



# *Florida Business United*

Coordinating the Political Involvement of Florida Business

## **VOTING RECORDS** *On Key Business Issues*



**1999 Regular Session  
of the Florida Legislature**

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May 1999




**Jon L. Shebel**, President & CEO



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a division of

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May 1999

## **VOTING RECORDS ARE THE KEY**

The voting records contained in this booklet are of the utmost importance to your business. These records reflect how each member of the 1999 Florida Legislature voted on key issues affecting industry thus far this year.

While these are not all of the issues debated in the Legislature, they are those that had the greatest impact on the business community – either in a fiscal or a regulatory manner. Each issue required a legislator's deliberate vote, either for or against a positive economic climate.

During a campaign it matters very little what a candidate professes he or she will do regarding a particular issue if his or her voting record cannot support that stand. Your company, its employees and its stockholders have a stake in the legislative process. We hope this information will give you the insight needed to draw your own conclusions as to whether your legislators' voting patterns have been in the best interest of your business. We urge you to become involved in the electoral process by supporting those candidates who have supported you – and industry as a whole.

The AIF Voting Records are complete. In addition to votes on final passage for each business bill, we have also included committee and amendment votes. In many cases these votes are more crucial than votes on final passage. An amendment can completely alter the charter of a bill. A committee vote can stall a bill or send it speeding toward final passage. AIF only tallies those votes on which we had a public position. These positions will be defined in the accompanying vote keys.

All votes taken in each chamber are tallied in the respective sections of this booklet. For example, a vote taken in the Senate on a House bill is included in the Senate section.

The votes contained in the booklet are the actual votes cast, as reported in official state records. We do not include changed or paired votes. Please remember that these votes have not been corrected by the Legislature at this time. It is still possible for official corrections to be made. These will be available in the bound Senate and House Journals in October of this year; changes will not be made to this publication. AIF records positions of members of the Legislature at the time the vote is recorded.

Sincerely,

**Jon L. Shebel**  
**President & Chief Executive Officer**



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# HOW TO READ VOTING RECORDS

The *Voting Records* are divided by House and Senate and then divided in each chamber by topic (i.e., Health Care, Environmental, etc.). The section on each topic begins with a key that summarizes the content and action on each selected bill. The bills are assigned issue numbers and are numbered consecutively (1, 2, 3, etc.). Each vote on an issue (bill) is identified by a lower case letter in alphabetical order. See the following example.

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## **CS/SB 374 Civil Actions by the Senate Judiciary Committee and Senator John Laurent (R-Bartow)**

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**T**his bill is a portion of the tort reform package strongly supported by AIF. It contains some procedural measures, such as allowing members of a jury to take notes during trial and submit written questions to witnesses or the judge. It provides for binding voluntary trial resolution of certain civil disputes. AIF supports this bill. A vote for the bill is a vote for AIF.

- Record 2a: On February 17, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.
- Record 2b: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.

**CS/SB 374 died in messages to the House.**

Following the keys in each section will be a chart that shows the voting tallies for each action on each selected issue. The first row will identify the issue and issue number (1-a, 1-b, etc.). The columns record how each senator or representative voted on the action. The letter “F” signifies that the legislator voted for the AIF position; an “A” indicates that the legislator voted against the AIF position. The last column gives the percentage of pro-business votes recorded by each legislator on that topic during the 1999 Regular Session.

The first part of *Voting Records* carries the entire report of the Senate, beginning with the overall ranking for each senator on all issues selected by AIF, followed by the section reports. The second half gives the entire report on the House of Representatives.



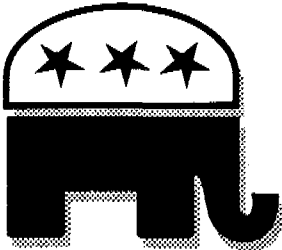
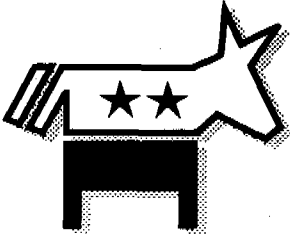
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**THE FLORIDA SENATE**  
**1999 REGULAR SESSION**  
**RANKING AND RECORD ON ISSUES**

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# SENATE — BY PARTY — 1999

PARTY	TOTAL VOTES	VOTES WITH AIF	VOTES AGAINST AIF	% OF VOTES WITH AIF
	950	849	101	89%
	570	417	153	73%



# SENATE — BY RANK — 1999

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	SENATOR	RANK
40	1	98	Horne (R)	1
30	1	97	Bronson (R)	2
39	2	95	Grant (R)	3
39	2	95	Webster (R)	3
29	2	94	Diaz-Balart (R)	5
34	3	92	Burt (R)	6
35	3	92	Laurent (R)	6
33	3	92	McKay (R)	6
30	3	91	Clary (R)	9
29	3	91	Sullivan (R)	9
35	4	90	Gutman (R)	11
28	3	90	Jennings (R)	11
37	4	90	Thomas (D)	11
34	4	89	Kirkpatrick (R)	14
36	5	88	Carlton (R)	15
37	5	88	Cowin (R)	15
29	4	88	Myers (R)	15
40	6	87	Brown-Waite (R)	18
33	5	87	King (R)	18
27	4	87	Latvala (R)	18



# SENATE — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	SENATOR	RANK
33	5	87	Lee (R)	18
32	5	86	Saunders (R)	22
37	6	86	Scott (R)	22
43	7	86	Sebesta (R)	22
29	6	83	Childers (R)	25
38	9	81	Casas (R)	26
32	9	78	Geller (D)	27
30	9	77	Hargrett (D)	28
28	9	76	Kurth (D)	29
27	9	75	Mitchell (D)	30
27	9	75	Silver (D)	30
29	11	73	Forman (D)	32
26	10	72	Meek (D)	33
25	10	71	Dawson-White (D)	34
36	15	71	Rossin (D)	34
29	13	69	Campbell (D)	36
21	10	68	Dyer (D)	37
25	12	68	Holzendorf (D)	37
21	10	68	Jones (D)	37
24	13	65	Klein (D)	40
<b>1266</b>	<b>254</b>	<b>83</b>	<b>TOTAL/AVERAGE</b>	



# SENATE — BY ALPHABETICAL — 1999

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	SENATOR	RANK
30	1	97	Bronson (R)	2
40	6	87	Brown-Waite (R)	18
34	3	92	Burt (R)	6
29	13	69	Campbell (D)	36
36	5	88	Carlton (R)	15
38	9	81	Casas (R)	26
29	6	83	Childers (R)	25
30	3	91	Clary (R)	9
37	5	88	Cowin (R)	15
25	10	71	Dawson-White (D)	34
29	2	94	Diaz-Balart (R)	5
21	10	68	Dyer (D)	37
29	11	73	Forman (D)	32
32	9	78	Geller (D)	27
39	2	95	Grant (R)	3
35	4	90	Gutman (R)	11
30	9	77	Hargrett (D)	28
25	12	68	Holzendorf (D)	37
40	1	98	Horne (R)	1
28	3	90	Jennings (R)	11



**SENATE — BY ALPHABETICAL — 1999 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>RANK</b>
21	10	68	Jones (D)	37
33	5	87	King (R)	18
34	4	89	Kirkpatrick (R)	14
24	13	65	Klein (D)	40
28	9	76	Kurth (D)	29
27	4	87	Latvala (R)	18
35	3	92	Laurent (R)	6
33	5	87	Lee (R)	18
33	3	92	McKay (R)	6
26	10	72	Meek (D)	33
27	9	75	Mitchell (D)	30
29	4	88	Myers (R)	15
36	15	71	Rossin (D)	34
32	5	86	Saunders (R)	22
37	6	86	Scott (R)	22
43	7	86	Sebesta (R)	22
27	9	75	Silver (D)	30
29	3	91	Sullivan (R)	9
37	4	90	Thomas (D)	11
39	2	95	Webster (R)	3
<b>1266</b>	<b>254</b>	<b>83</b>	<b>TOTAL/AVERAGE</b>	



## 1998 SENATE VOTING KEYS

### CIVIL JUSTICE REFORM

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**CS/SB 236**  
**Insurance Leased**  
**Motor Vehicles**  
**by the Senate**  
**Judiciary**  
**Committee**  
**and Senator**  
**Jack Latvala**  
**(R-Palm Harbor)**

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**T**his bill contains a portion of the tort reform package sought by AIF. It contains the repeal of vicarious liability for motor vehicle owners. A vote for this bill is a vote for AIF.

- Record 1a: On February 17, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A “yea” vote is a vote for the AIF position.
- Record 1b: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

**CS/SB 236 died in messages to the House.**

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**CS/SB 374 Civil**  
**Actions by the**  
**Senate Judiciary**  
**Committee**  
**and Senator**  
**John Laurent**  
**(R-Bartow)**

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**T**his bill is a portion of the tort reform package strongly supported by AIF. It contains some procedural measures, such as allowing members of a jury to take notes during trial and submit written questions to witnesses or the judge. It provides for binding voluntary trial resolution of certain civil disputes. AIF supports this bill. A vote for the bill is a vote for AIF.

- Record 2a: On February 17, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A “yea” vote is a vote for the AIF position.
- Record 2b: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

**CS/SB 374 died in messages to the House.**



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**CS/SB 376 Civil  
Actions by the  
Senate Judiciary  
Committee and  
Senator Tom Lee  
(R-Brandon)**

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**T**his bill is a portion of the tort reform package strongly supported by AIF. This bill contains language regarding the civil liability of property owners, business owners, and employers regarding employees and trespassers. It provides an employer with a presumption against negligent hiring of an employee under specific conditions in a civil action for damages resulting from an employees' intentional tort. It revises the conditions under which an employer is immune from civil liability for disclosing information about a previous or current employee to a prospective employer. AIF supports this bill.

- Record 3a: On February 17, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 376 died in messages to the House.**

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**CS/SB 378 Civil  
Actions by the  
Senate Judiciary  
Committee  
and Senator  
Daniel Webster  
(R-Ocoee)**

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**T**his bill is a portion of the tort reform package strongly supported by AIF. It contains language reforming the law regarding punitive damages. The bill provides a higher burden of proof for an award of punitive damages in civil actions. It contains caps on punitive damages and repeals vicarious liability for punitive damages. The bill creates a single punitive damage award statute. AIF strongly supports this bill.

- Record 4a: On February 17, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 378 died in messages to the House.**



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**HB 775 Civil Actions  
by the House  
Judiciary Committee  
and Representative  
Johnnie Bryd  
(R-Plant City)**

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**A**fter years of hard work, the business community has finally prevailed in the passage of a tort reform package. AIF was instrumental in the enactment of this legislation, the culmination of more than a decade's worth of work.

The tort reform package is comprehensive and addresses a number of issues related to personal injury and product liability lawsuits. The bill includes the following provisions:

- 12-year statute of repose for products other than airplanes, trains, and ships, which will have 20-year statutes of repose. A statute of repose is very important to product sellers and manufacturers because it completely bars filing a claim for products liability after the product has been in use for more than the specified amount of time.
- State-of-the-art defense and language clarifying subsequent remedial measures. This is very important to a product manufacturer or seller because it allows the jury to consider whether the product manufacturer used the state-of-the-art processes and materials when it designed the product. The clean-up of the subsequent remedial measures language is also very important. Under current law, the jury may hear evidence of remedial measures taken subsequent to an accident to repair the existence of a product defect. This clean-up language makes evidence of subsequent remedial measures inadmissible when the evidence is sought to prove the existence of a product defect.
- Government rules defense, which allows a jury to consider whether a product manufacturer or seller made its product pursuant to government rules.
- Immunity for liability for negligent hiring of employees if an employer interviews an employee or does a background check. (Please check the details of the bill to determine how you can gain immunity.) In addition, the bill gives immunity for giving job reference information about former or current employees. Prior to passage of this bill, employers only had immunity for giving job references on former employees.
- Presumption against liability for damages occurring on the premises of a convenience store if the convenience store follows its statutory requirements for safety measures.
- Does not allow an intoxicated defendant to collect damages. The bill also precludes liability by a landowner for an intoxicated trespasser.
- Modification to liability for discovered and undiscovered trespassers, which will provide a defense to landowners when a trespasser is injured on their property.
- A person or organization owning or controlling an interest in real property shall not be held liable for negligence that results in the death of or injury or

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**HB 775 Continued**


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damage to a person who is attempting to commit a felony on the property.

- New limits on punitive damages. Specifically, it creates a two-tier cap system, together with an exception under which there would be no caps on punitive damages. The first tier doubles the earlier cap of \$250,000 on punitive damages up to \$500,000 on punitive damages. The second tier quadruples the cap to \$2 million (or four times compensatory damages), whichever is higher, if the wrongful conduct is both knowing and substantially egregious. The language also provides no caps if the defendant intended to harm the claimant. It also repeals vicarious liability for punitive damages and allows for a single award of punitive damages.

- New limits on joint and several liability and clarification of the Fabre decision. It limits joint and several liability in the following manner: Any defendant in a case where the plaintiff is also at fault, found 10 percent or less at fault shall have no joint and several liability. Any defendant in a case where the plaintiff is also at fault, found more than 10 percent, but less than 25 percent, at fault shall have joint and several liability up to \$200,000 in economic damages. Any defendant in a case where the plaintiff is also at fault, found at least 25 percent, but no more than 50 percent, at fault shall have joint and several liability for economic damages up to \$500,000. Any defendant in a case where the plaintiff is also at fault, found more than 50 percent at fault shall have joint and several liability for economic damages in excess of \$1 million. These caps are doubled when the plaintiff is found to be without fault.

- Modification of vicarious liability for auto owners and limits on their liability.

The bill contains a number of other small modifications to the tort liability system. All in all it is the most sweeping product and personal injury liability reform bill ever passed in Florida. The last attempt at reform was in the mid-1980's, and that law reformed the medical malpractice system.

The business community spent literally thousands of hours of work on this bill.

On February 3, 1999, the House Judiciary Committee passed PCB JUD 99-01 favorably by a vote of 7 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On February 15, 1999, PCB JUD 99-01 became HB 775.

On March 10, 1999, the House passed the bill as amended by a vote of 86 yeas to 33 nays. A "yea" vote is a vote for the AIF position.

■ Record 5a: On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.



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**HB 775 Continued**

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On April 8, 1999, the House refused to concur with the Senate amendments and requested the Senate to recede.

On April 8, 1999, the Senate refused to concur with the House.

On April 13, 1999, the House and Senate appointed a conference committee.

On April 30, 1999, the House passed the Conference Committee Report by a vote of 84 yeas to 33 nays. A "yea" vote is a vote for the AIF position.

- Record 5b: On April 30, 1999, the Senate passed the Conference Committee Report by a vote of 25 yeas to 14 nays. A "yea" vote is a vote for the AIF position.

**HB 775 passed both the House and Senate and is pending Governor action.**

# SENATE AVERAGE ON CIVIL JUSTICE REFORM = 95%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Insurance Leased Motor Vehicle	1b - Insurance Leased Motor Vehicle	2a - Civil Actions	2b - Civil Actions	3a - Civil Actions	3b - Civil Actions	4a - Civil Actions	4b - Civil Actions	5a - Civil Actions	5b - Civil Actions
6	0	100	Bronson (R)		F		F		F		F	F	F
5	1	83	Brown-Waite (R)		F		F		F		F	F	A
10	0	100	Burt (R)	F	F	F	F	F	F	F	F	F	F
9	1	90	Campbell (D)	F	F	F	F	F	F	F	F	F	A
6	0	100	Carlton (R)		F		F		F		F	F	F
6	0	100	Casas (R)		F		F		F		F	F	F
6	0	100	Childers (R)		F		F		F		F	F	F
6	0	100	Clary (R)		F		F		F		F	F	F
6	0	100	Cowin (R)		F		F		F		F	F	F
5	1	83	Dawson-White (D)		F		F		F		F	F	A
6	0	100	Diaz-Balart (R)		F		F		F		F	F	F
5	1	83	Dyer (D)		F		F		F		F	F	A
5	1	83	Forman (D)		F		F		F		F	F	A
5	1	83	Geller (D)		F		F		F		F	F	A

F - Vote for position of AIF • A - Vote against position of AIF



# SENATE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Insurance Leased Motor Vehicle	1b - Insurance Leased Motor Vehicle	2a - Civil Actions	2b - Civil Actions	3a - Civil Actions	3b - Civil Actions	4a - Civil Actions	4b - Civil Actions	5a - Civil Actions	5b - Civil Actions
10	0	100	Grant (R)	F	F	F	F	F	F	F	F	F	F
10	0	100	Gutman (R)	F	F	F	F	F	F	F	F	F	F
5	1	83	Hargrett (D)		F		F		F		F	F	A
5	0	100	Holzendorf (D)		F		F		F		F	F	
6	0	100	Horne (R)		F		F		F		F	F	F
6	0	100	Jennings (R)		F		F		F		F	F	F
5	1	83	Jones (D)		F		F		F		F	F	A
1	0	100	King (R)										F
6	0	100	Kirkpatrick (R)		F		F		F		F	F	F
5	1	83	Klein (D)		F		F		F		F	F	A
5	1	83	Kurth (D)		F		F		F		F	F	A
6	0	100	Latvala (R)		F		F		F		F	F	F
10	0	100	Laurent (R)	F	F	F	F	F	F	F	F	F	F
6	0	100	Lee (R)		F		F		F		F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Insurance Leased Motor Vehicle	1b - Insurance Leased Motor Vehicle	2a - Civil Actions	2b - Civil Actions	3a - Civil Actions	3b - Civil Actions	4a - Civil Actions	4b - Civil Actions	5a - Civil Actions	5b - Civil Actions
6	0	100	McKay (R)		F		F		F		F	F	F
5	1	83	Meek (D)		F		F		F		F	F	A
5	1	83	Mitchell (D)		F		F		F		F	F	A
6	0	100	Myers (R)		F		F		F		F	F	F
5	1	83	Rossin (D)		F		F		F		F	F	A
6	0	100	Saunders (R)		F		F		F		F	F	F
10	0	100	Scott (R)	F	F	F	F	F	F	F	F	F	F
6	0	100	Sebesta (R)		F		F		F		F	F	F
9	1	90	Silver (D)	F	F	F	F	F	F	F	F	F	A
6	0	100	Sullivan (R)		F		F		F		F	F	F
6	0	100	Thomas (D)		F		F		F		F	F	F
10	0	100	Webster (R)	F	F	F	F	F	F	F	F	F	F
252	14	95	<b>TOTAL/AVERAGE</b>										

F - Vote for position of AIF • A - Vote against position of AIF



# **THE FLORIDA SENATE**

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## **EDUCATION**

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## EDUCATION

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**CS/HB 751 High-Quality Education System by the House Select Committee on Transforming Florida Schools and Representative Alex Diaz de la Portilla (R-Miami)**

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**C**S/HB 751, the Bush/Brogan A+ Education Plan, was the Governor's number one legislative priority. With this bill, Florida sets a new standard for comprehensive, child centered educational reform. The Bush/Brogan Education Program includes accountability, rewarding success, correcting failure, providing opportunity scholarships, and improving school safety and discipline.

The eight key components of the A+ Education Plan are:

- **Additional Funding for K-12 School** — \$800 million to be used to help students meet promotion standards, to award high performing and improving schools, to help students read on grade level, to help teachers meet high standards, to reward teachers for National Board Certification, for school safety programs, for textbooks and instructional materials, and to cover short-falls in construction funds.
- **Higher Standards and Expanded Testing** — Current testing is being expanded from grades four, five, eight, and ten to all grades three through ten, with new tests to measure learning from year to year and to become an educational accountability system.
- **Grade Schools and Report Progress** — The Bush/Brogan plan proposes that all schools receive a report card graded from A to F as to how well the school performs each year.
- **End Social Promotion** — The policy of being promoted without demonstrating achievement will be eliminated in Florida's public schools; and schools will be given funds to support initiative programs to improve students reading, writing, and mathematic skills.
- **Reward Schools for Improvement** — Schools that receive an A and improve at least one grade based on student achievement, attendance, drop out rate, discipline, and college readiness will be rewarded with up to \$100.00 per student.
- **Opportunity Scholarships** — Schools performing at failing level will be given two years to improve during which they will receive financial and technical assistance. If the school fails to improve beyond an F in those two years, it will be subject to changes directed by the Board of Education. The A+ Plan proposes that parents will be offered an opportunity scholarship to send their children to a higher performing public or private school of their choice.



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**CS/HB 751 Continued**


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- **Higher Standards for Educators** — The Bush/Brogan Plan increases standards for education professionals at every level. The State Board of Education will be directed to reassess and reset passing scores on teacher examinations to ensure that entering teachers have mastery of college level skills in reading, writing, and mathematics.

