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## Lawmaker joins 2 others in web of lobbying ties

BY MARC CAPUTO

Herald/Times Tallahassee Bureau

In a Legislature where public votes and private profit can collide, one alliance stands out: the trio of Rep. Esteban "Steve" Bovo, his wife and former House Speaker Marco Rubio.

Bovo, a freshman Republican from Hialeah, is the in-house lobbyist for Miami Children's Hospital. He sits on a House budget committee that helps decide how much state money hospitals and healthcare providers in the state receive.

As Bovo was taking office in November, Rubio was leaving, due to term limits. Rubio took his top assistant - Viviana Bovo, Bovo's wife -- with him to work at a new consulting-lobbying firm, Florida Strategic Consultants.

The company in December then scored two contracts worth \$102,000 and \$96,000 with Miami Children's and Jackson Memorial hospitals, respectively.

The situation involving the Bovos and Rubio is legal but illustrates the complicated challenges of conducting public business in a "citizen's legislature," where part-time lawmakers often cast votes that can benefit their full-time employers outside the Capitol.

To ensure he's on the right side of the law, Rep. Bovo said he has requested legal advice on conflicts of interest. He said he stopped lobbying in Tallahassee "the moment I got elected." He now does governmental-affairs work in Washington, D.C., and in the South Florida area.

Bovo noted that most people in the Legislature have other jobs, so apparent conflicts are nearly unavoidable.

"In this building . . . you could find 120 cases of conflict of interest, or maybe 160," Bovo said during an interview in the Capitol last week. "I'm aware of it and I'm mindful of it, and I've had this conversation with the hospital."

Rubio, who plans to run for higher office in 2010, said he's staying out of Tallahassee lobbying. He said he provides strategic consulting advice and access to a network of contacts he culled as House speaker, one of the most powerful posts in the state Capitol.

"My job is to make introductions to key people who could help the hospital and the children it serves," Rubio said. "I'm not a lobbyist. It's not my forte."

Former legislative staffers can lobby legislators. But former legislators can't "personally" advocate in front of their former peers for a period of two years, according to state law. Bovo's wife -- or any other intermediary -- could carry messages between Rubio and legislators, according to ethics opinions. But Rubio said he's not even doing that out of an abundance of caution.

Still, the situation raises a few questions in the Capitol.

"This is one of those instances that's perfectly legal but doesn't look good," said Republican Sen. Paula Dockery of Lakeland. "And instances like this certainly can lead to public mistrust."

Dockery said public perception of lawmakers has become even worse since Ray Sansom recently quit as House speaker amid a grand jury probe connected to an unadvertised job he won at his local community college.

For three years, Dockery has sponsored bills requiring greater disclosure in potential conflict-of-interest cases, including those involving spouses. Dockery acknowledged that her proposed legislation is limited to cases of "special gain" in which a lawmaker or spouse would benefit to the exclusion of all others -- a rare occurrence.

### **'THIS CONFLICT CRAP'**

Rep. Bovo said whispers in the Capitol's sizable lobby corps over "this conflict crap" comes with the territory. He said he got used to such questions when he was a Hialeah councilman and worked for Hialeah Park Race Track.

"I can't help what goes on in this building. Somebody takes a fart and everybody sees conspiracy," he said. "What I care about is children's healthcare, whether I work in the hospital or I don't work in the hospital."

Different hospitals and government agencies have different conflict-of-interest policies. At Jackson, a county-run agency, government affairs Vice President Janette Nunez will have to resign if she's elected in 2010 to the Miami House seat she seeks.

Nunez said the Jackson Memorial contract with Florida Strategic consultants is split in two. Rubio handles consulting locally for \$3,000 monthly, and Viviana Bovo lobbies in Tallahassee for \$5,000 monthly. Florida Strategic Consultants is a wholly owned subsidiary of the Broad and Cassel law firm that employs Rubio. He said other lawyers and staffers can and likely will work for the firm's consulting arm.

The \$102,000 contract with Miami Children's, a private nonprofit hospital, doesn't involve Viviana Bovo, say Rubio and officials. She couldn't be reached.

Miami Children's and Jackson, respectively, receive about \$100 million and \$800 million annually in legislator-approved Medicaid payments. Annually, Jackson spends about \$466,000 on lobbying while Miami Children's spends about \$207,000, which is about \$70,000 less than last year, according to spokesmen.

Florida has a part-time citizens' legislature, so it's more liable to attract those who have the ability to be away from home for the 60-day lawmaking session, plus special sessions and committee weeks. That means people with more flexible schedules like businessmen, lawyers, consultants and lobbyists are most likely to seek legislative office.

One of the biggest fields for employment of legislators is education. The Miami Herald/St. Petersburg Times Tallahassee Bureau found 18 current and former lawmakers landed jobs and contracts with colleges and universities, including six with the University of South Florida.

Rubio, a West Miami Republican, was among them. After leaving office, he won a \$69,000 contract with FIU's public-policy think tank. Since then, he has aggressively attracted tens of thousands of donor dollars.

### **COUNTING ON RUBIO**

At Miami Children's Hospital and JMH, officials say they're hoping he'll do the same for them.

Miami Children's CEO and President Dr. Narendra Kini said Rubio is already bringing in potential donors. He's also providing strategic advice to help the hospital wean itself off Medicaid, a troubled financial system that accounts for about 63 percent of its patients.

Kini said the money spent on Rubio was an "investment" well worth the \$102,000.

"If I don't get way more than that," he said, "I'm going to be very disappointed."

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