$5 billion in engineering and construction costs, to acquire more land north of Lake Okeechobee.

In my opinion, this deal simply does not pass the smell test. I believe we must be prudent during this tough financial period as we work to restore our state's financial strength. The fact that the land is available does not make this purchase a sweet deal. Good times or bad, basic and sound financial principles should always apply.

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## U.S. Sugar Confronts Possible Takeover bid

02/26/2009

Clewiston News

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U.S. Sugar confronts possible takeover bid  
U.S. Sugar declares dividend distribution of stockholder purchase rights; a measure against takeover bids

CLEWISTON, February 23, 2009—The Board of Directors of United States Sugar Corporation declared the adoption of a Stockholder Rights Plan and a dividend distribution of one "Purchase Right" for each outstanding share of its common stock.

"Basically the Stockholder Rights Plan and Purchase Right distribution are legal tools designed to assure that the Company's stockholders receive fair and equal treatment in the event of a hostile takeover of the Company," said Robert Coker, senior vice president, public affairs.

"By hostile, I refer to a bidder who does not negotiate with our Board, who could offer only some of our stockholders a high price to gain control of U.S. Sugar and offer less to the remaining stockholders," Coker said.

"It is not intended to deter or discourage bona fide offers and proposals that the Board in good faith determines are fair, advisable and in the best interests of all of the Company's stockholders," Coker said.

"What happens with the Stockholder Rights Plan in place is that when someone buys 15% of U.S. Sugar's stock, the Board can trigger an exchange of 'rights' for stock, in essence doubling the number of shares held by remaining shareholders.

"The hostile bidder does not receive the additional shares, and in

this example, the 15% would be diluted to approximately 8%," Coker said.

Coker said that shareholders and employees are being informed of the distribution in a letter accompanied by legal documents outlining the benefit.

"This action does not affect the number of shares or the value of shares a shareholder currently owns.

"It has no impact unless triggered by a hostile action," said Coker.

"The whole purpose of the Stockholder Rights Plan is to allow the Board to properly exercise its fiduciary duties as it considers alternative transactions and to protect all stockholders from coercive and discriminatory take-over attempts," Coker said.