- **Improve School Safety** — The Bush/Brogan Plan requires all schools to develop school improvement plans that include specific measures for improving school discipline and safety.

An educated populous is essential to the political and economic health of the State of Florida and the ability to do business in Florida, depends on the quality of education in Florida. Education is a fact of doing business in Florida.

AIF supports a neutral school choice program to provide Florida residents with the opportunities to have their children educated at the school of their choice, by allowing the State to defray the cost of educational expense incurred by parents, regardless of the type of school children attend. A vote for CS/HB 751 is a vote for AIF.

On March 3, 1999, the House Select Committee on Transforming Florida Schools passed the bill favorably as a committee substitute combining HB 753 and HB 755 into CS/HB 751 by a vote of 16 yeas to 8 nays. A “yea” vote is a vote **for** the AIF position.

On March 16, 1999, the House Education Committee passed the bill favorably as amended by a vote of 9 yeas to 5 nays. A “yea” vote is a vote **for** the AIF position.

On March 25, 1999, the House passed the bill as amended by a vote of 71 yeas to 49 nays. A “yea” vote is a vote **for** the AIF position.

- Record 1a: On April 16, 1999, the Senate passed the bill as amended by a vote of 26 yeas to 14 nays. A “yea” vote is a vote **for** the AIF position.

On April 21, 1999, the House refused to concur in the Senate amendments and request the Senate to recede and a conference committee was appointed.

On April 22, 1999, the Senate refused to recede and a conference committee was appointed.

On April 28, 1999, the House passed the Conference Committee Report by a vote of 70 yeas to 48 nays. A “yea” vote is a vote **for** the AIF position.

- Record 1b: On April 30, 1999, the Senate passed the Conference Committee Report by a vote of 25 yeas to 15 nays. A “yea” vote is a vote **for** the AIF position.

**CS/HB 751 passed both the House and Senate and is pending Governor action.**

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**CS/CS/SB 1756  
Educational  
Accountability by  
the Senate Fiscal  
Policy Committee,  
the Education  
Committee and  
Senator  
Anna Cowin  
(R-Leesburg)**

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**C**S/CS/SB 1756 the Bush/Brogan A+ Education Plan, was the Governor's number one legislative priority. With this bill, Florida sets a new standard for comprehensive, child centered educational reform. The Bush/Brogan Education Program includes accountability, rewarding success, correcting failure, providing opportunity scholarships, and improving school safety and discipline.

The eight key components of the A+ Education Plan are:

- **Additional Funding for K-12 School** — \$800 million to be used to help students meet promotion standards, to award high performing and improving schools, to help students read on grade level, to help teachers meet high standards, to reward teachers for National Board Certification, for school safety programs, for textbooks and instructional materials, and to cover shortfalls in construction funds.
- **Higher Standards and Expanded Testing** — Current testing is being expanded from grades four, five, eight, and ten to all grades three through ten, with new tests to measure learning from year to year and to become an educational accountability system.
- **Grade Schools and Report Progress** — The Bush/Brogan plan proposes that all schools receive a report card graded from A to F as to how well the school performs each year.
- **End Social Promotion** — The policy of being promoted without demonstrating achievement will be eliminated in Florida's public schools; and schools will be given funds to support initiative programs to improve students reading, writing, and mathematic skills.
- **Reward Schools for Improvement** — Schools that receive an A and improve at least one grade based on student achievement, attendance, drop out rate, discipline, and college readiness will be rewarded with up to \$100.00 per student.
- **Opportunity Scholarships** — Schools performing at failing level will be given two years to improve during which they will receive financial and technical assistance. If the school fails to improve beyond an F in those two years, it will be subject to changes directed by the Board of Education. The A+ Plan proposes that parents will be offered an opportunity scholarship to send their children to a higher performing public or private school of their choice.
- **Higher Standards for Educators** — The Bush/Brogan Plan increases standards for education professionals at every level. The State Board of Education will be directed to reassess and reset passing scores on teacher examinations to ensure that entering teachers have mastery of college level skills in reading, writing, and mathematics.

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**CS/CS/SB 1756**  
**Continued**

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- Improve School Safety — The Bush/Brogan Plan requires all schools to develop school improvement plans that include specific measures for improving school discipline and safety.

An educated populous is essential to the political and economic health of the State of Florida and the ability to do business in Florida depends on the quality of education in Florida. Education is a fact of doing business in Florida.

AIF supports a neutral school choice program to provide Florida, residents with the opportunities to have their children educated at the school of their choice, by allowing the State to defray the cost of educational expense incurred by parents, regardless of the type of school children attend.

- Record 2a: On March 22, 1999, the Senate Education Committee passed the bill as a committee substitute by a vote of 6 yeas to 4 nays. A “yea” vote is a vote **for** the AIF position.
- Record 2b: On April 8, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 5 yeas to 2 nays. A “yea” vote is a vote **for** the AIF position.
- Record 2c: On April 16, 1999, the Senate passed the bill as amended by a vote of 26 yeas to 14 nays. A “yea” vote is a vote **for** the AIF position.

**CS/CS/SB 1756 died in messages to the House; refer to CS/HB 751.**



# SENATE AVERAGE ON EDUCATION = 64%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - High Quality Education System	1b - High Quality Education System	2a - Educational Accountability	2b - Educational Accountability	2c - Educational Accountability
3	0	100	Bronson (R)	F	F			F
4	0	100	Brown-Waite (R)	F	F		F	F
4	0	100	Burt (R)	F	F	F		F
0	3	0	Campbell (D)	A	A			A
3	0	100	Carlton (R)	F	F			F
3	1	75	Casas (R)	F	A		F	F
3	0	100	Childers (R)	F	F			F
3	0	100	Clary (R)	F	F			F
5	0	100	Cowin (R)	F	F	F	F	F
0	3	0	Dawson-White (D)	A	A			A
3	0	100	Diaz-Balart (R)	F	F			F
0	4	0	Dyer (D)	A	A	A		A
0	3	0	Forman (D)	A	A			A
0	3	0	Geller (D)	A	A			A

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - High Quality Education System	1b - High Quality Education System	2a - Educational Accountability	2b - Educational Accountability	2c - Educational Accountability
3	0	100	Grant (R)	F	F			F
3	0	100	Gutman (R)	F	F			F
0	3	0	Hargrett (D)	A	A			A
0	3	0	Holzendorf (D)	A	A			A
4	0	100	Horne (R)	F	F	F		F
3	0	100	Jennings (R)	F	F			F
0	4	0	Jones (D)	A	A	A		A
4	0	100	King (R)	F	F		F	F
4	0	100	Kirkpatrick (R)	F	F	F		F
0	5	0	Klein (D)	A	A	A	A	A
0	4	0	Kurth (D)	A	A	A		A
3	0	100	Latvala (R)	F	F			F
3	0	100	Laurent (R)	F	F			F
4	0	100	Lee (R)	F	F		F	F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - High Quality Education System	1b - High Quality Education System	2a - Educational Accountability	2b - Educational Accountability	2c - Educational Accountability
3	0	100	McKay (R)	F	F			F
0	3	0	Meek (D)	A	A			A
0	3	0	Mitchell (D)	A	A			A
3	0	100	Myers (R)	F	F			F
0	4	0	Rossin (D)	A	A		A	A
3	0	100	Saunders (R)	F	F			F
3	0	100	Scott (R)	F	F			F
3	0	100	Sebesta (R)	F	F			F
0	3	0	Silver (D)	A	A			A
4	0	100	Sullivan (R)	F	F	F		F
3	0	100	Thomas (D)	F	F			F
4	0	100	Webster (R)	F	F	F		F
<b>884</b>	<b>9</b>	<b>64</b>	<b>TOTAL/AVERAGE</b>					

F - Vote for position of AIF • A - Vote against position of AIF



# **THE FLORIDA SENATE**

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## **ELECTIONS**

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## ELECTIONS

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**CS/SB 314**  
**Campaign Financing**  
**Reform Act by the**  
**Senate Ethics and**  
**Elections Committee**  
**and Senator**  
**Jack Latvala**  
**(R-Palm Harbor)**

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**A**IF supports reasonable and effective election reform measures. At the present time, AIF does not see the need for far-reaching or radical changes to the election and campaign laws that govern the State of Florida.

This bill would have imposed an aggregate limit of \$5,000 on contributions to the state or county executive committees of political parties. The bill doubled the amount which may be contributed to statewide candidates — raising from \$500 to \$1,000 the maximum which may be contributed by most persons to each candidate per election; and raising from \$50,000 to \$100,000 the maximum which may be contributed by a political party to a statewide candidate per election cycle.

The bill modified the requirements for political committee and political party expenditures which jointly endorse three or more candidates. The bill revised the current exemption for “3 pack” advertisements, providing that such multiple endorsement advertisements are exempt only from campaign finance requirements if: the endorsement substantially provides equal time, equal space, and service to each candidate; or for endorsements in a general election, the endorsement lists all nominees of a political party in the area covered by the broadcast or mailing.

CS/SB 314 modified the definition of “political advertisement” to include any paid advertisement which mentions or shows a clearly identified candidate. It also regulated “issue ads”, which may advocate the election or defeat of certain candidates under the guise of educating the public on issues.

The bill would have expanded the definition of “political committee” to include any group which anticipates making expenditures in excess of \$500 in a calendar year on political advertising in support of, or in opposition to, an elected public official. A Committee of Continuing Existence (CCE) would have been required to register as a political committee if any expenditure is made in support of, or in opposition to, an elected official. These changes would effectively require these groups to register and file campaign contribution reports as currently required of political committees. Lastly, the bill would modify the registration and campaign finance reporting requirements for political committees and CCE’s. The bill would require the committee’s name include the business, labor union, association, other committee, or special or economic interest responsible for organizing the committee, if any. If the committee’s name does not include one of these special interests, the committee’s campaign finance treasurer’s report must include a description of the special or economic interest, if any, of the majority of the committee’s contributors. The bill would have substantially changed Chapter 106, F.S.

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**CS/SB 314 Continued**

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- Record 1a: On February 3, 1999, the Senate Ethics & Elections Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **against** the AIF position.

- Record 1b: On March 5, 1999, the Senate passed the bill as amended by a vote of 31 yeas to 5 nays. A "yea" vote is a vote **against** the AIF position.

**CS/SB 314 died in the House Election Reform Committee.**

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**SB 710 Primary  
Elections by the  
Senate Ethics and  
Elections Committee**

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**T**his bill provides that if all candidates for an office are seeking the nomination of the same party and there is no opposition in the general election, except from a write-in candidate, all registered voters may vote for that office in the first primary election and, if necessary, in the general election. The offices shall be placed under the heading of "Universal Primary" in the order determined by the Department of State.

- Record 2a: On January 7, 1999, the Senate Ethics and Elections Committee passed PCB EE 99-05 favorably by a vote of 5 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On January 13, 1999, PCB EE 99-05 became SB 710

- Record 2b: On February 17, 1999, the Senate Ethics and Elections Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

- Record 2c: On April 7, 1999, the Senate passed the bill favorably by a vote of 38 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 30, 1999, the House passed the bill as amended by a vote of 111 yeas to 2 nays. A "yea" vote is a vote **for** the AIF position.

**SB 710 died in messages to the Senate.**



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### **SB 754 Elections by the Senate Ethics and Elections Committee**

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**T**his bill implements the Constitution Revision Commission's Amendment 11 which was approved by Florida voters in the November 1998 elections, to provide equal ballot access for all candidates regardless of party affiliation.

The bill provides that the ballot access requirements for minor party candidates and candidates with no party affiliation be equal to those requirements for a candidate of a majority political party.

- Record 3a: On January 7, 1999, the Senate Ethics and Elections Committee passed PCB EE 99-03 favorably by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On January 20, 1999, PCB EE 99-03 became SB 754.

- Record 3b: On February 17, 1999, the Senate Ethics and Elections Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3c: On April 7, 1999, the Senate passed the bill favorably by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1999, the House passed the bill by a vote of 114 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**SB 754 passed both the House and Senate and is pending Governor action.**

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### **HB 819 Presidential Preference Primary by Representative Jerry Maygarden (R-Pensacola)**

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**A**IF supports reasonable and effective election reform measures. At the present time, AIF does not see the need for far-reaching or radical changes to the election and campaign laws that govern the State of Florida.

The bill addressed a number of election issues, including the presidential preference primary date, campaign finance, the allocation of candidate filing fees, voter fraud, and absentee balloting. The bill would have also moved the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March, in each year the number of which is a multiple of 4.

The bill required that the deposits of filing fees from minor party candidates, judicial candidates, nonpartisan school board candidates, and candidates with no party affiliation shall be deposited into the Election Commission Trust Fund.

The bill also required an elector voting by absentee to sign the Voter's Certificate and print their name and the name of a witness and witness identification information.

Regarding campaign finance, the bill clarified several provisions of Chapter 106, F.S., relating to the definition of "contribution", limitations on contributions

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**HB 819 Continued**


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intended to fund independent expenditures, and prohibitions against the use of state workers for campaign purposes.

The bill as originally filed specifically was related to changing the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March, of each year and AIF supported this effort. But as amended in the Senate, the bill would cap campaign contributions to the party at \$5,000 in the last thirty days of an election. AIF opposed any cap on campaign contributions to Florida's political parties.

On March 8, 1999, the House Election Reform Committee passed the bill favorably as amended by a vote of 7 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On March 17, 1999, the House passed the bill as amended by a vote of 100 yeas to 15 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1999, the Senate substituted HB 819 for SB 1782. SB 1782 was laid on the table.

- Record 4a: On April 28, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote against the AIF position.

**HB 819 died in messages to the House.**

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**SB 1782 Elections  
by Senator Jack  
Latvala (R-Palm  
Harbor)**


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**A**IF supports reasonable and effective election reform measures. At the present time, AIF does not see the need for far-reaching or radical changes to the election and campaign laws that govern the State of Florida.

The bill addressed a number of election issues, including the presidential preference primary date, campaign finance, the allocation of candidate filing fees, voter fraud, and absentee balloting. The bill would have also moved the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March, in each year the number of which is a multiple of 4.

The bill required that the deposits of filing fees from minor party candidates, judicial candidates, nonpartisan school board candidates, and candidates with no party affiliation shall be deposited into the Election Commission Trust Fund.

The bill also required an elector voting by absentee to sign the Voter's Certificate and print their name and the name of a witness and witness identification information.

Regarding campaign finance, the bill clarified several provisions of Chapter 106, F.S. relating to the definition of "contribution", limitations on contributions intended to fund independent expenditures, and prohibitions against the use of state

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**SB 1782 Continued**

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workers for campaign purposes.

The bill as originally filed specifically was related to changing the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March, of each year and AIF supported this effort. But as amended, the bill would cap campaign contributions to the party at \$5,000 in the last thirty days of an election. AIF opposed any cap on campaign contributions to Florida's political parties.

- Record 5a: On March 17, 1999, the Senate Ethics and Elections Committee passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote **against** the AIF position.

On April 27, 1999, the Senate substituted HB 819 for SB 1782.

**SB 1782 was laid on the table; refer to HB 819.**



# SENATE AVERAGE ON ELECTIONS = 56%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Campaign Finance Reform Act	1b - Campaign Finance Reform Act	2a - Primary Elections	2b - Primary Elections	2c - Primary Elections	3a - Elections	3b - Elections	3c - Elections	4a - Presidential Preference Primary	5a - Elections
3	0	100	Bronson (R)		F			F			F		
2	2	50	Brown-Waite (R)		A			F			F	A	
2	2	50	Burt (R)		A			F			F	A	
2	2	50	Campbell (D)		A			F			F	A	
6	4	60	Carlton (R)	A	A	F	F	F	F	F	F	A	A
2	2	50	Casas (R)		A			F			F	A	
2	2	50	Childers (R)		A			F			F	A	
2	2	50	Clary (R)		A			F			F	A	
2	2	50	Cowin (R)		A			F			F	A	
2	2	50	Dawson-White (D)		A			F			F	A	
3	1	75	Diaz-Balart (R)		F			F			F	A	
2	2	50	Dyer (D)		A			F			F	A	
2	2	50	Forman (D)		A			F			F	A	
2	2	50	Geller (D)		A			F			F	A	

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Campaign Finance Reform Act	1b - Campaign Finance Reform Act	2a - Primary Elections	2b - Primary Elections	2c - Primary Elections	3a - Elections	3b - Elections	3c - Elections	4a - Presidential Preference Primary	5a - Elections
2	1	67	Grant (R)					F			F	A	
0	1	0	Gutman (R)									A	
6	4	60	Hargrett (D)	A	A	F	F	F	F	F	F	A	A
2	2	50	Holzendorf (D)		A			F			F	A	
3	1	75	Horne (R)		F			F			F	A	
2	2	50	Jennings (R)		A			F			F	A	
2	2	50	Jones (D)		A			F			F	A	
2	1	67	King (R)					F			F	A	
5	3	63	Kirkpatrick (R)	A	A		F	F	F	F	F	A	
2	2	50	Klein (D)		A			F			F	A	
2	2	50	Kurth (D)		A			F			F	A	
2	2	50	Latvala (R)		A			F			F	A	
2	2	50	Laurent (R)		A			F			F	A	
1	2	33	Lee (R)		A			F				A	

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Campaign Finance Reform Act	1b - Campaign Finance Reform Act	2a - Primary Elections	2b - Primary Elections	2c - Primary Elections	3a - Elections	3b - Elections	3c - Elections	4a - Presidential Preference Primary	5a - Elections
2	2	50	McKay (R)		A			F			F	A	
6	3	67	Meek (D)	A	A	F	F	F	F	F	F	A	
2	2	50	Mitchell (D)		A			F			F	A	
1	2	33	Myers (R)		A						F	A	
4	4	50	Rossin (D)	A	A		F	F		F	F	A	A
6	4	60	Saunders (R)	A	A	F	F	F	F	F	F	A	A
3	1	75	Scott (R)		F			F			F	A	
6	4	60	Sebesta (R)	A	A	F	F	F	F	F	F	A	A
2	2	50	Silver (D)		A			F			F	A	
2	2	50	Sullivan (R)		A			F			F	A	
1	1	50	Thomas (D)					F				A	
3	1	75	Webster (R)		F			F			F	A	
105	82	56	TOTAL/AVERAGE										

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA SENATE**

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**ENVIRONMENTAL**

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## ENVIRONMENTAL

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### **SB 1004 Motor Vehicle Emission Inspections by the Senate Transportation Committee**

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**T**his bill contains provisions to extend the current air emissions inspection program until new contracts from competitive proposals can be entered into. The bill also eliminates the inspection program for newer cars and reduces inspections to every other year for cars more than three years old. The inspection fee is capped at \$19 biannually instead of \$10 annually.

AIF supports maintaining auto air emissions testing to protect air quality attainment so that Florida business and industries are not unduly impacted by any new EPA requirements.

- Record 1a: On February 3, 1999, the Senate Transportation Committee passed PCB TR 99-02 favorably by a vote of 6 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

On February 8, 1999 PCB, TR 99-02 became SB 1004.

- Record 1b: On March 4, 1999, the Senate Transportation Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

**SB 1004 died in the Senate Fiscal Policy Committee.**

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**CS/CS/SB 1270  
Traffic Control/  
DHSMV by the  
Senate Fiscal Policy  
Committee, the  
Transportation  
Committee  
and Senator  
Roberto Casas  
(R-Hialeah)**

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**C**S/CS/SB 1270 contains provisions to extend the current air emissions inspection program until new contracts from competitive proposals can be entered into. The bill also eliminates the inspection program for newer cars and reduces inspections to every other year for cars more than three years old. The inspection fee is capped at \$19 biannually instead of \$10 annually.

AIF supports maintaining auto air emissions testing to protect air quality attainment so that Florida business and industries are not unduly impacted by any new EPA requirements.

The bill also contains numerous changes to provisions of the law relating to programs administered by the Department of Highway Safety and Motor Vehicles (DHSMV). Substantive issues include traffic control, highway safety, motor vehicles, drivers licenses and vessels.

