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Wrong U.S. Sugar response

Palm Beach Post Editorial

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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.



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Bennett calls that taxation without representation.

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.

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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