

KeyOpinion



Relax: Tallahassee Has Adjourned

Richard L. Hershatter
Contributing Columnist

*When the legislature's done,
Then it's time to start the fun
And to figure what they did and didn't do.
Special interests held sway,
But there'll be another day
To vote the rascals out, or else to sue.*

The session's over. At long last, the constitutionally mandated final date has arrived, and for awhile, at least, the lives, liberty and property of Florida's citizens are safe.

As is often the case, key issues were left until the final hours, as legislators and lobbyists jostled over whether special interests would prevail over the needs and desires of private citizens.

At the end, important matters were left unresolved, which did not stop the lawmakers and governor from congratulating themselves on what a marvelous job they had done. It will be up to pundits and historians, of course, to determine whether the State of Florida was well served.

On the plus side, because the State found itself awash with unexpected revenues, the lawmakers were able to devote some of the \$71.3 billion available to modest tax cuts of approximately \$300 million.

The Senate had originally planned to rebate \$150 to every homeowner, but were forced to recognize that the fiscal burden most impacting citizens was the horrendous increase in insurance rates resulting from the ruinous hurricanes of the past several seasons.

Insurance companies are deserting the State in droves. Those that remain are either refusing coverage or imposing vastly increased premiums on hapless homeowners.

The so-called Citizens Property Insurance Company, which had been created by the State as an affordable insurer of last resort, was facing bankruptcy with an accumulated debt of \$1.7 billion, so \$715 million was

earmarked for reduction of that deficit.

Because ultimately the taxpayers would have been required to eliminate the deficit through increased premiums, the \$715 million is regarded by our politicians as a "tax cut."

It should be noted, in passing, that the largesse granted by the legislators also benefits the private insurance companies, since it provides for their access to the Hurricane Catastrophe Fund and permits them to raise rates by ten percent annually, without prior approval from regulators. (Score one for the insurance lobby.)

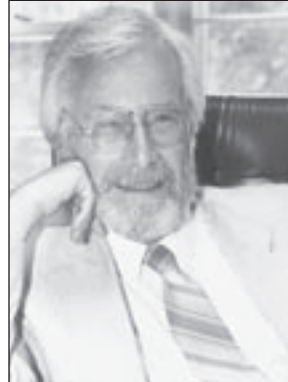
Also on the plus side for the ordinary citizen was the failure of the legislature to enact Governor Bush's attempt to do an end run around the State Supreme Court's finding of the unconstitutionality of the so-called voucher system, which used taxpayers' moneys for tuition at private and parochial schools.

Voters also gained when lawmakers backed off a self-serving ballot measure that would have increased term limits to twelve years, instead of the current eight. (Hopefully, future solons will reduce the limit to four, thereby cutting down the learning curve on how to abuse power.)

Speaking of abuse or misuse of power, let us consider the negatives that came out of Tallahassee this year.

The lawmakers failed in their promises to reform campaign contributions by limiting the amount to political groups backing candidacies. Lobbyists can therefore do via a "back door" unlimited contribution what they cannot do directly with \$500 contributions to individual candidates.

They also omitted any enabling legislation to provide



affordable housing to those citizens making up the backbone of our labor force. Continued failure to address this issue can only add to the inability of businesses to serve the community.

Tallahassee also failed to act on proposals to raise the homestead exemption or to permit the transfer of property tax valuations to new homes. Representatives Brummer and Lopez-Cantera tried tinkering with the "Save Our Homes" amendment to the state constitution, in a manner which would have destroyed its effect. Ultimately, politicians took the coward's way out by creating a "study committee," where the issue is guaranteed a long, slow death.

Last, but not least, are two failures that tend to balance each other out.

Representative Nancy Detert was not able to successfully introduce legislation to permit mobile home owners the first right of refusal when outside developers move in to buy out a mobile home park.

Her attempt was vigorously opposed by one of those developers, Senator Mike Bennett, who failed in his own attempt to enact legislation passing off the costs of relocating displaced mobile home owners to the taxpayers, instead of the developer.

The result was a "Mexican standoff," benefiting nobody except the Senator and his fellow developers.