- Record 2a: On March 11, 1999, the Senate Transportation Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 2b: On April 14, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 2c: On April 23, 1999, the Senate passed the bill as amended by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- On April 30, 1999, the House passed the bill as amended by a vote of 113 yeas to 4 nays. A "yea" vote is a vote for the AIF position.
- Record 2d: On April 30, 1999, the Senate concurred in the House amendments and passed the bill by a vote of 30 yeas to 7 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/SB 1270 passed both the House and Senate and is pending Governor action.**

# SENATE AVERAGE ON ENVIRONMENTAL = 93%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Motor Vehicle Emissions Inspections	1b - Motor Vehicle Emissions Inspections	2a - Traffic Control/DHSMV	2b - Traffic Control/DHSMV	2c - Traffic Control/DHSMV	2d - Traffic Control/DHSMV
2	0	100	Bronson (R)					F	F
3	0	100	Brown-Waite (R)				F	F	F
2	0	100	Burt (R)					F	F
1	1	50	Campbell (D)					F	A
2	0	100	Carlton (R)					F	F
6	0	100	Casas (R)	F	F	F	F	F	F
2	0	100	Childers (R)					F	F
1	0	100	Clary (R)					F	
3	0	100	Cowin (R)				F	F	F
1	1	50	Dawson-White (D)					F	A
2	0	100	Diaz-Balart (R)					F	F
2	0	100	Dyer (D)					F	F
2	0	100	Forman (D)					F	F
2	0	100	Geller (D)					F	F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Motor Vehicle Emissions Inspections	1b - Motor Vehicle Emissions Inspections	2a - Traffic Control/DHSMV	2b - Traffic Control/DHSMV	2c - Traffic Control/DHSMV	2d - Traffic Control/DHSMV
2	0	100	Grant (R)					F	F
1	1	50	Gutman (R)					F	A
4	0	100	Hargrett (D)		F	F		F	F
2	0	100	Holzendorf (D)					F	F
2	0	100	Horne (R)					F	F
2	0	100	Jennings (R)					F	F
3	1	75	Jones (D)	F		F		F	A
3	0	100	King (R)				F	F	F
1	0	100	Kirkpatrick (R)						F
2	1	67	Klein (D)				F	F	A
5	0	100	Kurth (D)	F	F	F		F	F
1	0	100	Latvala (R)					F	
4	0	100	Laurent (R)	F	F			F	F
3	0	100	Lee (R)		F			F	F

F - Vote for position of AIF • A - Vote against position of AIF



# SENATE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Motor Vehicle Emissions Inspections	1b - Motor Vehicle Emissions Inspections	2a - Traffic Control/DHSMV	2b - Traffic Control/DHSMV	2c - Traffic Control/DHSMV	2d - Traffic Control/DHSMV
2	0	100	McKay (R)					F	F
1	1	50	Meek (D)					F	A
5	0	100	Mitchell (D)	F	F	F		F	F
2	0	100	Myers (R)					F	F
3	0	100	Rossin (D)				F	F	F
2	0	100	Saunders (R)					F	F
1	1	50	Scott (R)					F	A
4	0	100	Sebesta (R)	F		F		F	F
2	0	100	Silver (D)					F	F
3	0	100	Sullivan (R)		F	F		F	
2	0	100	Thomas (D)				F		F
2	0	100	Webster (R)					F	F
95	7	93	<b>TOTAL/AVERAGE</b>						

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA SENATE**

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## **HEALTH CARE**

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## HEALTH CARE

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**CS/SB 232 HMO  
Contracts by the  
Senate Banking  
and Insurance  
Committee  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**A**s originally drafted, this bill would have mandated that before a health maintenance organization (HMO) can cancel or terminate a contract with any health care provider, the HMO must provide a hearing to the provider. This so-called "due process" bill would have made it virtually impossible for an insurance company to end a contract with a health care provider. As originally drafted, AIF would have opposed the bill. However, after the adoption of the committee substitute by the Senate Banking and Insurance Committee and the adoption of the amendment offered by Senator Latvala in the Senate Health, Aging & Long-Term Care Committee, AIF supported the bill.

- Record 1a: On March 16, 1999, the Senate Banking and Insurance Committee passed the bill favorably as a committee substitute by a vote of 12 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.
- Record 1b: On March 30, 1999, the Senate Health, Aging & Long-Term Care Committee passed the bill favorably as amended by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.
- Record 1c: On April 23, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 29, 1999, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

**CS/SB 232 passed both the House and Senate and is pending Governor action.**

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**CS/SB 272 Health Insurance/Autism Spectrum by the Senate Banking and Insurance Committee and Senator Jim Scott (R-Ft. Lauderdale)**

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**T**his bill would require that a health insurer or health maintenance organization include a wide range in coverage for autism spectrum disorders as part of the coverage for major medical expenses. It requires that such coverage include certain types of evaluations and interventions. It provides that the insurer or health maintenance organization may confirm a diagnosis or review the appropriateness of treatment but does not include language that would allow for proper utilization review. It is estimated that this bill would cost approximately \$71 million to the private sector. AIF opposes this bill as it is an additional health insurance mandate and would raise costs to employers providing health insurance coverage to employees.

- Record 2a: On February 16, 1999, the Senate Banking and Insurance Committee passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A “yea” vote is a vote **against** the AIF position.
- Record 2b: On April 19, 1999, the Senate Fiscal Policy Committee passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A “yea” vote is a vote **against** the AIF position.
- Record 2c: On April 27, 1999, the Senate passed the bill as amended by a vote of 38 yeas to 1 nay. A “yea” vote is a vote **against** the AIF position.

**CS/SB 272 died in messages to the House.**

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**CS/SB 1160 Equity in Contraceptive Coverage by the Senate Banking and Insurance Committee and Senator Patsy Kurth (D-Palm Bay)**

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**T**his bill would have created the Equity in Prescription Insurance and Contraceptive Coverage Act of 1999. It differed slightly from HB 83, by Representative Bloom. This bill is a straight mandate requiring that health insurance policies and HMO's provide coverage for contraceptives. This is an insurance mandate that will raise costs to employers providing coverage to their employees. AIF opposes this bill.

- Record 3a: On April 12, 1999, the Senate Banking and Insurance Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 4 nays. A “yea” vote is a vote **against** the AIF position.
- Record 3b: On April 21, 1999, the Senate Fiscal Policy Committee passed the bill favorably by a vote of 6 yeas to 0 nays. A “yea” vote is a vote **against** the AIF position.

**CS/SB 1160 died on the Senate Calendar.**

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**CS/SB 1554  
Obstetrical &  
Gynecological  
Services by the  
Senate Banking  
and Insurance  
Committee and  
Senator Mandy  
Dawson-White  
(D-Ft. Lauderdale)**

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**T**his is a health insurance mandate that allows for direct access to the services of an OB/GYN by subscribers to an HMO. AIF has always opposed direct access, as it destroys the concept of utilization review inherent in an HMO thereby causing price increases to employers. As originally drafted, AIF opposed this bill but would have supported an amendment that allowed only one direct access visit with appropriate follow-up care. However, the committee adopted an amendment allowing for two direct access visits with appropriate follow-up care. There is no scientific evidence to back up the need for these extra visits; thus, AIF opposed this bill.

Similar language to the language in CS/SB 1554 was added as an amendment to HB 2131 in the Senate on April 29, 1999. AIF supported this language because it would allow for only one direct access visit per year. HB 2231 passed both the House and Senate and is awaiting the Governor's signature.

- Record 4a: On April 12, 1999, the Senate Banking and Insurance Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 2 nays. A "yea" vote is a vote **against** the AIF position.

**CS/SB 1554 died on the Senate Calendar; refer to HB 2231.**



# SENATE AVERAGE ON HEALTH CARE = 46%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - HMO Contracts	1b - HMO Contracts	1c - HMO Contracts	2a - Health Insurance/Autism Spectrum	2b - Health Insurance/Autism Spectrum	2c - Health Insurance/Autism Spectrum	3a - Equity in Contraceptive Coverage	3b - Equity in Contraceptive Coverage	4a - Obstetrical & Gynecological Services
2	1	67	Bronson (R)		F	F			A			
3	3	50	Brown-Waite (R)	F		F		A	F	A		A
1	1	50	Burt (R)			F			A			
2	4	33	Campbell (D)	F		F	A		A	A		A
1	1	50	Carlton (R)			F			A			
2	6	25	Casas (R)	F		F	A	A	A	A	A	A
2	4	33	Childers (R)	F		F	A		A	A		A
2	1	67	Clary (R)		F	F			A			
1	3	25	Cowin (R)			F		A	A		A	
2	1	67	Dawson-White (D)		F	F			A			
1	1	50	Diaz-Balart (R)			F			A			
1	1	50	Dyer (D)			F			A			
2	1	67	Forman (D)		F	F			A			
2	2	50	Geller (D)	F		F	A		A			

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - HMO Contracts	1b - HMO Contracts	1c - HMO Contracts	2a - Health Insurance/Autism Spectrum	2b - Health Insurance/Autism Spectrum	2c - Health Insurance/Autism Spectrum	3a - Equity in Contraceptive Coverage	3b - Equity in Contraceptive Coverage	4a - Obstetrical & Gynecological Services
1	1	50	Grant (R)			F			A			
3	2	60	Gutman (R)	F		F	A		A	F		
1	1	50	Hargrett (D)			F			A			
1	4	20	Holzendorf (D)	F			A		A	A		A
1	0	100	Horne (R)			F						
1	1	50	Jennings (R)			F			A			
1	1	50	Jones (D)			F			A			
3	4	43	King (R)	F		F		A	A	A	A	F
1	1	50	Kirkpatrick (R)			F			A			
1	3	25	Klein (D)			F		A	A		A	
1	1	50	Kurth (D)			F			A			
2	1	67	Latvala (R)		F	F			A			
1	1	50	Laurent (R)			F			A			
1	3	25	Lee (R)			F		A	A		A	

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - HMO Contracts	1b - HMO Contracts	1c - HMO Contracts	2a - Health Insurance/Autism Spectrum	2b - Health Insurance/Autism Spectrum	2c - Health Insurance/Autism Spectrum	3a - Equity in Contraceptive Coverage	3b - Equity in Contraceptive Coverage	4a - Obstetrical & Gynecological Services
1	1	50	McKay (R)			F			A			
1	1	50	Meek (D)			F			A			
1	1	50	Mitchell (D)			F			A			
2	1	67	Myers (R)		F	F			A			
3	5	38	Rossin (D)	F		F	A	A	A	F	A	A
2	1	67	Saunders (R)		F	F			A			
2	4	33	Scott (R)	F		F	A		A	A		A
3	3	50	Sebesta (R)	F		F	A		A	F		A
1	1	50	Silver (D)			F			A			
1	1	50	Sullivan (R)			F			A			
4	3	57	Thomas (D)	F		F	A	A	A	F		F
1	1	50	Webster (R)			F			A			
65	77	46	<b>TOTAL/AVERAGE</b>									

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA SENATE**

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## **LABOR RELATIONS**

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## LABOR RELATIONS

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**CS/CS/SB 230 LES**

**Dept./  
Reorganization  
by the Senate  
Commerce &  
Economic  
Opportunities  
Committee, the  
Government  
Oversight &  
Productivity  
Committee  
and Senator  
Daniel Webster  
(R-Ocoee)**

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**T**his bill reorganizes the Department of Labor & Employment Security to allow the department to operate in a decentralized manner. The bill creates within the department the positions of assistant secretary for finance and administration, assistant secretary for programs, and assistant secretary for field operations. These three assistant secretaries would be appointed by and serve at the will of the labor secretary.

The bill also establishes job qualifications for each of the assistant secretaries. For example, the assistant secretary for finance and administration must have a complete understanding of modern financial management practices. That individual would have oversight of the offices of the comptroller, management and budget, administration, civil rights, and information systems.

The bill creates five field offices under the direction of the assistant secretary for field operations.

The bill eliminates the seven existing divisions within the central office and reestablishes the following six under the supervision of the assistant secretary for programs:

- division of workforce and employment opportunities
- division of unemployment compensation
- division of vocational rehabilitation
- division of workers' compensation
- division of blind services
- division of safety (repealed July 1, 2000)

AIF particularly supports the abolition of the division of safety. In the five years since it was elevated to division status, the division of safety has quadrupled in size, yet it has been ineffective, coming under criticism by the Office of Policy Performance and Government Accountability. Furthermore, many of its services are duplicated by federal agencies, making it redundant.

- Record 1a: On March 4, 1999, the Senate Government Oversight & Productivity Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 12, 1999, the Senate Commerce & Economic Opportunities Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 1 nays. A "yea" vote is a vote for the AIF position.

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**CS/CS/SB 230**  
**Continued**

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- Record 1c: On April 26, 1999, the Senate passed the bill as amended by a vote of 32 yeas to 6 nays. A “yea” vote is a vote for the AIF position.

On April 29, 1999, the House passed the bill as amended by a vote of 84 yeas to 34 nays. A “yea” vote is a vote for the AIF position.

- Record 1d: On April 30, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 28 yeas to 10 nays. A “yea” vote is a vote for the AIF position.

**CS/CS/SB 230 passed both the House and Senate and is pending Governor action.**



# SENATE AVERAGE ON LABOR RELATION ISSUES = 81%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - LES Dept. /Reorganization	1b - LES Dept. /Reorganization	1c - LES Dept. /Reorganization	1d - LES Dept. /Reorganization
2	0	100	Bronson (R)			F	F
3	0	100	Brown-Waite (R)	F		F	F
2	0	100	Burt (R)			F	F
0	2	0	Campbell (D)			A	A
2	0	100	Carlton (R)			F	F
2	0	100	Casas (R)			F	F
2	0	100	Childers (R)			F	F
2	0	100	Clary (R)			F	F
3	0	100	Cowin (R)	F		F	F
1	2	33	Dawson-White (D)		F	A	A
2	0	100	Diaz-Balart (R)			F	F
0	2	0	Dyer (D)			A	A
0	2	0	Forman (D)			A	A
1	1	50	Geller (D)			F	A

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON LABOR RELATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - LES Dept. /Reorganization	1b - LES Dept. /Reorganization	1c - LES Dept. /Reorganization	1d - LES Dept. /Reorganization
2	0	100	Grant (R)			F	F
3	0	100	Gutman (R)		F	F	F
2	0	100	Hargrett (D)			F	F
0	3	0	Holzendorf (D)		A	A	A
3	0	100	Horne (R)	F		F	F
2	0	100	Jennings (R)			F	F
1	1	50	Jones (D)			F	A
3	0	100	King (R)		F	F	F
3	0	100	Kirkpatrick (R)		F	F	F
1	1	50	Klein (D)		F	A	
1	1	50	Kurth (D)			F	A
2	0	100	Latvala (R)			F	F
2	0	100	Laurent (R)			F	F
1	0	100	Lee (R)				F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON LABOR RELATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - LES Dept. /Reorganization	1b - LES Dept. /Reorganization	1c - LES Dept. /Reorganization	1d - LES Dept. /Reorganization
2	0	100	McKay (R)		F		F
1	1	50	Meek (D)			F	A
2	0	100	Mitchell (D)			F	F
2	0	100	Myers (R)			F	F
2	1	67	Rossin (D)	F		F	A
1	0	100	Saunders (R)			F	
2	0	100	Scott (R)			F	F
2	0	100	Sebesta (R)			F	F
3	0	100	Silver (D)	F		F	F
2	0	100	Sullivan (R)			F	F
3	0	100	Thomas (D)		F	F	F
3	0	100	Webster (R)	F		F	F
<b>73</b>	<b>17</b>	<b>81</b>	<b>TOTAL/AVERAGE</b>				

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA SENATE**

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## **LEGAL AND JUDICIAL**

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## LEGAL AND JUDICIAL

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**CS/SB 64 Citizen  
Participation in  
Government Act by  
the Senate Judiciary  
Committee  
and Senator  
John Grant  
(R-Tampa)**

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**T**he term "SLAPP" is an acronym for Strategic Lawsuits Against Public Participation. SLAPP suits arise in the following ways:

A citizen or citizen's group initially brings suit under a statute that authorizes suits or administrative proceedings in opposition to a government action, for example a permitting action. These proceedings may be used solely for the purpose of delay in order to increase the costs of projects so that it becomes unfeasible for the development or permitting activity to continue. By abusing the process, citizen's groups or individual citizens may injure business or development. In response to dilatory and unmeritorious lawsuits in government processes, businesses and developers bring suit for civil rights violations, defamation, malicious prosecution, abuse of process, tortuous interference with business relationships, tortuous interference with a contract, civil conspiracy or other intentional torts.

The bill as initially proposed would provide immunity from civil liability for any act in furtherance of the constitutional right to petition a government for redress of grievances. The bill provided procedures to handle lawsuits dealing with the right to petition government. The bill as filed would impact negatively the right of each and every business entity in Florida to redress grievances and civil actions against citizens who have appeared or filed unmeritorious proceedings in opposition to permitting activities.

The bill was amended in the Senate Judiciary Committee to apply only to actions brought by government against citizens. This was in response to a particularly egregious lawsuit by a Florida county against citizens who were objecting to governmental action. The bill as amended would currently impact only lawsuits brought by governmental entities against citizens.

AIF does not oppose the bill as amended as long as it applies only to governmental entities.

- Record 1a: On January 20, 1999, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On March 4, 1999, the Senate Governmental Oversight & Productivity Committee passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1c: On March 30, 1999, the Senate passed the bill as amended by a

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**CS/SB 64 Continued**

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vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/SB 64 died in the House General Government Committee.

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**CS/CS/CS/SB 80  
Information  
Technology  
Resources by the  
Senate Fiscal Policy  
Committee, the  
Government  
Oversight &  
Productivity  
Committee, the  
Commerce &  
Economic  
Opportunities  
Committee, and  
Senator John Grant  
(R-Tampa)**

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**T**his bill creates the Commerce Protection Act which defines exclusive remedies available against businesses, persons, and governmental agencies for damages caused by the failure of their information technology resources to function properly due to the year 2000 computer bug. This bill contains a number of provisions carefully crafted by AIF, its member task force, and the business community. AIF supports this bill.

- Record 2a: On February 16, 1999, the Senate Commerce & Economic Opportunities Committee passed the bill favorably as a committee substitute by a vote of 6 yeas and 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On March 17, 1999, the Senate Governmental Oversight & Productivity Committee passed the bill favorably as a committee substitute by a vote of 4 yeas and 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On April 14, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2d: On April 29, 1999, the Senate passed the bill as amended by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 30, 1999, the House passed the bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/CS/CS/SB 80 passed both the House and Senate and is pending Governor action.



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**CS/HB 107**  
**Administrative**  
**Procedure Act by**  
**the House**  
**Government Rules**  
**and Regulations**  
**Committee,**  
**Representative Ken**  
**Pruitt (R-Port St.**  
**Lucie) and**  
**Representative Rob**  
**Wallace (R-Tampa)**

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**C**S/HB 107 clarifies the legislative intent of the 1996 Administrative Procedure Act Reforms, which have been interpreted by judicial decisions since enactment of these reforms.

The original legislative intent of the APA reforms was to level the playing field between agencies and those that are regulated by agencies to ensure that citizens had a forum in which to redress grievances against agency action in a meaningful and deliberative proceeding.

The bill as passed by the Legislature modifies the rulemaking standard adopted in the 1996 revision of APA. The bill provides that an agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling act. Further, an agency does not have authority to adopt a rule only because it is within the agency's cause of powers and duties. Statutory language granting rulemaking authority is to be construed to extend no further than implementing or interpreting the specific powers and duties conferred by the same statute.

The bill also provides that an agency may not adopt retroactive rules, including those intended to clarify existing law, unless expressly authorized by statute. The bill provides that in a challenge to a proposed rule, the petitioner has the burden of going forward, but the agency has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority. The bill also limits the ability of an agency to modify conclusions of law in a recommended order by providing only those clearly erroneous conclusions of law over which the agency has substantive jurisdiction to be modify.

This bill strengthens the role of administrative judges and gives citizens a real forum in which to contest agency decisions.

On January 7, 1999, the House Water Resources Management Committee passed the bill favorably as amended by a vote of 5 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

On January 21, 1999, the House Governmental Operations Committee passed the bill favorably as amended by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On February 1, 1999, the House Governmental Rules and Regulations Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On March 10, 1999, the House passed the bill by a vote of 109 yeas to 8 nays. A "yea" vote is a vote for the AIF position.

On April 23, 1999, the Senate substituted CS/HB 107 for CS/CS/SB 206. CS/CS/SB 206 was laid on the table.

- Record 3a: On April 26, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 1 nays. A "yea" vote is a vote for the AIF position.

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**CS/HB 107 Continued**


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On April 27, 1999, the House concurred with the Senate amendments and passed the bill by a vote of 113 yeas to 5 nays. A "yea" vote is a vote for the AIF position.

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**CS/CS/SB 206  
Administrative  
Procedure Act by  
the Senate Fiscal  
Policy Committee,  
the Government  
Oversight &  
Productivity  
Committee and  
Senator John  
Laurent (R-Bartow)**

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**C**S/CS/SB 206 clarifies the legislative intent of the 1996 Administrative Procedure Act Reforms, which have been interpreted by judicial decisions since enactment of these reforms.

