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## **Jeb Bush's Record Offers Cover From the Right**

**Some Republicans now call him a moderate unfit to serve as the party's standard-bearer, but his positions in Florida could blunt attacks**

By Beth Reinhard

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As Jeb Bush heads toward a presidential bid, he is taking fire from some on the right who say his views on education and immigration, and his famous last name, embody a Republican Party establishment that doesn't truly represent conservatives.

Lost in the back and forth: As the two-term Republican governor of Florida, Mr. Bush was one of the country's most vaunted conservative champions.

Some Republicans now call him a moderate unfit to serve as the party's standard-bearer, largely for his support of the Common Core academic standards and protections for illegal immigrants. Those issues have emerged as litmus tests for grass-roots conservatives since Mr. Bush left office.

Mr. Bush's ability to overcome such views during the Republican primary season may turn on his success in highlighting his gubernatorial record. From 1999 to 2007, Mr. Bush pushed a broad conservative agenda of what he called "big, hairy, audacious goals," or "BHAGs."

When limits on gubernatorial power blocked his agenda, Mr. Bush set out to expand those powers. He gained sway over judicial appointments, state contracts, public schools, college admissions and budget appropriations, making him the most powerful governor in Florida history.

Mr. Bush's aggressive approach mostly riled Democrats at the time. But during the GOP primaries, it could cause additional unease among antiestablishment tea party Republicans.

President Barack Obama —and former President George W. Bush—have been accused of abusing executive authority to further their political agenda.

“He tried to bring all branches of government along, but frankly if he ran into a roadblock, he would look for other ways to get it done, and he wouldn’t apologize for that,” said Cory Tilley, who worked in Mr. Bush’s administration. “He had a very aggressive agenda and he knew he had a finite period of time...He’s not running for president to be told he can’t do things.”

Sally Bradshaw, Mr. Bush’s first chief of staff and a top adviser to his would-be presidential campaign, said the former Florida governor was determined to fulfill his campaign promises. He wasn’t on a “power trip,” she said, but proved “an effective leader who develops a plan, pulls people together and then he moves.”

Mr. Bush was the first Republican governor to win re-election in Florida, and he ushered in an era of GOP dominance of the nation’s largest swing state.

While in office, Mr. Bush delivered \$19 billion in tax cuts, vetoed \$2 billion in lawmakers’ pet projects and shrank the government payroll. He privatized many state services and pioneered a Medicaid overhaul that moved recipients into private managed-care networks. When the courts threw out his first-in-the-nation, taxpayer-funded school vouchers, he fought to preserve a smaller, privately financed program.

“We were looking at government programs across the board, and nothing was off limits to see if it could be done better,” said Brian Yablonski, Mr. Bush’s policy director during his first term. “He was willing to take on conservative reforms that no one else would touch at that time.”

## Out of Step

Yet some Republicans view Mr. Bush as out of step with the conservative base of his party, a potent force in the early nominating contests.

“He supports policies that are anathema to conservatives in this country,” said William O’Brien, one of the most conservative Republican lawmakers in New Hampshire, home to the first 2016 primary.

In recent speeches, Mr. Bush promised to offer “a vision rooted in conservative principles,” but he also said that a successful candidate needed to be willing “to lose the primary to win the general without violating your principles.” He declined to comment for this story.

“The idea that Jeb Bush is not a conservative is a joke in Florida and to anybody who knew him then,” said former Republican National Committee Chairman Haley Barbour, whose governorship of Mississippi overlapped with Mr. Bush’s administration. “He just needs to campaign on what he’s for and what he’s done.”

Mr. Bush first ran for governor in 1994 as a “headbanging conservative” and lost to the Democratic incumbent. His brother George W. Bush—viewed as more moderate—was elected governor of Texas that year.

Mr. Bush softened his conservative rhetoric during the next campaign and won election in 1998. He then set out an ambitious and ideological agenda.

In a state with no income tax, Mr. Bush cut taxes every year he was in office. He established sales tax holidays and eliminated a tax on stocks and bonds unpopular with investors. Mr. Bush boosted the state's reserves to \$9.8 billion from \$1.3 billion, his aides said. He also secured the state's first triple-A bond rating.

Mr. Bush was praised by the libertarian Cato Institute as "one of the most aggressive tax-cutting governors in the nation." The group, however, gave him a C grade during his final year in office, citing a 45% increase in state spending over his two terms.

Donna Arduin, Mr. Bush's former state budget director, said spending ran only slightly ahead of population growth and inflation. "Gov. Bush's conservative fiscal policy was a model for the country," she said.

Mr. Bush took on the teachers union by spearheading laws that held educators responsible for student test scores, as well as by expanding charter schools and offering taxpayer-funded vouchers for private tuition.

In one of his only departures from party orthodoxy, Mr. Bush threw his support behind a short-lived bill in 2004 to allow issuing state driver's licenses to immigrants living in the U.S. without permission.

The governor fit easily in the business-dominated establishment wing of the GOP, but he engaged in cultural battles that made some pragmatists squirm.

Mr. Bush backed more than a dozen new protections for gun owners, including the so-called stand-your-ground law that faced renewed scrutiny after the fatal shooting in 2012 of Trayvon Martin, an unarmed black teenager. The law—backed by the National Rifle Association and the first of its kind in the U.S.—allows gun owners to use deadly force rather than retreat if they believe they are in danger.

Jeb Bush hasn't yet announced he's running for president in 2016, but at a speech in Chicago Wednesday, he'll lay out his plans for a possible foreign-policy platform. WSJ's Jerry Seib explains.

