



# *Florida House of Representatives*

## Democratic Office

*Franklin Sands*  
*Democratic Leader*

*Geraldine F. Thompson*  
*Democratic Leader Pro Tempore*

### **MEMORANDUM**

**To:** Members and Staff of the Florida House Democratic Caucus  
**From:** House Democratic Leader Franklin Sands  
**Date:** May 13, 2010  
**Re:** Why a special session is needed

Florida has proven its ability to mobilize emergency responses to hurricanes, wildfires and other disasters. But what about an out-of-control oil spill that spews millions of gallons of crude oil into the Gulf of Mexico and threatens to damage Florida's beaches and estuaries?

At this hour, the BP Deepwater Horizon wells continue to gush light sweet crude oil into the Gulf at the most conservative estimate of 5,000 barrels a day and possibly at rates 20 times higher. There's nothing like an emergency to spur action, and Florida should convene a special legislative session now so lawmakers can address the critical needs that Florida faces.

It is my opinion that several immediate concerns should be addressed in a special session, including:

- Passage of any necessary emergency legislation or vital state agency budget adjustments to contend with the spill cleanup and recovery. This may also include emergency loans for small businesses impacted by the spill.
- The creation of a fund to hold funds the state is expected to receive from BP and other parties to guarantee that Florida has the financial capabilities to deal with this and future oil spills.
- To address potential legal actions concerning liability for the spill and its cleanup costs.

- To address our contractual relationships with other states on emergency matters, including oil spills. As this tragedy shows, a spill in waters off other states' borders can be devastating to Florida.
- The development of marine spatial planning more aggressively than what is allowed for under the \$250,000 appropriated in the 2010-11 state budget. Marine spatial planning is the process of analyzing and allocating the distribution of human activities in marine areas to achieve environmental, social and economic balance with the policies and objectives determined through the political process.
- To begin discussions -- and to hold public workshops -- on a statewide energy policy that focuses on the use of renewables. Presently, Florida does not have a definitive energy policy. The expanded use of new technologies, such as solar power, is crucial to our state's long-term interests and would be a great job-creation strategy. However, I also believe we should carefully study all energy policy considerations and be mindful of potential short-term utility rate increases that could impact Florida consumers.
- To consider a constitutional amendment to permanently ban oil drilling in Florida waters. Despite Florida's decades-old statutory ban on oil drilling and exploration in state waters, until this disaster occurred, the incoming Republican leader of the Florida House of Representatives, with the support of the incoming president of the Florida Senate, charged recklessly toward a plan to remove the ban in Florida's statutes. Their efforts included the drafting of legislation in 2009 and 2010 to lift the statutory drilling ban.

We all know that powerful legislative leaders can almost single-handedly overturn any provision in Florida statutes. That's not the case with a constitutional ban, which has to be approved and can only be changed by a vote of 60 percent of the electorate.

Unless we want to leave Florida's ban on oil drilling in state waters to the whims of political leaders after the BP Deepwater Horizon tragedy fades from memory, we must allow Floridians to speak as to whether they trust that kind of political leadership.

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