The original legislative intent of the APA reforms was to level the playing field between agencies and those that are regulated by agencies to ensure that citizens had a forum in which to redress grievances against agency action in a meaningful and deliberative proceeding.

The bill as passed by the Legislature modifies the rulemaking standard adopted in the 1996 revision of APA. The bill provides that an agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling act. Further, an agency does not have authority to adopt a rule only because it is within the agency's cause of powers and duties. Statutory language granting rulemaking authority is to be construed to extend no further than implementing or interpreting the specific powers and duties conferred by the same statute.

The bill also provides that an agency may not adopt retroactive rules, including those intended to clarify existing law, unless expressly authorized by statute. The bill provides that in a challenge to a proposed rule, the petitioner has the burden of going forward, but the agency has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority. The bill also limits the ability of an agency to modify conclusions of law in a recommended order by providing only those clearly erroneous conclusions of law over which the agency has substantive jurisdiction may to modify.

This bill strengthens the role of administrative judges and gives citizens a real forum in which to contest agency decisions.

- Record 4a: On March 11, 1999, the Senate Governmental Oversight and Productivity Committee passed the bill favorably as committee substitute by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 21, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/SB 206 was laid on the table; refer to CS/HB 107.**

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**HB 591**  
**Transportation**  
**Department by the**  
**House Committee**  
**on Transportation**  
**& Economic**  
**Development and**  
**Representative**  
**Kelley Smith**  
**(D-Palatka)**

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**H**B 591 contained the eminent domain provisions which were supported by AIF. Eminent domain allows the state or condemning authority to take private property for public use. The bill would institute a negotiation process before eminent domain proceedings begin. The condemning authority must, before litigation, give notice of the proceeding and give a written offer of compensation.

If there is a business on the property, the business owner must seek business damages by a written offer (otherwise the court may not recognize that any business damages are due to the owner). This offer must include copies of business records for four years preceeding notification to validate the damage claims. The condemning authorities shall pay all attorney's fees and costs, as long as they are reasonable, for the business owner during this negotiation process. The bill allows for a six-month period (from January 1, 2000, to July 1, 2000) for the condemning authority to phase in these negotiation procedures.

The legislation also requires that the Department of Transportation be consulted when an owner of a lawful sign located adjacent to a new right-of-way wants to relocate or reconstruct the sign.

Effective July 1, 2000, before an eminent domain proceeding is brought, the following conditions must be met:

- the condemning authority must attempt to negotiate in good faith with an owner of the parcel to be acquired,
- must provide the owner with a written offer, and
- a copy of the appraisal upon which the offer is based, if requested
- provides for attorney's fees
- provides for business damages, in a jury trial, for a business established for more than four years (present statute provides for businesses established for more than 5 years)

On March 8, 1999, the House Community Affairs Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 26, 1999, the House passed the bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 5a: On April 29, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 30, 1999, the House concurred with the Senate amendments and passed the bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 591 passed both the House and Senate and is pending Governor action.**

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**CS/CS/SB 940**  
**Eminent Domain by**  
**the Senate Fiscal**  
**Policy Committee**  
**and the**  
**Comprehensive**  
**Planning and**  
**Military Affairs**  
**Committee**

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**T**his bill contained the eminent domain provisions which were supported by AIF. Eminent domain allows the state or condemning authority to take private property for public use. The bill would institute a negotiation process before eminent domain proceedings begin. The condemning authority must, before litigation, give notice of the proceeding and give a written offer of compensation.

If there is a business on the property, the business owner must seek business damages by a written offer (otherwise the court may not recognize that any business damages are due to the owner). This offer must include copies of business records for four years preceeding notification to validate the damage claims. The condemning authorities shall pay all attorney's fees and costs, as long as they are reasonable, for the business owner during this negotiation process. The bill allows for a six-month period (from January 1, 2000, to July 1, 2000) for the condemning authority to phase in these negotiation procedures.

The legislation also requires that the Department of Transportation be consulted when an owner of a lawful sign located adjacent to a new right-of-way wants to relocate or reconstruct the sign.

Effective July 1, 2000, before an eminent domain proceeding is brought the following conditions must be met:

- the condemning authority must attempt to negotiate in good faith with an owner of the parcel to be acquired,
- must provide the owner with a written offer, and
- a copy of the appraisal upon which the offer is based, if requested
- provides for attorney's fees
- provides for business damages, in a jury trial, for a business established for more than four years (present statute provides for businesses established for more than 5 years)

- Record 6a: On February 2, 1999, the Senate Comprehensive Planning and Military Affairs Committee passed the PCB COM 99-05 favorably as amended by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On February 4, 1999, PCB COM 99-05 became SB 940.

- Record 6b: On March 3, 1999, the Senate Comprehensive Planning and Military Affairs Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 6c: On March 31, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

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**CS/CS/SB 940**  
**Continued**

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- Record 6d: On April 8, 1999, the Senate passed the bill by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 19, 1999, the House Transportation Committee passed the bill favorably as amended by a vote of 9 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/CS/SB 940 died in the House Real Property & Probate Committee.**

# SENATE AVERAGE ON LEGAL AND JUDICIAL = 99.6%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	1c - Citizen Participation in Government Act	2a - Information Technology Resources	2b - Information Technology Resources	2c - Information Technology Resources	2d - Information Technology Resources	3a - Administrative Procedure Act	4a - Administrative Procedure Act	4b - Administrative Procedure Act	5a - Transportation Department	6a - Eminent Domain	6b - Eminent Domain	6c - Eminent Domain	6d - Eminent Domain
5	0	100	Bronson (R)			F				F	F			F				F
11	0	100	Brown-Waite (R)		F	F		F	F	F	F	F	F	F			F	F
6	0	100	Burt (R)	F		F				F	F			F				F
6	0	100	Campbell (D)	F		F				F	F			F				F
7	0	100	Carlton (R)			F				F	F			F	F	F		F
8	0	100	Casas (R)			F			F	F	F		F	F			F	F
5	0	100	Childers (R)			F				F	F			F				F
7	0	100	Clary (R)			F				F	F			F	F	F		F
9	0	100	Cowin (R)			F			F	F	F	F	F	F			F	F
6	0	100	Dawson-White (D)			F	F			F	F			F				F
7	0	100	Diaz-Balart (R)		F	F				F	F	F		F				F
4	0	100	Dyer (D)			F				F	F			F				
7	0	100	Forman (D)			F				F	F			F	F	F		F
6	0	100	Geller (D)			F				F	F			F		F		F

F - Vote for position of AIF • A - Vote against position of AIF



# SENATE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	1c - Citizen Participation in Government Act	2a - Information Technology Resources	2b - Information Technology Resources	2c - Information Technology Resources	2d - Information Technology Resources	3a - Administrative Procedure Act	4a - Administrative Procedure Act	4b - Administrative Procedure Act	5a - Transportation Department	6a - Eminent Domain	6b - Eminent Domain	6c - Eminent Domain	6d - Eminent Domain
7	0	100	Grant (R)	F		F	F			F	F			F				F
5	0	100	Gutman (R)	F			F			F	F			F				
5	0	100	Hargrett (D)			F				F	F			F				F
5	0	100	Holzendorf (D)			F				F	F			F				F
8	0	100	Horne (R)		F	F		F		F	F	F		F				F
5	0	100	Jennings (R)			F				F	F			F				F
5	0	100	Jones (D)			F				F	F			F				F
8	0	100	King (R)			F			F	F	F		F	F			F	F
6	0	100	Kirkpatrick (R)			F	F			F	F			F				F
7	0	100	Klein (D)				F		F	F	F		F	F				F
7	0	100	Kurth (D)			F				F	F			F	F	F		F
5	0	100	Latvala (R)			F				F	F			F				F
6	0	100	Laurent (R)	F		F				F	F			F				F
9	0	100	Lee (R)			F			F	F	F			F	F	F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	1c - Citizen Participation in Government Act	2a - Information Technology Resources	2b - Information Technology Resources	2c - Information Technology Resources	2d - Information Technology Resources	3a - Administrative Procedure Act	4a - Administrative Procedure Act	4b - Administrative Procedure Act	5a - Transportation Department	6a - Eminent Domain	6b - Eminent Domain	6c - Eminent Domain	6d - Eminent Domain
5	0	100	McKay (R)			F				F	F			F				F
5	0	100	Meek (D)			F				F	F			F				F
7	0	100	Mitchell (D)			F				F	F			F	F	F		F
7	0	100	Myers (R)			F				F	F			F	F	F		F
9	0	100	Rossin (D)		F	F	F			F	F		F	F			F	F
5	0	100	Saunders (R)			F				F	F			F				F
6	0	100	Scott (R)	F		F				F	F			F				F
5	0	100	Sebesta (R)			F				F	F			F				F
5	1	83	Silver (D)	F		F				F	A			F				F
4	0	100	Sullivan (R)			F				F	F							F
8	0	100	Thomas (D)			F	F	F	F	F	F		F	F				F
9	0	100	Webster (R)	F	F	F	F	F		F	F	F		F				F
257	1	99.6	TOTAL/AVERAGE															

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA SENATE**

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## **TAXATION**

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## TAXATION

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**CS/SB 102 Alcoholic  
Beverage Surcharge  
by the Senate Fiscal  
Resource Committee  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**T**he bill provides for the surtax on alcoholic beverages consumed on the premises to be reduced by one-third. The Alcoholic Beverage Surcharge is a tax that was passed by the 1990 Legislature which singled out every restaurant, grill, bar, and any other establishment that was licensed to serve alcohol by the drink, to collect this very unjust tax. AIF supported the reduction of this unfair business tax.

- Record 1a: On April 14, 1999, the Senate Fiscal Resource Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 102 died in the Senate Regulated Industries Committee; refer to CS/SB 172.**

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**CS/SB 172 Taxation  
by the Senate Fiscal  
Resource Committee  
and Senator  
James Horne  
(R-Orange Park)**

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**T**his bill includes language to reduce the amount of estimated tax payments from 66 percent to 60 percent of the current month's sales tax liability, and raises the threshold for making estimated payments from \$100,000 in sales tax payments in the previous year to \$200,000 in sales tax payments. This, will exclude 6,000 of the 12,000 businesses in Florida from having to remit the payments.

While this accounting maneuver solved the fiscal problem for the State, it created problems in the business community where many businesses had to borrow funds to be used to advance to the State because of credit sales and irregular monthly sales cycles. This provision was scheduled to be phased out over several years but was re-instituted in 1990, when once again there was a shortage of revenues and the State needed more money. Now, with plenty of recurring revenue, the businesses of Florida are thankful that the State reduced the amount of borrowing funds from every sales tax dealer on a recurring basis by modifying the estimated sales tax payment requirement.

The bill also provides for the surtax on alcoholic beverages consumed on the premises to be reduced by one-third. The Alcoholic Beverage Surcharge is a tax that was passed by the 1990 Legislature which singled out every restaurant, grill, bar, and any other establishment that was licensed to serve alcohol by the drink, to collect this very unjust tax.

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**CS/SB 172 Continued**


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This bill also includes the following provisions:

- Reduction of the statute of limitations for actions to collect taxes from 5 to 3 years for taxes due on or after July 1, 1999.
- Thirty day extension for filing of tangible personal property tax returns required to be granted by the property appraiser and an additional extension of 15 days may also be granted.
- Various provisions are implemented to prevent misuse of resale certificates, including annual verification of resale certificates.
- Interest on refunds and delinquent taxes shall be at the market rate.
- A moratorium is imposed on the new or increased school impact fees, and the Florida School Construction Finance Commission is created to study the use of school impact fees and alternative methods of funding school construction.

■ Record 2a: On March 10, 1999, the Senate Fiscal Resources Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

■ Record 2b: On March 30, 1999, the Senate passed the bill as amended by a vote of 37 yeas to 1 nay. A "yea" vote is a vote **for** the AIF position.

On March 30, 1999, the House passed the bill as amended by a vote of 118 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On March 30, 1999, the Senate refused to concur with the House amendments and a Conference Committee was appointed.

■ Record 2c: On April 21, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 37 yeas to 1 nay. A "yea" vote is a vote **for** the AIF position.

On April 27, 1999, the House passed the Conference Committee Report by a vote of 119 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

**CS/SB 172 passed both the House and Senate and is pending Governor action.**

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**CS/SB 318**  
**Intangible Personal**  
**Property Taxes by**  
**the Senate Fiscal**  
**Resource**  
**Committee and**  
**Senator Tom Lee**  
**(R-Brandon)**

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**T**he 1999 Legislature passed this bill that was the product of the Tax Reduction Conference Committee Report and includes the repeal of the second third of accounts receivable, which was a carry over promise from last year's Legislature.

The bill also includes provisions to reduce the tax rate for intangible personal property tax from 2 mills to 1.5 mills. Also, the bill allows limited liability companies to file consolidated intangibles tax returns as members of an affiliated group.

The intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes, among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable. AIF and the business community were very supportive of the second tier towards the final repeal of the intangibles tax.

■ Record 3a: On March 10, 1999, the Senate Fiscal Resources Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

■ Record 3b: On March 30, 1999, the Senate passed the bill as amended by a vote of 32 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

On March 30, 1999, the House passed the bill as amended by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 30, 1999, the Senate refused to concur with the House amendments and a Conference Committee was appointed.

■ Record 3c: On April 21, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 36 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On April 27, 1999, the House passed the Conference Report by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 318 passed both the House and Senate and is pending Governor action.**

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**CS/HB 397 Sales  
Tax Exemptions by  
the House Business  
Development &  
International Trade  
Committee and  
Representative  
Tom Feeney  
(R-Oviedo)**

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**A**IF supported legislation that will exempt from sales tax, repair parts and labor for machinery and equipment used to manufacture items of tangible personal property for sale.

In an effort to make Florida a more attractive place to manufacture items of tangible personal property for sale, this bill provides a sales tax exemption for labor charges for, and parts and materials used in, the repair of machinery and equipment used to produce tangible personal property at a fixed location by specified industries. The exemption is to be phased in over a four-year period and shall be applied as follows:

- Beginning July 1, 1999, 25 percent of such charges for repair parts and labor shall be exempt and an additional 25 percent each year until it is completely phased out by July 1, 2002.

Often, the machine or equipment was originally purchased tax exempt under the "New and Expanding Business" sales tax exemption, which encourages manufacturers to expand current manufacturing operations or locate new manufacturing operations in the state. Since the original equipment is purchased tax exempt, it seems logical to exempt from sales tax the repair parts, equipment, and labor charges used to keep the equipment running. It was imperative for Florida to remove this imbedded tax from the cost of goods manufactured here.

On March 3, 1999, the House Business Development & International Trade Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 16, 1999, the House Finance and Taxation Committee passed the bill favorably by a vote of 15 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 22, 1999, the House passed the bill by a vote of 113 yeas to 2 nays. A "yea" vote is a vote **for** the AIF position.

On April 27, 1999, the Senate substituted CS/HB 397 for CS/SB 992. CS/SB 992 was laid on the table.

- Record 4a: On April 28, 1999, the Senate passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

**CS/SB 397 passed both the House and Senate and is pending Governor action.**



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**CS/SB 770 Sales  
Tax Exemptions and  
Rates by the Senate  
Fiscal Resource  
Committee  
and Senator  
James Horne  
(R-Orange Park)**

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**T**his bill reduces the sales tax rate for commercial, non-residential use of telecommunications services from 7 to 6.5 percent. The bill also provides that sales tax on prepaid calling cards will be assessed at the point of sale of the card instead of at the point of usage.

Further the bill extends the sales tax exemption for rental fees for utility pole attachments to certain cellular and personal communications systems tower attachments.

AIF supported this legislation although it was not passed by the Legislature this session.

■ Record 5a: On April 14, 1999, the Senate Fiscal Resource Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 770 died in the Senate Regulated Industries Committee.**

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**CS/SB 992 Sales  
Tax Exemptions by  
the Senate Fiscal  
Resource Committee  
and Senator  
James Horne  
(R-Orange Park)**

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**A**IF supported legislation that will exempt from sales tax, repair parts and labor for machinery and equipment used to manufacture items of tangible personal property for sale.

In an effort to make Florida a more attractive place to manufacture items of tangible personal property for sale, this bill provides a sales tax exemption for labor charges for, and parts and materials used in, the repair of machinery and equipment used to produce tangible personal property at a fixed location by specified industries. The exemption is to be phased in over a four-year period and shall be applied as follows:

- Beginning July 1, 1999, 25 percent of such charges for repair parts and labor shall be exempt and an additional 25 percent each year until it is completely phased out by July 1, 2002.

Often, the machine or equipment was originally purchased tax exempt under the "New and Expanding Business" sales tax exemption, which encourages manufacturers to expand current manufacturing operations or locate new manufacturing operations in the state. Since the original equipment is purchased tax exempt, it seems logical to exempt from sales tax the repair parts, equipment, and labor charges used to keep the equipment running. It was imperative for Florida to remove this imbedded tax from the cost of goods manufactured here.

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**CS/SB 992 Continued**

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- Record 6a: On April 14, 1999, the Senate Fiscal Resource Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1999, the Senate substituted HB 397 for CS/SB 992.

**CS/SB 992 was laid on the table; refer to HB 397.**

# SENATE AVERAGE ON TAXATION = 97%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Alcoholic Beverage Surcharge	2a - Taxation	2b - Taxation	2c - Taxation	3a - Intangible Personal Property Taxes	3b - Intangible Personal Property Taxes	3c - Intangible Personal Property Taxes	4a - Sales Tax/Exemptions	5a - Sales Tax/Exemptions	6a - Sales Tax/Exemptions
5	0	100	Bronson (R)			F	F		F	F	F		
5	0	100	Brown-Waite (R)			F	F		F	F	F		
5	0	100	Burt (R)			F	F		F	F	F		
5	0	100	Campbell (D)			F	F		F	F	F		
7	0	100	Carlton (R)			F	F	F	F	F	F		F
5	0	100	Casas (R)			F	F		F	F	F		
5	0	100	Childers (R)			F	F		F	F	F		
5	0	100	Clary (R)			F	F		F	F	F		
5	0	100	Cowin (R)			F	F		F	F	F		
5	0	100	Dawson-White (D)			F	F		F	F	F		
4	0	100	Diaz-Balart (R)			F	F			F	F		
5	0	100	Dyer (D)			F	F		F	F	F		
8	2	80	Forman (D)	F	F	F	A	F	A	F	F	F	F
10	0	100	Geller (D)	F	F	F	F	F	F	F	F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Alcoholic Beverage Surcharge	2a - Taxation	2b - Taxation	2c - Taxation	3a - Intangible Personal Property Taxes	3b - Intangible Personal Property Taxes	3c - Intangible Personal Property Taxes	4a - Sales Tax/Exemptions	5a - Sales Tax/Exemptions	6a - Sales Tax/Exemptions
8	0	100	Grant (R)	F	F	F	F	F		F	F	F	
5	0	100	Gutman (R)	F				F			F	F	F
5	0	100	Hargrett (D)			F	F		F	F	F		
5	0	100	Holzendorf (D)			F	F		F	F	F		
10	0	100	Horne (R)	F	F	F	F	F	F	F	F	F	F
5	0	100	Jennings (R)			F	F		F	F	F		
3	0	100	Jones (D)			F			F		F		
5	0	100	King (R)			F	F		F	F	F		
5	0	100	Kirkpatrick (R)			F	F		F	F	F		
3	0	100	Klein (D)				F			F	F		
5	0	100	Kurth (D)			F	F		F	F	F		
4	1	80	Latvala (R)			A	F		F	F	F		
5	0	100	Laurent (R)			F	F		F	F	F		
5	0	100	Lee (R)			F	F		F	F	F		

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Alcoholic Beverage Surcharge	2a - Taxation	2b - Taxation	2c - Taxation	3a - Intangible Personal Property Taxes	3b - Intangible Personal Property Taxes	3c - Intangible Personal Property Taxes	4a - Sales Tax/Exemptions	5a - Sales Tax/Exemptions	6a - Sales Tax/Exemptions
8	0	100	McKay (R)	F	F	F	F	F	F	F	F		
5	0	100	Meek (D)			F	F		F	F	F		
3	2	60	Mitchell (D)			F	F		A	A	F		
4	1	80	Myers (R)			F	F		A	F	F		
5	0	100	Rossin (D)			F	F		F	F	F		
5	0	100	Saunders (R)			F	F		F	F	F		
5	0	100	Scott (R)			F	F		F	F	F		
10	0	100	Sebesta (R)	F	F	F	F	F	F	F	F	F	F
3	1	75	Silver (D)			F	F		A		F		
5	0	100	Sullivan (R)			F	F		F	F	F		
5	0	100	Thomas (D)			F	F		F	F	F		
5	0	100	Webster (R)			F	F		F	F	F		
215	7	97	<b>TOTAL/AVERAGE</b>										

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA SENATE**

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**UNEMPLOYMENT  
COMPENSATION**

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## UNEMPLOYMENT COMPENSATION

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**CS/SB 108**  
**Unemployment**  
**Compensation**  
**by the Senate**  
**Commerce &**  
**Economic**  
**Opportunities**  
**Committee**  
**and Senator**  
**John McKay**  
**(R-Bradenton)**

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**T**his bill provides an unemployment tax reduction of 0.5 percent for unemployment compensation tax rates for the year 2000 with certain exceptions. The bill also provides a 5 percent increase for weekly benefits for the first eight weeks of a claim during benefit years beginning January 1, 2000, through December 31, 2000, with a maximum weekly benefit of \$288.