The law wasn't cited by the defense during the trial of Mr. Martin's assailant, George Zimmerman, but it was included in instructions to the jury, which found him not guilty.

Mr. Bush mounted a crusade to prolong the life of Terri Schiavo, whose husband wanted to remove her from life support after she spent years in what court-appointed doctors called "a persistent vegetative state." Mr. Bush—who converted to Catholicism after his 1994 loss—

supported abortion restrictions, approved state-issued “Choose Life” license tags and went to court seeking a guardian for the fetus of a severely disabled rape victim.

“His Bible was always open in his office,” said Dennis Baxley, a Republican lawmaker and former leader of the Christian Coalition of Florida. “Jeb Bush is solidly behind preserving the sanctity of life, no matter how small or how disabled, and he made tough calls.”

The table was set for a stronger executive branch during Mr. Bush’s two terms in office. Florida’s governor shared power with a six-member elected cabinet, a vestige of the post-Civil War hostility in the South toward a powerful chief executive. A voter-approved constitutional amendment cut the cabinet in half during Mr. Bush’s second term, allowing the governor to install the education commissioner and secretary of state.

Voters had also approved term limits that kicked in during Mr. Bush’s second year in office. That brought a wave of political rookies to the capitol who rarely challenged the son of a past president and brother of the current one.

With both chambers controlled by Republicans, Mr. Bush usually got his way, earning a nickname among Democrats: King Jeb.

“Legislators had not seen a governor in modern history with such a transformative agenda, and they were kind of dragged along to a certain extent,” said Republican Sen. Tom Lee, who served as state senate president under Mr. Bush. “He had bold ideas, a drive to get things done, and an impatience with the speed at which government worked.”

Amid criticism that courts were too liberal, the governor wanted to “recruit ideologically compatible” judicial candidates, according to a 1999 email from his lawyer, who also warned, “We don’t want to create a ‘kingmaker’ perception.”

Mr. Bush initially backed away from an overhaul of judicial selection but later won authority to appoint all nine members of the nominating panels. Previously, the Florida Bar picked three, the governor picked three—and those six members chose another three. Mr. Bush said qualified women and minorities were being overlooked; and the bench grew more diverse under his watch. However, Democrats criticized several of his appointments as overtly partisan and political.

## Tackling State Jobs

Mr. Bush stripped civil service protections from more than 16,000 state jobs, making workers easier to fire, a move that presaged fights Republican governors later waged in other states. During his second inaugural address, he said: “There would be no greater tribute to our maturity as a society than if we can make these buildings around us empty of workers, silent monuments to the time when government played a larger role than it deserved or could adequately fill.”

By executive order, Mr. Bush wiped out racial preferences in state contracting and demanded a similar ban on affirmative action for university admissions, setting off raucous protests. He siphoned budget-making power from lawmakers by requiring that their hometown projects pass a rigorous vetting.

Mr. Bush's biggest setbacks came in court. In 2006, his final year in office, the Florida Supreme Court ruled his taxpayer-funded voucher system was unconstitutional, leaving only a smaller program funded by private corporations.

Mr. Bush's emails, obtained under Florida public records law, revealed broad frustration with the courts. "I wish I could control every decision of the judicial system," he mused in response to a religious conservative leader who wrote him about a criminal justice issue.

Mr. Bush's intervention in the feud between Mrs. Schiavo's husband and her parents, who wanted to continue life support, was also blocked by the judiciary following a long and divisive fight.

After Mrs. Schiavo's husband won the right to remove her feeding tube, Mr. Bush fast-tracked a state law authorizing him to supersede the court order. Six days after the tube was removed, Mrs. Schiavo was transferred to a hospital, on Mr. Bush's order, and the tube was reinserted. The Florida Supreme Court later struck down "Terri's Law" as unconstitutional, calling it "an invasion of the authority of the judicial branch."

Steve Geller, who served as the Democratic state senate leader, said Mr. Bush "almost created a constitutional crisis." The governor's actions were condemned by many legal experts and met with public disapproval in the polls.

Mr. Bush maintained at the time that he wasn't overstepping his bounds. After the 2004 court ruling, he turned to Washington, where his brother, the president, signed a law paving the way for federal intervention. After Mrs. Schiavo died in 2005, Mr. Bush pressed a state prosecutor to take a "fresh look" at allegations that her husband delayed calling for help when she collapsed 15 years earlier. No evidence of criminal conduct was found.

"Gov. Bush was the most assertive user of executive power of any modern Florida governor," former Democratic Gov. Bob Graham said. "He acted to the outer limits of his authority."

One of the few Republican lawmakers who stood in Mr. Bush's way said he paid the price. State Sen. Alex Villalobos was in line to become the first Cuban-American president of the Florida Senate when he voted against a measure aimed at reinstating the voucher program.

Mr. Bush defended vouchers, viewed by opponents as an attack on public education, as a way out of failing schools for poor children. After the voucher bill lost by one vote, Mr. Lee, then senate president, fired Mr. Villalobos from his post as majority leader. Mr. Villalobos had also

opposed Mr. Bush's attempt to scale back a voter-approved constitutional amendment limiting class size.

"There's a certain amount of independence you lose when you are wearing the Republican jersey," Mr. Lee said recently, adding, however, that "it looked vindictive" when Mr. Bush supported a GOP challenger to Mr. Villalobos that fall.

"He tried to take me out," said Mr. Villalobos, who survived the primary. "You know, the governor isn't the emperor."