
Introduction

“Florida has just wobbled into Weirdsville.” These words from CBS anchor Dan Rather at three a.m. on the presidential election night/morning of November 7–8, 2000, aptly described the chaos that was occurring in the state of Florida. Earlier in the night the state had been called for Vice President Al Gore and then called for George W. Bush and then finally called for no one.

In a scenario worthy of Shakespeare, the election to become the leader of the free world had come down to a single state—Florida, the strange mix of conservative southern history and diverse multiethnic population; Florida, where Jeb Bush, brother of the Republican nominee George W. Bush, was governor. The Bush family, including former president George H. W. Bush and Jeb Bush, had gathered in a Texas hotel to watch the results with George W. Thus the governor of

Florida was sitting next to his brother when the confusion in Florida unfolded. After the election night of November 2000, the election system in Florida would literally be put on trial, and it would not hold up well. George W. Bush would be declared the winner of Florida and the next president by the U.S. Supreme Court when it decided *Bush v. Gore*. The Court basically concluded there was no fair way to do a complete recount, so Bush was the winner. Voters had been purged from registration lists, different Florida counties had different standards for counting votes, and few officials at the state and local levels had an understanding of how to conduct a recount. While Florida counties, and not the state government, have most of the responsibility for holding elections, the fact that the disputed election came out in favor of the brother of the sitting governor stained both the state of Florida and its governor.

Such is the mental association that many observers outside Florida make when the name Jeb Bush is mentioned. This is an unfortunate consequence of history. A better example of Jeb Bush's career as Florida's governor came during the terrible hurricane season of 2004. The number and the ferocity of the hurricanes named Charley, Frances, Ivan, and Jeanne was unprecedented in recent Florida history. Every section of the state was impacted by one of these hurricanes. Before every storm, Governor Bush mobilized the Emergency Operations Center in Tallahassee. From the Operations Center, Bush would appear on television and calmly describe what was going to happen and how best to prepare. His appearances were televised throughout the state, and he spoke in English and in Spanish. The ability to communicate fluently in Spanish helped to assure Spanish-speaking Floridians that the state government was there for them as well. This was critical in a state where Hispanic Americans were nearing 20 percent of the population. One newspaper columnist wrote about Bush's outreach to all citizens: "when they write the history of the storm-tossed Summer and Fall it should note that these were the days when the governor showed just how much he was worried about us and I do mean all."¹

Bush led the coordination of the state emergency center with all of the local emergency centers in the sixty-seven counties of Florida. The cooperation between the state and the local emergency operators

was constructive. This was a stark contrast to the performance of the state government at the time of Hurricane Andrew in 1992. Democratic governor Lawton Chiles's administration was severely criticized for its response to the hurricane that killed sixty-five Florida citizens and cost billions. The federal response to the hurricane under Bush's father, President George H. W. Bush, was also severely criticized.

Governor Bush's leadership involving the hurricanes just happened to occur during the 2004 presidential election season. After the controversy over the election outcome of *Bush v. Gore* in Florida in 2000, many observers believed that the state would be very close again. However, with his brother George W. Bush running for reelection, Governor Jeb Bush had left a strong positive impression of the Bush name in Florida. Less than one month before the presidential election in 2004, a public opinion poll by the firm Mason-Dixon found that a majority of Florida voters judged Governor Bush's handling of the disasters as "excellent" or "good."² On election night in 2004, George W. Bush surprised observers by winning the state of Florida with a comfortable 5 percent margin. In 2000, Governor Jeb Bush had received criticism for the close presidential race in Florida that his brother barely won. In 2004, it can be argued, the governor delivered the critical state of Florida for his brother with his leadership during the hurricanes. Ironically, the empathy and efficiency and attention to detail that earned Governor Jeb Bush praise for with his handling of the hurricanes in Florida in 2004 was completely different from the perception of how his brother George W. Bush handled the devastation of New Orleans by Hurricane Katrina in 2005. The most famous image of President Bush in that crisis has him looking down on the massive destruction from an airplane high above. This conveyed the terrible impression that President George W. Bush was not involved or really concerned about the victims of Hurricane Katrina. He should have consulted his brother, because Governor Jeb Bush understood that citizens want responsive leaders during a time of crisis.