The bill further clarifies disqualification benefits for voluntary quitting full-time, part-time, or temporary work, and reauthorizes the Florida Training Investment Program until June 30, 2002.

- Record 1a: On March 3, 1999, the Senate Commerce & Economic Opportunities Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On March 9, 1999, the Senate Fiscal Resource Committee passed the bill favorably by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 30, 1999, the Senate substituted HB 1951 for CS/SB 108.

CS/SB 108 was laid on the table; refer to HB 1951.



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**HB 1951**  
**Unemployment**  
**Compensation by**  
**the House Finance**  
**and Taxation**  
**Committee and**  
**Representative**  
**George Albright**  
**(R-Ocala)**

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**T**he bill provides an unemployment tax reduction of 0.5 percent for unemployment compensation tax rates for the year 2000 with certain exceptions. The bill also provides a 5 percent increase for weekly benefits for the first eight weeks of a claim during benefit years beginning January 1, 2000 through December 31, 2000 with a maximum weekly benefit of \$288.

The bill further clarifies disqualification benefits for voluntary quitting full time, part-time, or temporary work, and reauthorizes the Florida Training Investment Program until June 30, 2002.

On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-08 favorably by a vote of 15 yeas to 1 nays. A "yea" vote is a vote for the AIF position.

On March 19, 1999, PCB FT 99-08 became HB 1951.

On March 26, 1999, the House passed the bill by a vote of 117 yeas to 1 nay. A "yea" vote is a vote for the AIF position

- Record 2a: On March 30, 1999, the Senate substituted HB 1951 for CS/SB 108 and passed the bill by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1951 was signed by the Governor and became Law on April 15, 1999: refer to Ch. # 99-131, Laws of Florida.**

# SENATE AVERAGE ON UNEMPLOYMENT COMPENSATION = 100%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation
1	0	100	Bronson (R)			F
1	0	100	Brown-Waite (R)			F
1	0	100	Burt (R)			F
1	0	100	Campbell (D)			F
1	0	100	Carlton (R)			F
1	0	100	Casas (R)			F
1	0	100	Childers (R)			F
1	0	100	Clary (R)			F
1	0	100	Cowin (R)			F
2	0	100	Dawson-White (D)	F		F
			Diaz-Balart (R)			
1	0	100	Dyer (D)			F
2	0	100	Forman (D)		F	F
1	0	100	Geller (D)			F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation
3	0	100	Grant (R)	F	F	F
2	0	100	Gutman (R)	F	F	
1	0	100	Hargrett (D)			F
2	0	100	Holzendorf (D)	F		F
2	0	100	Horne (R)		F	F
1	0	100	Jennings (R)			F
1	0	100	Jones (D)			F
1	0	100	King (R)			F
2	0	100	Kirkpatrick (R)	F		F
1	0	100	Klein (D)	F		
1	0	100	Kurth (D)			F
1	0	100	Latvala (R)			F
1	0	100	Laurent (R)			F
1	0	100	Lee (R)			F

F - Vote for position of AIF • A - Vote against position of AIF

# SENATE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation
3	0	100	McKay (R)	F	F	F
1	0	100	Meek (D)			F
1	0	100	Mitchell (D)			F
1	0	100	Myers (R)			F
1	0	100	Rossin (D)			F
1	0	100	Saunders (R)			F
2	0	100	Scott (R)	F		F
1	0	100	Sebesta (R)			F
1	0	100	Silver (D)			F
1	0	100	Sullivan (R)			F
1	0	100	Thomas (D)			F
1	0	100	Webster (R)			F
50	0	100	<b>TOTAL/AVERAGE</b>			

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA SENATE**

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**WORKERS'  
COMPENSATION**

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## WORKERS' COMPENSATION

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### **SB 1246 Workers' Compensation Division by the Senate Banking and Insurance Committee**

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**T**he Division of Workers' Compensation, within the Department of Labor and Employment Security, has initiated efforts in the last few years to evaluate the feasibility of privatizing or outsourcing and streamlining certain functions. As a result, this proposal requires that certain responsibilities be contracted to the private sector and those positions within the division be eliminated, so that the division may operate in the most cost-effective and efficient manner.

The proposal authorizes the division to contract with independent examiners for the auditing of carriers and eliminates the sixteen positions within the division that were responsible for this function. It allows the division to audit a carrier on an as-needed basis, instead of the mandatory once every three years. It authorizes the division to contract with a third-party administrator for the payment of permanent total supplemental benefits to workers injured prior to July 1, 1984, and eliminates the positions within the division responsible for this function. The bill also authorizes the division to contract with the Florida Self-Insurers Guaranty Association, Inc. for the audit of individual self-insurers and eliminates the positions within the division. It transfers all powers, duties and funds of the division related to the enforcement of employer compliance to the Department of Insurance and the same relating to medical services and supplies to the Agency for Health Care Administration (AHCA). The proposal establishes an advisory council within the AHCA to evaluate the cost/benefits of the current medical data reporting requirements and to make recommendations to ensure that meaningful data is collected in a cost-effective manner. The bill also requires the Workers' Compensation Oversight Board to evaluate the cost/benefits and reporting requirements and make recommendations back to the Governor and the Legislature by January 1 of each year. Finally, the bill revises the annual report to require the reporting of such information in the most cost-effective manner.

- Record 1a: On February 16, 1999, the Senate Banking and Insurance Committee passed PCB BI 99-01 favorably by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On February 17, 1999, PCB BI 99-01 became SB 1246.

**SB 1246 died in the Senate Banking and Insurance Committee.**

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**CS/SB 1806**  
**Workers'**  
**Compensation by**  
**the Senate Fiscal**  
**Policy Committee**  
**and Senator**  
**Pat Thomas**  
**(D-Tallahassee)**

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**T**he bill as originally drafted was to expand the premium base, which serves as the basis to fund the Workers' Compensation Administrative Trust Fund (WCATF) and the Special Disability Trust Fund (SDTF). The bill defines the term "net direct written premium" to mean all premiums arising from workers' compensation policies issued by an insurer and includes ceded reinsurance premiums as well as the full premium value of the policy before applying any deductible amounts. The bill further changes the effective date of the assessment rates from July 1 to January 1 of each year.

The bill as amended in the Senate Fiscal Policy Committee includes language to delay the effective date until July 1, 2000, for sections 1, 2, and 3 of the bill and requires the Division of Workers' Compensation to report to the Legislature by January 1, 2000, with an estimate of the amount of the reduction in the assessment rate as needed to fund the expenses of the administration.

The committee substitute also creates a Workers' Compensation Rating Law Study Commission and provides for the study group to report its findings to the President of the Senate and the Speaker of the House by December 15, 1999. The commission would perform a study of Florida's Workers' Compensation rating law alternatives and make recommendations to the Legislature concerning the appropriate method for establishing rates and premiums for workers' compensation in Florida.

- Record 2a: On March 29, 1999, the Senate Banking and Insurance Committee passed the bill favorably as amended by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On April 19, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On April 28, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1806 died in messages to the House.**



# SENATE AVERAGE ON WORKERS' COMPENSATION = 100%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Workers' Compensation Division	2a - Workers' Compensation	2b - Workers' Compensation	2c - Workers' Compensation
1	0	100	Bronson (R)				F
3	0	100	Brown-Waite (R)		F	F	F
1	0	100	Burt (R)				F
3	0	100	Campbell (D)	F	F		F
1	0	100	Carlton (R)				F
3	0	100	Casas (R)		F	F	F
1	0	100	Childers (R)				F
1	0	100	Clary (R)				F
2	0	100	Cowin (R)			F	F
1	0	100	Dawson-White (D)				F
1	0	100	Diaz-Balart (R)				F
1	0	100	Dyer (D)				F
1	0	100	Forman (D)				F
3	0	100	Geller (D)	F	F		F

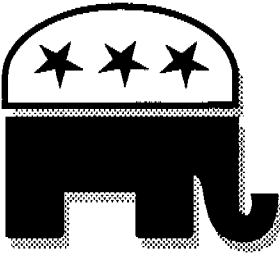
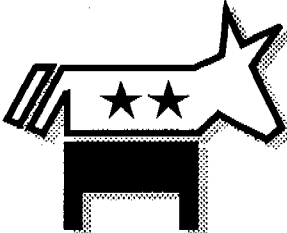
F - Vote for position of AIF • A - Vote against position of AIF

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**THE FLORIDA HOUSE  
OF REPRESENTATIVES  
1999 REGULAR SESSION  
RANKING AND RECORD ON ISSUES**

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# HOUSE — BY PARTY — 1999

PARTY	TOTAL VOTES	VOTES WITH AIF	VOTES AGAINST AIF	% OF VOTES WITH AIF
	2100	1972	128	94%
	1304	1016	288	78%

# HOUSE — BY RANK — 1999

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
28	0	100	Diaz de la Portilla (R)	1
23	0	100	Garcia (R)	1
25	0	100	Melvin (R)	1
28	0	100	Wallace (R)	1
28	1	97	Alexander (R)	5
29	1	97	Ball (R)	5
28	1	97	Barreiro (R)	5
29	1	97	Bense (R)	5
35	1	97	Brummer (R)	5
33	1	97	Cantens (R)	5
28	1	97	Flanagan (R)	5
28	1	97	Gay (R)	5
32	1	97	Hart (R)	5
29	1	97	Kilmer (R)	5
33	1	97	Ogles (R)	5
28	1	97	Patterson (R)	5
31	1	97	Posey (R)	5
32	1	97	Rojas (R)	5
28	1	97	Sorensen (R)	5
28	1	97	Trovillion (R)	5

# HOUSE — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
34	1	97	Waters (R)	5
25	1	96	Andrews (R)	22
23	1	96	Arnall (R)	22
26	1	96	Bainter (R)	22
25	1	96	Bitner (R)	22
26	1	96	Constantine (R)	22
25	1	96	Crist (R)	22
27	1	96	Dockery (R)	22
25	1	96	Feeney (R)	22
27	1	96	Fuller (R)	22
27	1	96	Goodlette (R)	22
27	1	96	Harrington (R)	22
26	1	96	Johnson (R)	22
26	1	96	Jones (R)	22
24	1	96	Littlefield (R)	22
22	1	96	Logan (D)	22
26	1	96	Lynn (R)	22
26	1	96	Miller, Jefferson (R)	22
25	1	96	Pruitt (R)	22
25	1	96	Putnam (R)	22

# House — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
26	1	96	Russell (R)	22
25	1	96	Sembler (R)	22
27	1	96	Smith, Kelley (D)	22
26	1	96	Starks (R)	22
25	1	96	Thrasher (R)	22
26	1	96	Tullis (R)	22
25	1	96	Valdes (R)	22
25	1	96	Villalobos (R)	22
27	1	96	Warner (R)	22
32	2	94	Albright (R)	50
29	2	94	Bilirakis (R)	50
26	2	93	Bronson (D)	52
25	2	93	Crow (R)	52
26	2	93	Edwards (D)	52
28	2	93	Kyle (R)	52
26	2	93	Maygarden (R)	52
25	2	93	Spratt (D)	52
25	2	93	Wise (R)	52
24	2	92	Argenziano (R)	59
33	3	92	Fasano (R)	59

# HOUSE — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
24	2	92	Kelly (R)	59
23	2	92	Lacasa (R)	59
24	2	92	Roberts (D)	59
30	3	91	Byrd (R)	64
27	3	90	Futch (R)	65
28	3	90	Peaden (R)	65
25	3	89	Detert (R)	67
25	3	89	Morroni (R)	67
7	1	88	Bullard (D)	69
28	4	88	Farkas (R)	69
26	4	87	Prieguez (R)	71
26	4	87	Sanderson (R)	71
25	4	86	Fiorentino (R)	73
30	5	86	Green (R)	73
25	4	86	Kosmas (D)	73
25	4	86	Murman (R)	73
30	5	86	Wiles (D)	73
23	4	85	Bradley (D)	78
23	4	85	Crady (D)	78
17	3	85	Eggelletion (D)	78



# HOUSE — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
23	4	85	Merchant (R)	78
22	4	85	Minton (D)	78
22	4	85	Ryan (D)	78
26	5	84	Hafner (D)	84
24	5	83	Brown (D)	85
25	5	83	Ritchie (D)	85
29	6	83	Stansel (D)	85
27	6	82	Casey (R)	88
23	5	82	Sublette (R)	88
23	5	82	Wilson (D)	88
22	5	81	Cosgrove (D)	91
20	5	80	Smith, Christopher (D)	92
20	5	80	Suarez (D)	92
24	6	80	Turnbull (D)	92
23	6	79	Boyd (D)	95
22	6	79	Henriquez (D)	95
25	7	78	Betancourt (D)	97
21	6	78	Greenstein (D)	97
21	6	78	Sobel (D)	97
23	7	77	Stafford (D)	100

# HOUSE — BY RANK — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
25	8	76	Goode (R)	101
21	7	75	Bloom (D)	102
21	7	75	Heyman (D)	102
21	7	75	Lawson (D)	102
20	7	74	Bush (D)	105
20	7	74	Hill (D)	105
17	6	74	Miller, Les (D)	105
25	9	74	Wasserman-Schultz (D)	105
20	8	71	Dennis (D)	109
19	8	70	Chestnut (D)	110
19	8	70	Frankel (D)	110
21	9	70	Reddick (D)	110
25	11	69	Gottlieb (D)	113
18	8	69	Ritter (D)	113
19	9	68	Levine (D)	115
19	10	66	Healey (D)	116
19	10	66	Rayson (D)	116
17	9	65	Effman (D)	118
16	11	59	Greene (D)	119
19	14	58	Jacobs (D)	120
<b>2988</b>	<b>416</b>	<b>88</b>	<b>TOTAL/AVERAGE</b>	

# HOUSE — BY ALPHABETICAL — 1999

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
32	2	94	Albright (R)	50
28	1	97	Alexander (R)	5
25	1	96	Andrews (R)	22
24	2	92	Argenziano (R)	59
23	1	96	Arnall (R)	22
26	1	96	Bainter (R)	22
29	1	97	Ball (R)	5
28	1	97	Barreiro (R)	5
29	1	97	Bense (R)	5
25	7	78	Betancourt (D)	97
29	2	94	Bilirakis (R)	50
25	1	96	Bitner (R)	22
21	7	75	Bloom (D)	102
23	6	79	Boyd (D)	95
23	4	85	Bradley (D)	78
26	2	93	Bronson (D)	52
24	5	83	Brown (D)	85
35	1	97	Brummer (R)	5
7	1	88	Bullard (D)	69
20	7	74	Bush (D)	105

**HOUSE — BY ALPHABETICAL — 1999 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
30	3	91	Byrd (R)	64
33	1	97	Cantens (R)	5
27	6	82	Casey (R)	88
19	8	70	Chestnut (D)	110
26	1	96	Constantine (R)	22
22	5	81	Cosgrove (D)	91
23	4	85	Crady (D)	78
25	1	96	Crist (R)	22
25	2	93	Crow (R)	52
20	8	71	Dennis (D)	109
25	3	89	Detert (R)	67
28	0	100	Diaz de la Portilla (R)	1
27	1	96	Dockery (R)	22
26	2	93	Edwards (D)	52
17	9	65	Effman (D)	118
17	3	85	Eggelletion (D)	78
28	4	88	Farkas (R)	69
33	3	92	Fasano (R)	59
25	1	96	Feeney (R)	22
25	4	86	Fiorentino (R)	73

**HOUSE — BY ALPHABETICAL — 1999 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
28	1	97	Flanagan (R)	5
19	8	70	Frankel (D)	110
27	1	96	Fuller (R)	22
27	3	90	Futch (R)	65
23	0	100	Garcia (R)	1
28	1	97	Gay (R)	5
25	8	76	Goode (R)	101
27	1	96	Goodlette (R)	22
25	11	69	Gottlieb (D)	113
30	5	86	Green (R)	73
16	11	59	Greene (D)	119
21	6	78	Greenstein (D)	97
26	5	84	Hafner (D)	84
27	1	96	Harrington (R)	22
32	1	97	Hart (R)	5
19	10	66	Healey (D)	116
22	6	79	Henriquez (D)	95
21	7	75	Heyman (D)	102
20	7	74	Hill (D)	105
19	14	58	Jacobs (D)	120

**HOUSE — BY ALPHABETICAL — 1999 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
26	1	96	Johnson (R)	22
26	1	96	Jones (R)	22
24	2	92	Kelly (R)	59
29	1	97	Kilmer (R)	5
25	4	86	Kosmas (D)	73
28	2	93	Kyle (R)	52
23	2	92	Lacasa (R)	59
21	7	75	Lawson (D)	102
19	9	68	Levine (D)	115
24	1	96	Littlefield (R)	22
22	1	96	Logan (D)	22
26	1	96	Lynn (R)	22
26	2	93	Maygarden (R)	52
25	0	100	Melvin (R)	1
23	4	85	Merchant (R)	78
26	1	96	Miller, Jefferson (R)	22
17	6	74	Miller, Les (D)	105
22	4	85	Minton (D)	78
25	3	89	Morrone (R)	67
25	4	86	Murman (R)	73



# HOUSE — BY ALPHABETICAL — 1999 (CONTINUED)

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
33	1	97	Ogles (R)	5
28	1	97	Patterson (R)	5
28	3	90	Peaden (R)	65
31	1	97	Posey (R)	5
26	4	87	Prieguez (R)	71
25	1	96	Pruitt (R)	22
25	1	96	Putnam (R)	22
19	10	66	Rayson (D)	116
21	9	70	Reddick (D)	110
25	5	83	Ritchie (D)	85
18	8	69	Ritter (D)	113
24	2	92	Roberts (D)	59
32	1	97	Rojas (R)	5
26	1	96	Russell (R)	22
22	4	85	Ryan (D)	78
26	4	87	Sanderson (R)	71
25	1	96	Sembler (R)	22
20	5	80	Smith, Christopher (D)	92
27	1	96	Smith, Kelley (D)	22
21	6	78	Sobel (D)	97

**HOUSE — BY ALPHABETICAL — 1999 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
28	1	97	Sorensen (R)	5
25	2	93	Spratt (D)	52
23	7	77	Stafford (D)	100
29	6	83	Stansel (D)	85
26	1	96	Starks (R)	22
20	5	80	Suarez (D)	92
23	5	82	Sublette (R)	88
25	1	96	Thrasher (R)	22
28	1	97	Trovillion (R)	5
26	1	96	Tullis (R)	22
24	6	80	Turnbull (D)	92
25	1	96	Valdes (R)	22
25	1	96	Villalobos (R)	22
28	0	100	Wallace (R)	1
27	1	96	Warner (R)	22
25	9	74	Wasserman-Schultz (D)	105
34	1	97	Waters (R)	5
30	5	86	Wiles (D)	73
23	5	82	Wilson (D)	88
25	2	93	Wise (R)	52
<b>2988</b>	<b>416</b>	<b>88</b>	<b>TOTAL/AVERAGE</b>	



**THE FLORIDA HOUSE**

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**CIVIL JUSTICE REFORM**

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# 1999 HOUSE VOTING KEYS

## CIVIL JUSTICE REFORM

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**HB 775 Civil Actions  
by the House  
Judiciary  
Committee and  
Representative  
Johnnie Bryd  
(R-Plant City)**

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**A**fter years of hard work, the business community has finally prevailed in the passage of a tort reform package. AIF was instrumental in the enactment of this legislation, the culmination of more than a decade's worth of work.