Hopefully the voters will remember, when election day comes around.

Try to remember that day in November

When promises are sure to follow;

Try to remember the seventh of November,

They're hollow — hollow, hollow, hollow.

(apologies to The Fantastics)

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A Failure of Leadership

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Last Thursday, USA Today reported the Bush administration was secretly collecting the domestic telephone records of millions of U.S. households and businesses, assembling gargantuan databases and attempting to sift through them for clues about terrorist threats. The news report more than hinted the phone conversations of millions of citizens were now grist for the government mill. The report activated criticism from lawmakers and privacy advocates, some who have already started law suits against the phone companies. The Bush Administration refused to either confirm or deny the USA Today story and the following Tuesday, the Associated Press reported that Verizon Communications, AT&T and BellSouth Corp all denied handing over domestic calling records to the NSA.

Data Black Hole

Accurate or not, when the USA Today story hit the newsstands I was elated. I thought, finally someone may actually be listening to me. When you are retired and married for over 31 years, you do get used to people not listening — but you don't have to like it. It wasn't much later that I learned that NSA was not going to listen to me either. Despite implications in the USA Today story, it was telephone records, not telephone conversations, that were being parsed for information on possible terrorist cells. My conversations would only be monitored if either my wife or I had recently been associated with a known terrorist and that is unlikely as my wife's mother has not be with us for some years. Absent the terrorist connection, my phone records are doomed to pass through the NSA computer into some data black hole, unread, unrecorded and unsung.

It is important to understand that datamining and wiretapping are two very different things. If the USA Today charges are correct, NSA is tracking certain phone

numbers assigned to people either known to be or suspected to be connected with terrorist activities. Once the number and length of calls draws attention to the phone number a warrant is required to enquire further into the activities of the phone users. Law enforcement has used this tool for years as anyone knows who has watched the TV program Law and Order.

Even when it was understood that the program alleged to be used by NSA was only data-mining, media personalities and Congressional leaders continued their invective. Even Senator Dianne Feinstein joined the chorus of disturbed voices and this was surprising as during her 16 years in the Senate she has often been a beacon of bipartisan common sense amidst the increasingly bitter political atmosphere in the Senate. Not so surprisingly Helen Thomas of the White House press corps continued to subtract from the sum total of human knowledge every time she speaks when, at a Tuesday press conference, she referred to the data mining program as a "massive wiretapping of millions of Americans." This only proves that no amount of explanation will deter her from believing the worst of the current Administration. Frank Rich observed in his NY Times column that the terrorists must surely know they are being wired tapped. That is very good Frank, do you suppose that carrying the story on the front page of the New York Times helped them come to that conclusion?

What we have here is not a scandal involving some violation of our constitutional rights but, as William Arkin wrote in the Washington post, what we have is, "a



lot of confusion, invective, overstatement, ugly partisan posturing, and something resembling a Hollywood version of government omniscience and evil." Once again Bush's Congressional critics in both parties, along with the usual suspects from the Looney Left, have said "to-hell" with national interest, let's not miss an opportunity to beat on the President.

Dismal Trio

But Arkin doesn't let Bush and Congress off the hook either, "Let me make my opinion clear: The Bush administration has been arrogant and incompetent in communicating to the American public... The Congress has also utterly failed in five months to get to the bottom of the NSA's warrantless surveillance program and thereby resolve its legality and assuage public anxiety." You can sum all this up as — a failure of leadership. A failure by the President, the Congress and the press.

Lack of Faith

Recent polls confirm the American people at least think there has been a failure of leadership across the board. The most recent Presidential poll shows George Bush enjoys only 32% approval, if approval be the word, of his handling of the country with some 68% holding a dim view of his efforts. Congress does even worse with approval ratings of between 24% and 27%, depending on the poll. The press can not even match those dubious figures as only approximately one-fifth of the American people express any confidence in the Fourth Estate. The sad conclusion to be drawn from this is that over two-thirds of the American people have no faith in the government or our news media.

Winston Churchill once observed that ingratitude and distrust of its great men is the mark of a strong people. This may well be so, but trouble looms when a significant number of people lose confidence in the major institutions of a nation.