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Pulling Back The Curtain

If there were ever any doubt about the link between certain campaign contributions and an expectation of the donor that it was meant to buy favors with the candidate/legislator, the curtain has been pulled back.

There have been whispers about how the quid pro quo system worked. But the Florida Home Builders Association has come right out and said it. Publicly. On its Web site, no less.

On Monday, John Wiseman, FHBA president, posted his message (later removed). The Legislature, he began, did some things that the association wanted - but it failed miserably when it came to imposing caps on impact fees imposed on new construction by city and county governments.

The FHBA will be looking at how it doles out money to candidates and political parties in the future. "And finally," wrote Wiseman, "incumbent lawmakers will be considered for a contribution only after their name appears as a co-sponsor on impact-fee legislation that will be filed for the 2008 session."

The message is clear: Do our bidding if you want our money.

Sounds like something that might be illegal, doesn't it? Or, as Florida Statutes define bribery, "to give, offer, or promise to any public servant ... any pecuniary or other benefit not authorized by law with an intent or purpose to influence the performance of any act ... within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty."

But, of course, the FHBA isn't offering to pay any legislator for supporting its position. It didn't say any money would be automatically forthcoming if a legislator co-sponsored legislation capping impact fees. It only made the threat that there would be no money given if a legislator didn't kowtow to the FHBA's whims.

Senate President Ken Pruitt told The Palm Beach Post that he was appalled by the FHBA's message. "The Senate is not an auction where the highest bidder wins," said Pruitt, R-Port St. Lucie. "This is not the kind of code of conduct to be tolerated in the Senate."

He urged fellow senators to return any contributions from the FHBA or any associated political-action committees. In addition, Pruitt also said members should refuse to endorse the legislation.

The FHBA's blatant stand even irritated supporters, including Rep. Bill Galvano, R-Bradenton, a past sponsor of legislation limiting impact fees. "I just don't think someone thought it through when they posted that," Galvano told The Post. "It reads as a quid pro quo and that's not right. It's wrong, and I don't want a contribution from there regardless of what bill I do if that's how they're going to make contributions."

The FHBA's political-action arm is also withholding contributions to political parties, leadership funds and other political committees to give the association's task force time to develop criteria for making contributions, Wiseman said.

Even after criticism from lawmakers, FHBA officials said there was nothing wrong with their stand. "If you support affordable housing and are willing to make that commitment, then we can support you," said an association spokeswoman.

If the FHBA wants to do something to lower the cost of housing, let it lobby federal regulators to hold down interest rates on home loans. Consider a \$165,000 loan, financed at 6.25 percent for 30 years. Just raising the interest rate by 0.25 percent means paying \$27 a month more than the lower rate - nearly \$10,000 more in interest over the life of the loan.

That's about double the impact fee on a single-family home in Winter Haven. There are more factors affecting home sales than just impact fees - and some of them far more costly.

But Tallahassee lawmakers have no control over interest rates on home mortgages. They can, however, do something about impact fees imposed by the cities and the counties. And if they don't do something about those impact fees, the FHBA won't give them campaign contributions.

And it's perfectly legal not to give money to a public official for not doing something you badly want to have that official do.