The tort reform package is comprehensive and addresses a number of issues related to personal injury and product liability lawsuits. The bill includes the following provisions:

- 12-year statute of repose for products other than airplanes, trains, and ships, which will have 20-year statutes of repose. A statute of repose is very important to product sellers and manufacturers because it completely bars filing a claim for products liability after the product has been in use for more than the specified amount of time.
- State-of-the-art defense and language clarifying subsequent remedial measures. This is very important to a product manufacturer or seller because it allows the jury to consider whether the product manufacturer used the state-of-the-art processes and materials when it designed the product. The clean-up of the subsequent remedial measures language is also very important. Under current law, the jury may hear evidence of remedial measures taken subsequent to an accident to repair the existence of a product defect. This clean-up language makes evidence of subsequent remedial measures inadmissible when the evidence is sought to prove the existence of a product defect.
- Government rules defense, which allows a jury to consider whether a product manufacturer or seller made its product pursuant to government rules.
- Immunity for liability for negligent hiring of employees if an employer interviews an employee or does a background check. (Please check the details of the bill to determine how you can gain immunity.) In addition, the bill gives immunity for giving job reference information about former or current employees. Prior to passage of this bill, employers only had immunity for giving job references on former employees.

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**HB 775 Continued**


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- Presumption against liability for damages occurring on the premises of a convenience store if the convenience store follows its statutory requirements for safety measures.
- Does not allow an intoxicated defendant to collect damages. The bill also precludes liability by a landowner for an intoxicated trespasser.
- Modification to liability for discovered and undiscovered trespassers, which will provide a defense to landowners when a trespasser is injured on their property.
- A person or organization owning or controlling an interest in real property shall not be held liable for negligence that results in the death of or injury or damage to a person who is attempting to commit a felony on the property.
- New limits on punitive damages. Specifically, it creates a two-tier cap system, together with an exception under which there would be no caps on punitive damages. The first tier doubles the earlier cap of \$250,000 on punitive damages up to \$500,000 on punitive damages. The second tier quadruples the cap to \$2 million (or four times compensatory damages), whichever is higher, if the wrongful conduct is both knowing and substantially egregious. The language also provides no caps if the defendant intended to harm the claimant. It also repeals vicarious liability for punitive damages and allows for a single award of punitive damages.
- New limits on joint and several liability and clarification of the Fabre decision. It limits joint and several liability in the following manner: Any defendant in a case where the plaintiff is also at fault, found 10 percent or less at fault shall have no joint and several liability. Any defendant in a case where the plaintiff is also at fault, found more than 10 percent, but less than 25 percent, at fault shall have joint and several liability up to \$200,000 in economic damages. Any defendant in a case where the plaintiff is also at fault, found at least 25 percent, but no more than 50 percent, at fault shall have joint and several liability for economic damages up to \$500,000. Any defendant in a case where the plaintiff is also at fault, found more than 50 percent at fault shall have joint and several liability for economic damages in excess of \$1 million. These caps are doubled when the plaintiff is found to be without fault.
- Modification of vicarious liability for auto owners and limits on their liability.

The bill contains a number of other small modifications to the tort liability system. All in all it is the most sweeping product and personal injury liability reform bill ever passed in Florida. The last attempt at reform was in the mid-1980's, and that law reformed the medical malpractice system.

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**HB 775 Continued**

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The business community spent literally thousands of hours of work on this bill.

- Record 1a: On February 3, 1999, the House Judiciary Committee passed PCB JUD 99-01 favorably by a vote of 7 yeas to 1 nay. A “yea” vote is a vote for the AIF position.

On February 15, 1999, PCB JUD 99-01 became HB 775.

- Record 1b: On March 10, 1999, the House passed the bill as amended by a vote of 86 yeas to 33 nays. A “yea” vote is a vote for the AIF position.

On March 10, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

On April 8, 1999, the House refused to concur with the Senate amendments and requested the Senate to recede.

On April 8, 1999, the Senate refused to concur with the House.

On April 13, 1999, the House and Senate appointed a conference committee.

- Record 1c: On April 30, 1999, the House passed the Conference Committee Report by a vote of 84 yeas to 33 nays. A “yea” vote is a vote for the AIF position.

On April 30, 1999, the Senate passed the Conference Committee Report by a vote of 25 yeas to 14 nays. A “yea” vote is a vote for the AIF position.

**HB 775 passed both the House and Senate and is pending Governor action.**

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM = 73%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
2	0	100	Albright (R)		F	F
2	0	100	Alexander (R)		F	F
1	0	100	Andrews (R)		F	
1	1	50	Argenziano (R)		F	A
2	0	100	Arnall (R)		F	F
2	0	100	Bainter (R)		F	F
2	0	100	Ball (R)		F	F
2	0	100	Barreiro (R)		F	F
3	0	100	Bense (R)	F	F	F
0	2	0	Betancourt (D)		A	A
2	0	100	Bilirakis (R)		F	F
2	0	100	Bitner (R)		F	F
0	2	0	Bloom (D)		A	A
2	0	100	Boyd (D)		F	F
2	0	100	Bradley (D)		F	F
2	0	100	Bronson (D)		F	F
0	2	0	Brown (D)		A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
3	0	100	Brummer (R)	F	F	F
			Bullard (D)			
0	2	0	Bush (D)		A	A
3	0	100	Byrd (R)	F	F	F
2	0	100	Cantens (R)		F	F
2	0	100	Casey (R)		F	F
0	2	0	Chestnut (D)		A	A
2	0	100	Constantine (R)		F	F
1	1	50	Cosgrove (D)		A	F
2	0	100	Crady (D)		F	F
2	0	100	Crist (R)		F	F
1	1	50	Crow (R)		A	F
0	2	0	Dennis (D)		A	A
2	0	100	Detert (R)		F	F
2	0	100	Diaz de la Portilla (R)		F	F
2	0	100	Dockery (R)		F	F
3	0	100	Edwards (D)	F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
0	2	0	Effman (D)		A	A
2	0	100	Eggelletion (D)		F	F
2	0	100	Farkas (R)		F	F
0	2	0	Fasano (R)		A	A
2	0	100	Feeney (R)		F	F
2	0	100	Fiorentino (R)		F	F
3	0	100	Flanagan (R)	F	F	F
0	2	0	Frankel (D)		A	A
2	0	100	Fuller (R)		F	F
2	0	100	Futch (R)		F	F
2	0	100	Garcia (R)		F	F
2	0	100	Gay (R)		F	F
2	0	100	Goode (R)		F	F
2	0	100	Goodlette (R)		F	F
0	2	0	Gottlieb (D)		A	A
2	0	100	Green (R)		F	F
0	2	0	Greene (D)		A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
0	2	0	Greenstein (D)		A	A
2	0	100	Hafner (D)		F	F
2	0	100	Harrington (R)		F	F
2	0	100	Hart (R)		F	F
0	2	0	Healey (D)		A	A
0	2	0	Henriquez (D)		A	A
0	2	0	Heyman (D)		A	A
0	2	0	Hill (D)		A	A
0	2	0	Jacobs (D)		A	A
2	0	100	Johnson (R)		F	F
2	0	100	Jones (R)		F	F
2	0	100	Kelly (R)		F	F
2	0	100	Kilmer (R)		F	F
2	0	100	Kosmas (D)		F	F
2	0	100	Kyle (R)		F	F
2	0	100	Lacasa (R)		F	F
0	2	0	Lawson (D)		A	A

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
0	3	0	Levine (D)	A	A	A
2	0	100	Littlefield (R)		F	F
1	0	100	Logan (D)		F	
2	0	100	Lynn (R)		F	F
2	0	100	Maygarden (R)		F	F
2	0	100	Melvin (R)		F	F
2	0	100	Merchant (R)		F	F
2	0	100	Miller, Jefferson (R)		F	F
0	2	0	Miller, Les (D)		A	A
2	0	100	Minton (D)		F	F
2	0	100	Morrone (R)		F	F
0	2	0	Murman (R)		A	A
2	0	100	Ogles (R)		F	F
2	0	100	Patterson (R)		F	F
3	0	100	Peadar (R)	F	F	F
2	0	100	Posey (R)		F	F
0	2	0	Prieguez (R)		A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	Ia - Civil Actions	Ib - Civil Actions	Ic - Civil Actions
2	0	100	Pruitt (R)		F	F
2	0	100	Putnam (R)		F	F
0	2	0	Rayson (D)		A	A
0	2	0	Reddick (D)		A	A
1	1	50	Ritchie (D)		A	F
0	2	0	Ritter (D)		A	A
1	1	50	Roberts (D)		F	A
3	0	100	Rojas (R)	F	F	F
2	0	100	Russell (R)		F	F
2	0	100	Ryan (D)		F	F
2	0	100	Sanderson (R)		F	F
2	0	100	Sembler (R)		F	F
2	0	100	Smith, Christopher (D)		F	F
2	0	100	Smith, Kelley (D)		F	F
0	2	0	Sobel (D)		A	A
2	0	100	Sorensen (R)		F	F
2	0	100	Spratt (D)		F	F
0	2	0	Stafford (D)		A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON CIVIL JUSTICE REFORM (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Civil Actions	1b - Civil Actions	1c - Civil Actions
2	0	100	Stansel (D)		F	F
2	0	100	Starks (R)		F	F
0	2	0	Suarez (D)		A	A
0	2	0	Sublette (R)		A	A
2	0	100	Thrasher (R)		F	F
2	0	100	Trovillion (R)		F	F
2	0	100	Tullis (R)		F	F
2	0	100	Turnbull (D)		F	F
2	0	100	Valdes (R)		F	F
2	0	100	Villalobos (R)		F	F
2	0	100	Wallace (R)		F	F
2	0	100	Warner (R)		F	F
0	2	0	Wasserman-Schultz (D)		A	A
2	0	100	Waters (R)		F	F
2	0	100	Wiles (D)		F	F
1	1	50	Wilson (D)		F	A
2	0	100	Wise (R)		F	F
<b>177</b>	<b>67</b>	<b>73</b>	<b>TOTAL/AVERAGE</b>			

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA HOUSE**

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## **EDUCATION**

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## EDUCATION

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**CS/HB 751 High-Quality Education System by the House Select Committee on Transforming Florida Schools and Representative Alex Diaz de la Portilla (R-Miami)**

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**C**S/HB 751, the Bush/Brogan A+ Education Plan, was the Governor's number one legislative priority. With this bill, Florida sets a new standard for comprehensive, child centered educational reform. The Bush/Brogan Education Program includes accountability, rewarding success, correcting failure, providing opportunity scholarships, and improving school safety and discipline.

The eight key components of the A+ Education Plan are:

- **Additional Funding for K-12 School** — \$800 million to be used to help students meet promotion standards, to award high performing and improving schools, to help students read on grade level, to help teachers meet high standards, to reward teachers for National Board Certification, for school safety programs, for textbooks and instructional materials, and to cover shortfalls in construction funds.
- **Higher Standards and Expanded Testing** — Current testing is being expanded from grades four, five, eight, and ten to all grades three through ten, with new tests to measure learning from year to year and to become an educational accountability system.
- **Grade Schools and Report Progress** — The Bush/Brogan plan proposes that all schools receive a report card graded from A to F as to how well the school performs each year.
- **End Social Promotion** — The policy of being promoted without demonstrating achievement will be eliminated in Florida's public schools; and schools will be given funds to support initiative programs to improve students reading, writing, and mathematic skills.
- **Reward Schools for Improvement** — Schools that receive an A and improve at least one grade based on student achievement, attendance, drop out rate, discipline, and college readiness will be rewarded with up to \$100.00 per student.
- **Opportunity Scholarships** — Schools performing at failing level will be given two years to improve during which they will receive financial and technical assistance. If the school fails to improve beyond an F in those two years, it will be subject to changes directed by the Board of Education. The A+ Plan proposes that parents will be offered an opportunity scholarship to send their children to a higher performing public or private school of their choice.

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**CS/HB 751 Continued**


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• **Higher Standards for Educators** — The Bush/Brogan Plan increases standards for education professionals at every level. The State Board of Education will be directed to reassess and reset passing scores on teacher examinations to ensure that entering teachers have mastery of college level skills in reading, writing, and mathematics.

• **Improve School Safety** — The Bush/Brogan Plan requires all schools to develop school improvement plans that include specific measures for improving school discipline and safety.

An educated populous is essential to the political and economic health of the State of Florida, and the ability to do business in Florida depends on the quality of education in Florida. Education is a fact of doing business in Florida.

AIF supports a neutral school choice program to provide Florida residents with the opportunities to have their children educated at the school of their choice, by allowing the State to defray the cost of educational expense incurred by parents, regardless of the type of school children attend.

■ **Record 1a:** On March 3, 1999, the House Select Committee on Transforming Florida Schools passed the bill favorably as a committee substitute combining HB 753 and HB 755 into CS/HB 751 by a vote of 16 yeas to 8 nays. A “yea” vote is a vote **for** the AIF position.

■ **Record 1b:** On March 16, 1999, the House Education Committee passed the bill favorably as amended by a vote of 9 yeas to 5 nays. A “yea” vote is a vote **for** the AIF position.

■ **Record 1c:** On March 25, 1999, the House passed the bill as amended by a vote of 71 yeas to 49 nays. A “yea” vote is a vote **for** the AIF position.

On April 16, 1999, the Senate passed the bill as amended by a vote of 26 yeas to 14 nays. A “yea” vote is a vote **for** the AIF position.

On April 21, 1999, the House refused to concur with the Senate amendments and a conference committee was appointed.

On April 22, 1999, the Senate refused to recede and a conference committee was appointed.

■ **Record 1d:** On April 28, 1999, the House passed the Conference Committee Report by a vote of 70 yeas to 48 nays. A “yea” vote is a vote **for** the AIF position.

On April 30, 1999, the Senate passed the Conference Committee Report by a vote of 25 yeas to 15 nays. A “yea” vote is a vote **for** the AIF position.

**CS/HB 751 passed both the House and Senate and is pending Governor action.**

# HOUSE AVERAGE ON EDUCATION = 60%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
2	0	100	Albright (R)			F	F
4	0	100	Alexander (R)	F	F	F	F
3	0	100	Andrews (R)	F		F	F
2	0	100	Argenziano (R)			F	F
2	0	100	Arnall (R)			F	F
2	0	100	Bainter (R)			F	F
2	0	100	Ball (R)			F	F
2	0	100	Barreiro (R)			F	F
2	0	100	Bense (R)			F	F
0	2	0	Betancourt (D)			A	A
0	2	0	Bilirakis (R)			A	A
2	0	100	Bitner (R)			F	F
0	2	0	Bloom (D)			A	A
0	2	0	Boyd (D)			A	A
0	2	0	Bradley (D)			A	A
2	0	100	Bronson (D)			F	F
1	1	50	Brown (D)			F	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
2	0	100	Brummer (R)			F	F
0	1	0	Bullard (D)			A	
0	3	0	Bush (D)	A		A	A
2	0	100	Byrd (R)			F	F
3	0	100	Cantens (R)	F		F	F
0	2	0	Casey (R)			A	A
0	3	0	Chestnut (D)		A	A	A
3	0	100	Constantine (R)		F	F	F
0	2	0	Cosgrove (D)			A	A
0	3	0	Crady (D)	A		A	A
2	0	100	Crist (R)			F	F
2	0	100	Crow (R)			F	F
0	3	0	Dennis (D)		A	A	A
0	2	0	Detert (R)			A	A
4	0	100	Diaz de la Portilla (R)	F	F	F	F
2	0	100	Dockery (R)			F	F
0	2	0	Edwards (D)			A	A

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
0	2	0	Effman (D)			A	A
0	2	0	Eggelletion (D)			A	A
3	0	100	Farkas (R)	F		F	F
2	0	100	Fasano (R)			F	F
3	0	100	Feeney (R)	F		F	F
0	3	0	Fiorentino (R)		A	A	A
2	0	100	Flanagan (R)			F	F
0	2	0	Frankel (D)			A	A
2	0	100	Fuller (R)			F	F
2	0	100	Futch (R)			F	F
2	0	100	Garcia (R)			F	F
2	0	100	Gay (R)			F	F
0	2	0	Goode (R)			A	A
2	0	100	Goodlette (R)			F	F
0	3	0	Gottlieb (D)	A		A	A
0	2	0	Green (R)			A	A
0	2	0	Greene (D)			A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
0	2	0	Greenstein (D)			A	A
0	2	0	Hafner (D)			A	A
2	0	100	Harrington (R)			F	F
2	0	100	Hart (R)			F	F
0	2	0	Healey (D)			A	A
0	3	0	Henriquez (D)	A		A	A
0	2	0	Heyman (D)			A	A
0	2	0	Hill (D)			A	A
0	2	0	Jacobs (D)			A	A
2	0	100	Johnson (R)			F	F
3	0	100	Jones (R)	F		F	F
2	0	100	Kelly (R)			F	F
3	0	100	Kilmer (R)	F		F	F
0	2	0	Kosmas (D)			A	A
2	0	100	Kyle (R)			F	F
4	0	100	Lacasa (R)	F	F	F	F
0	2	0	Lawson (D)			A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
0	2	0	Levine (D)			A	A
2	0	100	Littlefield (R)			F	F
3	0	100	Logan (D)	F		F	F
4	0	100	Lynn (R)	F	F	F	F
2	0	100	Maygarden (R)			F	F
4	0	100	Melvin (R)	F	F	F	F
2	0	100	Merchant (R)			F	F
2	0	100	Miller, Jefferson (R)			F	F
0	1	0	Miller, Les (D)			A	
0	2	0	Minton (D)			A	A
0	2	0	Morrone (R)			A	A
2	0	100	Murman (R)			F	F
2	0	100	Ogles (R)			F	F
3	0	100	Patterson (R)	F		F	F
2	0	100	Peaden (R)			F	F
3	0	100	Posey (R)		F	F	F
2	0	100	Prieguez (R)			F	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
2	0	100	Pruitt (R)			F	F
2	0	100	Putnam (R)			F	F
0	3	0	Rayson (D)		A	A	A
0	2	0	Reddick (D)			A	A
0	3	0	Ritchie (D)	A		A	A
0	2	0	Ritter (D)			A	A
3	0	100	Roberts (D)	F		F	F
2	0	100	Rojas (R)			F	F
2	0	100	Russell (R)			F	F
0	3	0	Ryan (D)	A		A	A
2	0	100	Sanderson (R)			F	F
2	0	100	Sembler (R)			F	F
0	2	0	Smith, Christopher (D)			A	A
2	0	100	Smith, Kelley (D)			F	F
0	2	0	Sobel (D)			A	A
3	0	100	Sorensen (R)	F		F	F
2	1	67	Spratt (D)	A		F	F
0	2	0	Stafford (D)			A	A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON EDUCATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - High Quality Education System	1b - High Quality Education System	1c - High Quality Education System	1d - High Quality Education System
0	2	0	Stansel (D)			A	A
2	0	100	Starks (R)			F	F
0	2	0	Suarez (D)			A	A
2	0	100	Sublette (R)			F	F
2	0	100	Thrasher (R)			F	F
2	0	100	Trovillion (R)			F	F
2	0	100	Tullis (R)			F	F
0	3	0	Turnbull (D)		A	A	A
2	0	100	Valdes (R)			F	F
2	0	100	Villalobos (R)			F	F
2	0	100	Wallace (R)			F	F
4	0	100	Warner (R)	F	F	F	F
0	2	0	Wasserman-Schultz (D)			A	A
2	0	100	Waters (R)			F	F
0	3	0	Wiles (D)	A		A	A
0	2	0	Wilson (D)			A	A
3	0	100	Wise (R)		F	F	F
166	110	60	<b>TOTAL/AVERAGE</b>				

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**ELECTIONS**

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## ELECTIONS

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**CS/CS/HB 559**  
**Campaign Financing**  
**by the House**  
**Governmental**  
**Operations**  
**Committee, the**  
**Election Reform**  
**Committee,**  
**Representative**  
**Nancy Detert**  
**(R-Venice),**  
**Representative**  
**Marjorie Turnbull**  
**(R-Tallahassee) and**  
**Representative**  
**Willie Logan**  
**(D-Opa Locka)**

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**A**IF supports reasonable and effective election reform measures. At the present time, AIF does not see the need for far reaching or radical changes to the election and campaign laws that govern the State of Florida.

The CS/CS/HB 559 related specifically to campaign financing and proposed to make changes to Chapter 106, F.S. The bill would have expanded the definition of "political committee" to include any group which anticipates making expenditures in excess of \$500 in a calendar year on political advertising in support of, or in opposition to, an elected official. Committees of Continuing Existence (CCE's) will now be required to register as political committees if any expenditure is made in support of, or in opposition to, an elected official. These changes would effectively require these groups to register and file campaign contribution reports as currently required of political committees.

The bill would have expanded the definition of "political advertisement" to target "issue ads" by requiring any paid expression in a communication media which mentions or shows a clearly identifiable candidate for election or reelection and is distributed at any point during the election cycle to be reported and disclosed.