The hurricanes are an example of how Jeb Bush took control in a state that was grounded in a tradition of having weak governors, as were most southern states after the Civil War. The hurricane is also an appropriate metaphor for the way Jeb Bush changed the politics

and policy of the state of Florida. The conservative Southern Democratic period of Florida politics from the end of the Civil War to the 1960s was marked by government inaction on a host of issues facing the state. Since the early 1970s, Florida had been mostly governed on the state level with the moderate to progressive policies of a series of Democratic governors and legislatures. A brief interlude occasioned by the election of a Republican governor in 1986 did not last, as Republican Bob Martinez lost his reelection bid in 1990 to a Democrat, former U.S. senator Lawton Chiles.

Jeb Bush's real legacy is that he completely changed Florida's politics and policy during his time as governor of the state from 1999 to 2007. Unlike what his brother George W. Bush was able to accomplish as president, Jeb Bush was able to pass and implement a comprehensive conservative domestic policy agenda. As chapters 2 and 3 will show, conservatism is not new to Florida. However, Jeb Bush was a politician who was able to shepherd sweeping conservative changes through the state legislature. Jeb Bush implemented conservative *action*. For example, in 2003 Governor Bush got the Florida legislature to pass a law to bypass the Florida courts in the case of Terri Schiavo, a woman in a vegetative state whose husband was seeking to remove her artificial nutrition so she could die. The case became a national spectacle and almost a constitutional showdown between Bush and the United States Supreme Court. In the *same week*, Bush secured from the Florida legislature the largest incentive package for an industry in Florida history, totaling more than half a billion dollars, after Bush made the case that the Scripps Research Institute would substantially remake Florida's economy.

Throughout Florida history, even when Democratic governors shared power with Democratic legislatures, the state legislature had usually held the upper hand. The Florida Constitutions of 1885 and 1968 had created a weak-governor system, and the Florida legislature was usually slow to act. Moreover, legislators built up institutional power because there were no term limits on their positions until the 1990s. Even by the year 1999, Florida was ranked thirty-fifth among the fifty states in gubernatorial institutional power.³

With adroit use of timing, changes in government structure, and his personality, Jeb Bush turned a weak-governor state that moved incrementally in public policy into an executive-driven conservative public-policy showcase. He also put forth a governing blueprint for other conservative Republican governors to follow. As detailed in these pages, the unique combination of Florida history, major changes in the structure of Florida government, and the rise of the conservative movement in the nation had come together to make Governor Jeb Bush the most powerful governor in Florida history. Power here is defined as having clear policy preferences and being able to pass and implement these policies. This book does not make judgments on whether Bush was the best or most important governor. Those words are more subjective, those qualities harder to analyze. Florida has had several remarkable governors including Democrats LeRoy Collins and Reubin Askew, but none managed to get his policy preferences enacted and implemented to the extent that Jeb Bush did. Bush not only advocated and campaigned on large, bold themes, he was able to get the legislature to pass a large part of his agenda. Many of the policies he championed and carried out in Florida have become templates for other conservative governors around the nation since the earliest years of the new century. In late 2006 before he left the governor's office, he talked about his greatest accomplishment: "I believe a weak form of governorship is not appropriate for a dynamic state like Florida. . . . My gift perhaps is that with this office now, we've shown that governors can be activist, they can be reformers if they want to. If they want to create the agenda and work as a team with the Legislature, things can be accomplished."⁴ If it was a team, Jeb Bush was clearly in charge and calling the plays. Even though he won his office four years after his brother George W. was elected governor of Texas, Jeb, armed with a compliant Republican majority in the legislature, passed a broader conservative agenda than his brother did in Texas.

This book is not a biography. The plan is to focus on the historical and legal factors that helped Jeb Bush gain such power, how his policies passed, and what impact these policies have had on the state. The book does not examine in great detail Governor Bush's political campaigns