The bill provided that "3-pack" advertisements must include substantially equal time, equal space, or service, for these type of ads to fall outside the scope of contribution limits. Nonetheless, "3 pack" ads must be reported by both the candidate and the party however, by implication, excludes political committees.

Lastly, the bill required more stringent reporting requirements for political committees and CCE's with respect to groups who organize the committee. It also provided a time-frame for committees to comply and penalties.

- Record 1a: On March 22, 1999, the House Election Reform Committee passed the bill favorably as a committee substitute combining HB 171 and HB 565 into CS/HB 559 by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 14, 1999, the House Governmental Operations Committee passed the bill favorably as a committee substitute by a vote of 3 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 559 died in the Government Rules and Regulation Committee.**

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### **SB 710 Primary Elections by the Senate Ethics and Elections Committee**

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**T**his bill provided that if all candidates for an office are seeking the nomination of the same party and there is no opposition in the general election, except from a write-in candidate, all registered voters may vote for that office in the first primary election and, if necessary, in the general election. The offices shall be placed under the heading of "Universal Primary" in the order determined by the Department of State.

On January 7, 1999, the Senate Ethics and Elections Committee passed PCB EE 99-05 favorably by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On January 13, 1999, PCB EE 99-05 became SB 710.

On February 17, 1999, the Senate Ethics and Elections Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 7, 1999, the Senate passed the bill favorably by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 30, 1999, the House passed the bill as amended by a vote of 111 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

**SB 710 died in messages to the Senate.**

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### **SB 754 Elections by the Senate Ethics and Elections Committee**

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**T**his bill implements the Constitution Revision Commission's Amendment 11, which was approved by Florida voters in the November 1998 elections to provide equal ballot access for all candidates regardless of party affiliation.

The bill provides that the ballot access requirements for minor party candidates and candidates with no party affiliation be equal to those requirements for a candidate of a majority political party.

On January 7, 1999, the Senate Ethics and Elections Committee passed PCB EE 99-03 favorably by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On January 20, 1999, PCB EE 99-03 became SB 754.

On February 17, 1999, the Senate Ethics and Elections Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 7, 1999, the Senate passed the bill favorably by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 27, 1999, the House passed the bill by a vote of 114 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**SB 754 passed both the House and Senate and is pending Governor action.**



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**HB 819 Presidential  
Preference Primary  
by Representative  
Jerry Maygarden  
(R- Pensacola)**

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**A**IF supports reasonable and effective election reform measures. At the present time, AIF does not see the need for far-reaching or radical changes to the election and campaign laws that govern the State of Florida.

The bill addressed a number of election issues, including the presidential preference primary date, campaign finance, the allocation of candidate filing fees, voter fraud, and absentee balloting. The bill would have also moved the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March, in each year the number of which is a multiple of 4.

The bill required that the deposits of filing fees from minor party candidates, judicial candidates, nonpartisan school board candidates, and candidates with no party affiliation shall be deposited into the Election Commission Trust Fund.

The bill also required an elector voting by absentee to sign the Voter's Certificate and print their name and the name of a witness and witness identification information.

Regarding campaign finance, the bill clarified several provisions of Chapter 106, F.S. relating to the definition of "contribution", limitations on contributions intended to fund independent expenditures, and prohibitions against the use of state workers for campaign purposes.

The bill as originally filed, specifically was related to changing the date of the presidential preference primary from the second Tuesday in March to the first Tuesday in March of each year, and AIF supported this effort. But as amended, the bill would cap campaign contributions to the party at \$5,000 in the last thirty days of an election. AIF opposed any cap on campaign contributions to Florida's political parties.

■ Record 4a: On March 8, 1999, the House Election Reform Committee passed the bill favorably as amended by a vote of 7 yeas to 1 nay. A "yea" vote is a vote **for** the AIF position.

■ Record 4b: On March 17, 1999, the House passed the bill as amended by a vote of 100 yeas to 15 nays. A "yea" vote is a vote **for** the AIF position.

On April 27, 1999, the Senate substituted HB 819 for SB 1782. SB 1782 was laid on the table.

On April 28, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" is a vote **against** the AIF position.

**HB 819 died in messages to the House.**

# HOUSE AVERAGE ON ELECTIONS = 95%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
3	0	100	Albright (R)			F	F		F
3	0	100	Alexander (R)			F	F		F
3	0	100	Andrews (R)			F	F		F
3	0	100	Argenziano (R)			F	F		F
2	0	100	Arnall (R)			F			F
3	0	100	Bainter (R)			F	F		F
4	0	100	Ball (R)		F	F	F		F
3	0	100	Barreiro (R)			F	F		F
3	0	100	Bense (R)			F	F		F
2	0	100	Betancourt (D)			F	F		
3	0	100	Bilirakis (R)			F	F		F
3	0	100	Bitner (R)			F	F		F
3	0	100	Bloom (D)			F	F		F
3	0	100	Boyd (D)			F	F		F
3	0	100	Bradley (D)			F	F		F
3	0	100	Bronson (D)			F	F		F
4	1	80	Brown (D)	F		A	F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
3	0	100	Brummer (R)			F	F		F
			Bullard (D)						
3	0	100	Bush (D)			F	F		F
3	0	100	Byrd (R)			F	F		F
3	0	100	Cantens (R)			F	F		F
3	0	100	Casey (R)			F	F		F
3	0	100	Chestnut (D)			F	F		F
3	0	100	Constantine (R)			F	F		F
3	0	100	Cosgrove (D)			F	F		F
2	0	100	Crady (D)			F			F
3	0	100	Crist (R)			F	F		F
4	0	100	Crow (R)	F		F	F		F
3	0	100	Dennis (D)			F	F		F
5	0	100	Detert (R)	F		F	F	F	F
4	0	100	Diaz de la Portilla (R)	F		F	F		F
3	0	100	Dockery (R)			F	F		F
3	0	100	Edwards (D)			F	F		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
1	1	50	Effman (D)				F		A
2	0	100	Eggelletion (D)				F		F
3	0	100	Farkas (R)			F	F		F
4	0	100	Fasano (R)		F	F	F		F
2	0	100	Feeney (R)			F			F
3	0	100	Fiorentino (R)			F	F		F
5	0	100	Flanagan (R)	F		F	F	F	F
2	1	67	Frankel (D)			F	F		A
3	0	100	Fuller (R)			F	F		F
3	2	60	Futch (R)	F		F	F	A	A
3	0	100	Garcia (R)			F	F		F
3	0	100	Gay (R)			F	F		F
3	0	100	Goode (R)			F	F		F
5	0	100	Goodlette (R)	F		F	F	F	F
2	1	67	Gottlieb (D)			F	F		A
3	0	100	Green (R)			F	F		F
2	2	50	Greene (D)		A	F	F		A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
2	1	67	Greenstein (D)			F	F		A
3	0	100	Hafner (D)			F	F		F
3	0	100	Harrington (R)			F	F		F
3	0	100	Hart (R)			F	F		F
2	1	67	Healey (D)			F	F		A
4	0	100	Henriquez (D)	F			F	F	F
3	0	100	Heyman (D)			F	F		F
3	0	100	Hill (D)			F	F		F
2	1	67	Jacobs (D)			F	F		A
3	0	100	Johnson (R)			F	F		F
3	0	100	Jones (R)			F	F		F
3	0	100	Kelly (R)			F	F		F
3	0	100	Kilmer (R)			F	F		F
3	0	100	Kosmas (D)			F	F		F
3	0	100	Kyle (R)			F	F		F
3	0	100	Lacasa (R)			F	F		F
3	0	100	Lawson (D)			F	F		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
3	0	100	Levine (D)			F	F		F
3	0	100	Littlefield (R)			F	F		F
2	0	100	Logan (D)				F		F
3	0	100	Lynn (R)			F	F		F
4	0	100	Maygarden (R)	F		F	F		F
1	0	100	Melvin (R)				F		
3	0	100	Merchant (R)			F	F		F
3	0	100	Miller, Jefferson (R)			F	F		F
1	1	50	Miller, Les (D)			F			A
3	0	100	Minton (D)			F	F		F
3	0	100	Morrone (R)			F	F		F
3	0	100	Murman (R)			F	F		F
3	0	100	Ogles (R)			F	F		F
3	0	100	Patterson (R)			F	F		F
3	0	100	Peaden (R)			F	F		F
4	0	100	Posey (R)		F	F	F		F
3	0	100	Prieguez (R)			F	F		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
3	0	100	Pruitt (R)			F	F		F
3	0	100	Putnam (R)			F	F		F
2	1	67	Rayson (D)			F	F		A
2	1	67	Reddick (D)			F	F		A
3	0	100	Ritchie (D)			F	F		F
1	2	33	Ritter (D)			A	F		A
3	0	100	Roberts (D)			F	F		F
2	0	100	Rojas (R)			F			F
3	0	100	Russell (R)			F	F		F
2	1	67	Ryan (D)			F	F		A
3	0	100	Sanderson (R)			F	F		F
3	0	100	Sembler (R)			F	F		F
2	0	100	Smith, Christopher (D)			F	F		
3	0	100	Smith, Kelley (D)			F	F		F
1	1	50	Sobel (D)				F		A
3	0	100	Sorensen (R)			F	F		F
3	0	100	Spratt (D)			F	F		F
5	0	100	Stafford (D)	F		F	F	F	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ELECTIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Campaign Financing	1b - Campaign Financing	2a - Primary Elections	3a - Elections	4a - Presidential Preference Primary	4b - Presidential Preference Primary
3	0	100	Stansel (D)			F	F		F
4	0	100	Starks (R)	F		F	F		F
3	0	100	Suarez (D)			F	F		F
3	0	100	Sublette (R)			F	F		F
3	0	100	Thrasher (R)			F	F		F
3	0	100	Trovillion (R)			F	F		F
3	0	100	Tullis (R)			F	F		F
3	0	100	Turnbull (D)			F	F		F
2	0	100	Valdes (R)			F	F		
3	0	100	Villalobos (R)			F	F		F
3	0	100	Wallace (R)			F	F		F
3	0	100	Warner (R)			F	F		F
2	1	67	Wasserman-Schultz (D)			F	F		A
3	0	100	Waters (R)			F	F		F
3	0	100	Wiles (D)			F	F		F
5	0	100	Wilson (D)	F		F	F	F	F
3	0	100	Wise (R)			F	F		F
<b>347</b>	<b>19</b>	<b>95</b>	<b>TOTAL/AVERAGE</b>						

F - Vote for position of AIF • A - Vote against position of AIF



**THE FLORIDA HOUSE**

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**ENVIRONMENTAL**

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## ENVIRONMENTAL

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**CS/CS/SB 1270  
Traffic Control/  
DHSMV by the  
Senate Fiscal Policy  
Committee, the  
Transportation  
Committee and  
Senator Roberto  
Casas (R-Hialeah)**

---

**T**his bill contains provisions to extend the current air emissions inspection program until new contracts from competitive proposals can be entered into. The bill also eliminates the inspection program for newer cars and reduces inspections to every other year for cars more than three years old. The inspection fee is capped at \$19 biannually instead of \$10 annually.

AIF supports maintaining auto air emissions testing to protect air quality attainment so that Florida business and industries are not unduly impacted by any new EPA requirements.

The bill also contains numerous changes to provisions of the law relating to programs administered by the Department of Highway Safety and Motor Vehicles (DHSMV). Substantive issues include traffic control, highway safety, motor vehicles, drivers licenses and vessels.

On March 11, 1999, the Senate Transportation Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 14, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

On April 23, 1999, the Senate passed the bill as amended by a vote of 38 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

- Record: On April 30, 1999, the House passed the bill as amended by a vote of 113 yeas to 4 nays. A "yea" vote is a vote **for** the AIF position.

On April 30, 1999, the Senate concurred in the House amendments and passed the bill by a vote of 30 yeas to 7 nays. A "yea" vote is a vote **for** the AIF position.

**CS/CS/SB 1270 passed both the House and Senate and is pending Governor action.**

# HOUSE AVERAGE ON ENVIRONMENTAL = 97%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Albright (R)	F
1	0	100	Alexander (R)	F
1	0	100	Andrews (R)	F
1	0	100	Argenziano (R)	F
1	0	100	Arnall (R)	F
1	0	100	Bainter (R)	F
1	0	100	Ball (R)	F
1	0	100	Barreiro (R)	F
1	0	100	Bense (R)	F
1	0	100	Betancourt (D)	F
1	0	100	Bilirakis (R)	F
1	0	100	Bitner (R)	F
1	0	100	Bloom (D)	F
1	0	100	Boyd (D)	F
1	0	100	Bradley (D)	F
1	0	100	Bronson (D)	F
1	0	100	Brown (D)	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Brummer (R)	F
			Bullard (D)	
1	0	100	Bush (D)	F
1	0	100	Byrd (R)	F
1	0	100	Cantens (R)	F
1	0	100	Casey (R)	F
1	0	100	Chestnut (D)	F
1	0	100	Constantine (R)	F
1	0	100	Cosgrove (D)	F
1	0	100	Crady (D)	F
1	0	100	Crist (R)	F
1	0	100	Crow (R)	F
1	0	100	Dennis (D)	F
1	0	100	Detert (R)	F
1	0	100	Diaz de la Portilla (R)	F
1	0	100	Dockery (R)	F
1	0	100	Edwards (D)	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Effman (D)	F
			Eggelletion (D)	
1	0	100	Farkas (R)	F
1	0	100	Fasano (R)	F
1	0	100	Feeney (R)	F
1	0	100	Fiorentino (R)	F
			Flanagan (R)	
1	0	100	Frankel (D)	F
1	0	100	Fuller (R)	F
1	0	100	Futch (R)	F
1	0	100	Garcia (R)	F
1	0	100	Gay (R)	F
0	1	0	Goode (R)	A
1	0	100	Goodlette (R)	F
1	0	100	Gottlieb (D)	F
1	0	100	Green (R)	F
1	0	100	Greene (D)	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Greenstein (D)	F
1	0	100	Hafner (D)	F
1	0	100	Harrington (R)	F
1	0	100	Hart (R)	F
1	0	100	Healey (D)	F
1	0	100	Henriquez (D)	F
1	0	100	Heyman (D)	F
1	0	100	Hill (D)	F
1	0	100	Jacobs (D)	F
1	0	100	Johnson (R)	F
1	0	100	Jones (R)	F
0	1	0	Kelly (R)	A
1	0	100	Kilmer (R)	F
1	0	100	Kosmas (D)	F
1	0	100	Kyle (R)	F
0	1	0	Lacasa (R)	A
1	0	100	Lawson (D)	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Levine (D)	F
1	0	100	Littlefield (R)	F
1	0	100	Logan (D)	F
1	0	100	Lynn (R)	F
1	0	100	Maygarden (R)	F
1	0	100	Melvin (R)	F
1	0	100	Merchant (R)	F
1	0	100	Miller, Jefferson (R)	F
1	0	100	Miller, Les (D)	F
1	0	100	Minton (D)	F
1	0	100	Morrone (R)	F
1	0	100	Murman (R)	F
1	0	100	Ogles (R)	F
1	0	100	Patterson (R)	F
1	0	100	Peaden (R)	F
1	0	100	Posey (R)	F
1	0	100	Prieguez (R)	F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Pruitt (R)	F
1	0	100	Putnam (R)	F
1	0	100	Rayson (D)	F
1	0	100	Reddick (D)	F
1	0	100	Ritchie (D)	F
1	0	100	Ritter (D)	F
1	0	100	Roberts (D)	F
1	0	100	Rojas (R)	F
1	0	100	Russell (R)	F
1	0	100	Ryan (D)	F
1	0	100	Sanderson (R)	F
1	0	100	Sembler (R)	F
1	0	100	Smith, Christopher (D)	F
1	0	100	Smith, Kelley (D)	F
1	0	100	Sobel (D)	F
1	0	100	Sorensen (R)	F
1	0	100	Spratt (D)	F
1	0	100	Stafford (D)	F

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON ENVIRONMENTAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Traffic Control/DHSMV
1	0	100	Stansel (D)	F
1	0	100	Starks (R)	F
1	0	100	Suarez (D)	F
1	0	100	Sublette (R)	F
1	0	100	Thrasher (R)	F
1	0	100	Trovillion (R)	F
1	0	100	Tullis (R)	F
1	0	100	Turnbull (D)	F
1	0	100	Valdes (R)	F
1	0	100	Villalobos (R)	F
1	0	100	Wallace (R)	F
1	0	100	Warner (R)	F
1	0	100	Wasserman-Schultz (D)	F
1	0	100	Waters (R)	F
1	0	100	Wiles (D)	F
1	0	100	Wilson (D)	F
0	1	0	Wise (R)	A
<b>113</b>	<b>4</b>	<b>97</b>	<b>TOTAL/AVERAGE</b>	

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**HEALTH CARE**

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## HEALTH CARE

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**HB 83**  
**Contraceptive**  
**Equity Act by**  
**Representative**  
**Elaine Bloom**  
**(D-Miami Beach)**

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**T**his bill would create the "Contraceptive Equity Act." The Act would require that health insurance policies in health maintenance organization contracts that cover drugs prescribed for the treatment of sexual dysfunction (viagra) to provide coverage for any contraceptive method prescribed or provided by a licensed practitioner. AIF opposes this bill as it will add an additional mandated benefit to employers' insurance policies and raise costs.

- Record 1a: On January 21, 1999, the House Governmental Operations Committee voted the bill unfavorably by a vote on 2 yeas to 4 nays. A "yea" vote is a vote **against** the AIF position.

**HB 83 was laid on the table.**

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**HB 207 Health**  
**Insurance/Autism**  
**Spectrum by**  
**Representative**  
**Larry Crow**  
**(R-Dunedin)**

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**T**his bill would require that a health insurer or health maintenance organization (HMO) include a wide range in coverage for autism spectrum disorders as part of the coverage for major medical expenses. It requires that such coverage include coverage for certain types of evaluations and interventions. It provides that the insurer or health maintenance organization may confirm a diagnosis or review the appropriateness of treatment but does not include language that would allow for proper utilization review. It is estimated that this bill would cost approximately \$71 million to the private sector. AIF opposes this bill as it is an additional health insurance mandate and would raise costs to employers providing health insurance coverage to employees.

- Record 2a: On March 22, 1999, the House Insurance Committee passed the bill as amended by a vote of 8 yeas to 5 nays. A "yea" vote is a vote **against** the AIF position.

**HB 207 died in House Health Care Services Committee.**

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**CS/SB 232 HMO  
Contracts by the  
Senate Banking and  
Insurance  
Committee  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**A**s originally drafted, this bill would have mandated that before a health maintenance organization (HMO) can cancel or terminate a contract with any health care provider, the HMO must provide a hearing to the provider. This so-called "due process" bill would have made it virtually impossible for an insurance company to end a contract with a health care provider. As originally drafted, AIF would have opposed the bill. However, after the adoption of the committee substitute by the Senate Banking and Insurance Committee and the adoption of the amendment by Senator Latvala in the Senate Health, Aging & Long-Term Care Committee, AIF supported the bill.

On March 16, 1999, the Senate Banking and Insurance Committee passed the bill favorably as a committee substitute by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 30, 1999, the Senate Health, Aging & Long-Term Care Committee passed the bill favorably as amended by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 23, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 29, 1999, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 232 passed both the House and Senate and is pending Governor action.**

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**CS/HB 337 HMO/  
Deceptive Practices/  
Contracts by the  
House Health Care  
Services Committee  
and Representative  
Harry Goode  
(R-Melbourne)**

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**A**s originally drafted, this bill would have mandated that before a health maintenance organization (HMO) can cancel or terminate a contract with any health care provider, the HMO must provide a hearing to the provider. This so-called "due process" bill would have made it virtually impossible for an insurance company to end a contract with a health care provider. As originally drafted, AIF would have opposed the bill. However, Representative Goode offered an amendment in the House Health Care Services Committee that made the bill acceptable to AIF. Thus, because the bill was made a committee substitute, a vote for the bill is a vote for AIF.

- Record 4a: On March 11, 1999, the House Health Care Services Committee passed the bill favorably as a committee substitute by a vote of 16 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 16, 1999, the House Health & Human Services Committee passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 337 died on the House Calendar.**

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**HB 371 Equity in  
Contraceptive  
Coverage by  
Representative**

**Steve Effman  
(D-Plantation) and  
Representative  
Debbie Wasserman  
Schultz (D-Weston)**

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**T**his bill would have created the Equity in Prescription Insurance and Contraceptive Coverage Act of 1999. It differed slightly from HB 83, by Representative Bloom. This bill is a straight mandate requiring that health insurance policies and HMO's provide coverage for contraceptives. This is an insurance mandate that will raise costs to employers providing coverage to their employees. AIF opposed this bill.

- Record 5a: On March 11, 1999, the House Health Care Services Committee passed the bill favorably as amended by a vote of 13 yeas to 3 nays. A "yea" vote is a vote **against** the AIF position.

**HB 371 died in the House Insurance Committee.**

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**HB 953 Obstetrical/  
Gynecological  
Service by  
Representative  
Debby Sanderson  
(R-Ft. Lauderdale)**

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**A**s drafted, this bill allows for an HMO subscriber to have direct access to the services of an OB/GYN. AIF opposes direct access by HMO subscribers because it destroys the concept of utilization review inherent in an HMO. This causes costs to increase for the employer.

The committee adopted a strike all amendment that allowed for two direct access visits to an OB/GYN with appropriate follow-up care. AIF opposes this amendment as there is no scientific data to support the need for two direct access visits yearly.

Similar language to the language in HB 953 was added as an amendment to HB 2131 in the Senate on April 29, 1999. AIF supported this language because it would allow for only one direct access visit per year. HB 2231 passed both the House and Senate and is awaiting the Governor's signature.

- Record 6a: On March 18, 1999, the House Health Care Services Committee passed the bill favorably as amended by a vote of 14 yeas to 0 nays. A "yea" vote is a vote **against** the AIF position.
- Record 6b: On April 9, 1999, the House Health and Human Services Committee passed the bill favorably by a vote of 9 yeas to 0 nays. A "yea" vote is a vote **against** the AIF position.
- Record 6c: On April 26, 1999, the House passed the bill as amended by a vote of 107 yeas to 0 nays. A "yea" vote is a vote **against** the AIF position.

**HB 953 died in the Senate Fiscal Policy Committee.**

# HOUSE AVERAGE ON HEALTH CARE = 50%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Contraceptive Equity Act	2a - Health Insurance/Autism Spectrum	3a - HMO Contracts	4a - HMO Deceptive Practices/Contracts	4b - HMO Deceptive Practices/Contracts	5a - Equity in Contraceptive Coverage	6a - Obstetrical /Gynecological Services	6b - Obstetrical /Gynecological Services	6c - Obstetrical /Gynecological Services
2	2	50	Albright (R)			F	F		A			A
1	1	50	Alexander (R)			F						A
1	1	50	Andrews (R)			F						A
1	1	50	Argenziano (R)			F						A
1	1	50	Arnall (R)			F						A
2	1	67	Bainter (R)		F	F						A
2	1	67	Ball (R)	F		F						A
1	1	50	Barreiro (R)			F						A
1	1	50	Bense (R)			F						A
1	1	50	Betancourt (D)			F						A
1	0	100	Bilirakis (R)			F						
1	1	50	Bitner (R)			F						A
2	2	50	Bloom (D)			F	F		A			A
2	3	40	Boyd (D)			F	F		A	A		A
1	1	50	Bradley (D)			F						A
1	1	50	Bronson (D)			F						A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Contraceptive Equity Act	2a - Health Insurance/Autism Spectrum	3a - HMO Contracts	4a - HMO Deceptive Practices/Contracts	4b - HMO Deceptive Practices/Contracts	5a - Equity in Contraceptive Coverage	6a - Obstetrical /Gynecological Services	6b - Obstetrical /Gynecological Services	6c - Obstetrical /Gynecological Services
1	1	50	Brown (D)			F						A
1	1	50	Brummer (R)			F						A
			Bullard (D)									
1	1	50	Bush (D)			F						A
2	3	40	Byrd (R)		A	F	F		A			A
1	1	50	Cantens (R)			F						A
3	4	43	Casey (R)			F	F	F	A	A	A	A
1	1	50	Chestnut (D)			F						A
1	1	50	Constantine (R)			F						A
1	2	33	Cosgrove (D)		A	F						A
1	1	50	Crady (D)			F						A
1	1	50	Crist (R)			F						A
1	1	50	Crow (R)			F						A
1	2	33	Dennis (D)			F				A		A
1	1	50	Detert (R)			F						A
1	0	100	Diaz de la Portilla (R)			F						
2	1	67	Dockery (R)		F	F						A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Contraceptive Equity Act	2a - Health Insurance/Autism Spectrum	3a - HMO Contracts	4a - HMO Deceptive Practices/Contracts	4b - HMO Deceptive Practices/Contracts	5a - Equity in Contraceptive Coverage	6a - Obstetrical/Gynecological Services	6b - Obstetrical/Gynecological Services	6c - Obstetrical/Gynecological Services
1	0	100	Edwards (D)			F						
1	1	50	Effman (D)			F						A
1	0	100	Eggelletion (D)			F						
3	4	43	Farkas (R)			F	F	F	A	A	A	A
2	1	67	Fasano (R)	F		F						A
1	1	50	Feeney (R)			F						A
1	1	50	Fiorentino (R)			F						A
1	1	50	Flanagan (R)			F						A
1	2	33	Frankel (D)	A		F						A
1	1	50	Fuller (R)			F						A
1	1	50	Futch (R)			F						A
1	0	100	Garcia (R)			F						
1	1	50	Gay (R)			F						A
2	4	33	Goode (R)		A	F	F		A	A		A
1	1	50	Goodlette (R)			F						A
2	3	40	Gottlieb (D)			F	F		A	A		A
2	3	40	Green (R)			F	F		A	A		A

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Contraceptive Equity Act	2a - Health Insurance/Autism Spectrum	3a - HMO Contracts	4a - HMO Deceptive Practices/Contracts	4b - HMO Deceptive Practices/Contracts	5a - Equity in Contraceptive Coverage	6a - Obstetrical /Gynecological Services	6b - Obstetrical /Gynecological Services	6c - Obstetrical /Gynecological Services
2	3	40	Greene (D)	A		F		F			A	A
1	1	50	Greenstein (D)			F						A
3	2	60	Hafner (D)	F		F		F			A	A
1	1	50	Harrington (R)			F						A
1	1	50	Hart (R)			F						A
1	1	50	Healey (D)			F						A
1	1	50	Henriquez (D)			F						A
1	2	33	Heyman (D)		A	F						A
1	2	33	Hill (D)			F					A	A
1	1	50	Jacobs (D)			F						A
1	1	50	Johnson (R)			F						A
1	1	50	Jones (R)			F						A
1	1	50	Kelly (R)			F						A
1	1	50	Kilmer (R)			F						A
1	1	50	Kosmas (D)			F						A
3	2	60	Kyle (R)			F	F		F	A		A
1	1	50	Lacasa (R)			F						A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON HEALTH CARE (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Contraceptive Equity Act	2a - Health Insurance/Autism Spectrum	3a - HMO Contracts	4a - HMO Deceptive Practices/Contracts	4b - HMO Deceptive Practices/Contracts	5a - Equity in Contraceptive Coverage	6a - Obstetrical/Gynecological Services	6b - Obstetrical/Gynecological Services	6c - Obstetrical/Gynecological Services
1	2	33	Lawson (D)		A	F						A
1	1	50	Levine (D)			F						A
1	1	50	Littlefield (R)			F						A
1	0	100	Logan (D)			F						
1	0	100	Lynn (R)			F						
1	2	33	Maygarden (R)					F			A	A
1	0	100	Melvin (R)			F						
1	1	50	Merchant (R)			F						A
1	1	50	Miller, Jefferson (R)			F						A
1	1	50	Miller, Les (D)			F						A
1	1	50	Minton (D)			F						A
1	1	50	Morrone (R)			F						A
2	2	50	Murman (R)			F		F			A	A
1	1	50	Ogles (R)			F						A
2	1	67	Patterson (R)		F	F						A
2	3	40	Peadar (R)			F	F		A	A		A
2	1	67	Posey (R)	F		F						A

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**LABOR RELATIONS**

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## LABOR RELATIONS

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**HB 73 LES Dept./  
Reorganization by  
Representative  
Sharon Merchant  
(R-North Palm  
Beach)**

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**T**his bill reorganizes the Department of Labor & Employment Security to allow the department to operate in a decentralized manner. The bill creates within the Department the positions of assistant secretary for finance and administration, assistant secretary for programs, and assistant secretary for field operations. These three assistant secretaries would be appointed by and serve at the will of the labor secretary.

The bill also establishes job qualifications for each of the assistant secretaries. For example, the assistant secretary for finance and administration must have a complete understanding of modern financial management practices. That individual would have oversight of the offices of the comptroller, management and budget, administration, civil rights, and information systems.

The bill creates five field offices under the direction of the assistant secretary for field operations.

The bill eliminates the seven existing divisions within the central office and reestablishes the following four under the supervision of the assistant secretary for programs:

- division of jobs and benefits
- division of unemployment compensation
- division of workers' compensation
- division of blind services

AIF particularly supports the abolition of the division of safety. In the five years since it was elevated to division status, the division of safety has quadrupled in size, yet it has been ineffective, coming under criticism by the Office of Policy Performance and Government Accountability. Furthermore, many of its services are duplicated by federal agencies, making it redundant.

- Record 1a: On February 17, 1999, the House Governmental Operations Committee passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.
- Record 1b: On March 17, 1999, the House Government Rules and Regulations Committee passed the bill favorably as amended by a vote of 5 yeas to 2 nays. A "yea" vote is a vote **for** the AIF position.
- Record 1c: On April 20, 1999, the House Transportation & Economic

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**HB 73 Continued**


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Development Committee passed the bill favorably as amended by a vote of 9 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**HB 73 died in the House Calendar.**

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**CS/CS/SB 230  
LES Dept./  
Reorganization by  
the Senate  
Commerce &  
Economic  
Opportunities  
Committee, the  
Government  
Oversight &  
Productivity  
Committee  
and Senator Daniel  
Webster (R-Ocoee)**

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**T**his bill reorganizes the Department of Labor & Employment Security to allow the department to operate in a decentralized manner. The bill creates within the Department the positions of assistant secretary for finance and administration, assistant secretary for programs, and assistant secretary for field operations. These three assistant secretaries would be appointed by and serve at the will of the labor secretary.

The bill also establishes job qualifications for each of the assistant secretaries. For example, the assistant secretary for finance and administration must have a complete understanding of modern financial management practices. That individual would have oversight of the offices of the comptroller, management and budget, administration, civil rights, and information systems.

The bill creates five field offices under the direction of the assistant secretary for field operations.

The bill eliminates the seven existing divisions within the central office and reestablishes the following six under the supervision of the assistant secretary for programs:

- division of workforce and employment opportunities
- division of unemployment compensation
- division of vocational rehabilitation
- division of workers' compensation
- division of blind services
- division of safety (repealed July 1, 2000)

AIF particularly supports the abolition of the division of safety. In the five years since it was elevated to division status, the division of safety has quadrupled in size, yet it has been ineffective, coming under criticism by the Office of Policy Performance and Government Accountability. Furthermore, many of its services are duplicated by federal agencies, making it redundant.

On March 4, 1999, the Senate Government Oversight & Productivity Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 12, 1999, the Senate Commerce & Economic Opportunities Committee passed the bill favorably as a committee substitute by a vote of 7 yeas

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**CS/CS/SB 230**  
**Continued**

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to 1 nays. A “yea” vote is a vote **for** the AIF position.

On April 26, 1999, the Senate passed the bill as amended by a vote of 32 yeas to 6 nays. A “yea” vote is a vote **for** the AIF position.

- Record 2a: On April 29, 1999, the House passed the bill as amended by a vote of 84 yeas to 34 nays. A “yea” vote is a vote **for** the AIF position.

On April 30, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 28 yeas to 10 nays. A “yea” vote is a vote **for** the AIF position.

**CS/CS/SB 230 passed both the House and Senate and is pending Governor action.**

# HOUSE AVERAGE ON LABOR RELATIONS = 74%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
1	0	100	Albright (R)				F
1	0	100	Alexander (R)				F
1	0	100	Andrews (R)				F
1	0	100	Argenziano (R)				F
1	0	100	Arnall (R)				F
1	0	100	Bainter (R)				F
2	0	100	Ball (R)	F			F
1	0	100	Barreiro (R)				F
1	0	100	Bense (R)				F
0	1	0	Betancourt (D)				A
1	0	100	Bilirakis (R)				F
1	0	100	Bitner (R)				F
0	1	0	Bloom (D)				A
0	1	0	Boyd (D)				A
0	1	0	Bradley (D)				A
1	0	100	Bronson (D)				F
1	0	100	Brown (D)				F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
1	0	100	Brummer (R)				F
			Bullard (D)				
0	1	0	Bush (D)				A
1	0	100	Byrd (R)				F
1	0	100	Cantens (R)				F
2	0	100	Casey (R)		F		F
0	1	0	Chestnut (D)				A
1	0	100	Constantine (R)				F
1	0	100	Cosgrove (D)				F
1	0	100	Crady (D)				F
1	0	100	Crist (R)				F
1	0	100	Crow (R)				F
0	1	0	Dennis (D)				A
1	0	100	Detert (R)				F
1	0	100	Diaz de la Portilla (R)				F
1	0	100	Dockery (R)				F
1	0	100	Edwards (D)				F

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
1	1	50	Effman (D)			F	A
0	1	0	Eggelletion (D)				A
1	0	100	Farkas (R)				F
2	0	100	Fasano (R)	F			F
1	0	100	Feeney (R)				F
1	0	100	Fiorentino (R)				F
1	0	100	Flanagan (R)				F
0	1	0	Frankel (D)				A
2	0	100	Fuller (R)			F	F
2	0	100	Futch (R)			F	F
1	0	100	Garcia (R)				F
1	0	100	Gay (R)				F
1	0	100	Goode (R)				F
1	0	100	Goodlette (R)				F
0	1	0	Gottlieb (D)				A
1	0	100	Green (R)				F
1	1	50	Greene (D)	F			A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
1	0	100	Greenstein (D)				F
1	1	50	Hafner (D)	F			A
2	0	100	Harrington (R)			F	F
1	0	100	Hart (R)				F
1	1	50	Healey (D)			F	A
1	0	100	Henriquez (D)				F
0	1	0	Heyman (D)				A
0	1	0	Hill (D)				A
0	2	0	Jacobs (D)		A		A
2	0	100	Johnson (R)			F	F
1	0	100	Jones (R)				F
1	0	100	Kelly (R)				F
2	0	100	Kilmer (R)		F		F
0	1	0	Kosmas (D)				A
1	0	100	Kyle (R)				F
1	0	100	Lacasa (R)				F
0	1	0	Lawson (D)				A

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
0	1	0	Levine (D)				A
1	0	100	Littlefield (R)				F
0	1	0	Logan (D)				A
1	0	100	Lynn (R)				F
1	0	100	Maygarden (R)				F
1	0	100	Melvin (R)				F
1	0	100	Merchant (R)				F
1	0	100	Miller, Jefferson (R)				F
0	1	0	Miller, Les (D)				A
0	1	0	Minton (D)				A
1	0	100	Morrone (R)				F
1	0	100	Murman (R)				F
1	0	100	Ogles (R)				F
1	0	100	Patterson (R)				F
1	0	100	Peaden (R)				F
2	0	100	Posey (R)	F			F
1	0	100	Prieguez (R)				F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
1	0	100	Pruitt (R)				F
1	0	100	Putnam (R)				F
0	1	0	Rayson (D)				A
0	3	0	Reddick (D)		A	A	A
			Ritchie (D)				
0	1	0	Ritter (D)				A
0	1	0	Roberts (D)				A
1	0	100	Rojas (R)				F
2	0	100	Russell (R)			F	F
1	0	100	Ryan (D)				F
1	0	100	Sanderson (R)				F
1	0	100	Sembler (R)				F
0	1	0	Smith, Christopher (D)				A
2	0	100	Smith, Kelley (D)			F	F
2	0	100	Sobel (D)		F		F
1	0	100	Sorensen (R)				F
1	0	100	Spratt (D)				F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LABOR RELATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - LES Dept./Reorganization	1b - LES Dept./Reorganization	1c - LES Dept./Reorganization	2a - LES Dept./Reorganization
0	1	0	Stafford (D)				A
0	1	0	Stansel (D)				A
1	0	100	Starks (R)				F
0	1	0	Suarez (D)				A
1	0	100	Sublette (R)				F
1	0	100	Thrasher (R)				F
2	0	100	Trovillion (R)		F		F
1	0	100	Tullis (R)				F
0	1	0	Turnbull (D)				A
2	0	100	Valdes (R)			F	F
1	0	100	Villalobos (R)				F
2	0	100	Wallace (R)		F		F
1	0	100	Warner (R)				F
0	1	0	Wasserman-Schultz (D)				A
1	0	100	Waters (R)				F
1	0	100	Wiles (D)				F
0	1	0	Wilson (D)				A
1	0	100	Wise (R)				F
<b>103</b>	<b>37</b>	<b>74</b>	<b>TOTAL/AVERAGE</b>				

F - Vote for position of AIF • A - Vote against position of AIF

# **THE FLORIDA HOUSE**

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## **LEGAL AND JUDICIAL**

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## LEGAL & JUDICIAL

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**CS/CS/CS/SB 80**  
**Information**  
**Technology**  
**Resources by the**  
**Senate Fiscal Policy**  
**Committee, the**  
**Government**  
**Oversight &**  
**Productivity**  
**Committee, the**  
**Commerce &**  
**Economic**  
**Opportunities**  
**Committee, and**  
**Senator John Grant**  
**(R-Tampa)**

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**T**his bill creates the Commerce Protection Act which defines exclusive remedies available against businesses, persons, and governmental agencies for damages caused by the failure of their information technology resources to function properly due to the year 2000 computer bug. This bill contains a number of provisions carefully crafted by AIF, its member task force, and the business community. AIF supports this bill.

On February 16, 1999, the Senate Commerce & Economic Opportunities Committee passed the bill favorably as a committee substitute by a vote of 6 yeas and 0 nays. A "yea" vote is a vote for the AIF position.

On March 17, 1999, the Senate Governmental Oversight & Productivity Committee passed the bill favorably as a committee substitute by a vote of 4 yeas and 0 nays. A "yea" vote is a vote for the AIF position.

On April 14, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1999, the Senate passed the bill as amended by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 1a: On April 30, 1999, the House passed the bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/CS/SB 80 passed both the House and Senate and is pending Governors action.**

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**CS/HB 107**  
**Administrative**  
**Procedure Act by**  
**the House**  
**Government Rules**  
**and Regulations**  
**Committee,**  
**Representative**  
**Ken Pruitt**  
**(R-Port St. Lucie)**  
**and Representative**  
**Rob Wallace**  
**(R-Tampa)**

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**C**S/HB 107 clarifies the legislative intent of the 1996 Administrative Procedure Act Reforms, which have been interpreted by judicial decisions since enactment of these reforms.

The original legislative intent of the APA reforms was to level the playing field between agencies and those that are regulated by agencies to ensure that citizens had a forum in which to redress grievances against agency action in a meaningful and deliberative proceeding.

The bill as passed by the Legislature modifies the rulemaking standard adopted in the 1996 revision of APA. The bill provides that an agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling act. Further, an agency does not have authority to adopt a rule only because it is within the agency's cause of powers and duties. Statutory language granting rulemaking authority is to be construed to extend no further than implementing or interpreting the specific powers and duties conferred by the same statute.

The bill also provides that an agency may not adopt retroactive rules, including those intended to clarify existing law, unless expressly authorized by statute. The bill provides that in a challenge to a proposed rule, the petitioner has the burden of going forward, but the agency has the burden to prove by a preponderance of the evidence that the proposed rule is not an invalid exercise of delegated legislative authority. The bill also limits the ability of an agency to modify conclusions of law in a recommended order by providing only those clearly erroneous conclusions of law over which the agency has substantive jurisdiction to modify.

This bill strengthens the role of administrative judges and gives citizens a real forum in which to contest agency decisions.

- Record 2a: On January 7, 1999, the House Water Resources Management Committee passed the bill favorably as amended by a vote of 5 yeas to 3 nays. A "yea" vote is a vote **for** the AIF Position.
- Record 2b: On January 21, 1999, the House Governmental Operations Committee passed the bill favorably as amended by a vote of 6 yeas to 0 nays. A "yea" vote is a vote **for** the AIF Position.
- Record 2c: On February 1, 1999, the House Governmental Rules and Regulations Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 1 nay. A "yea" vote is a vote **for** the AIF Position.
- Record 2d: On March 10, 1999, the House passed the bill by a vote of 109 yeas to 8 nays. A "yea" vote is a vote **for** the AIF Position.

On April 23, 1999, the Senate substituted CS/HB 107 for CS/SB 206. CS/SB 206 was laid on the table.

On April 26, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 1 nay. A "yea" vote is a vote **for** the AIF position.



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**CS/HB 107 Continued**


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- Record 2e: On April 27, the House concurred with the Senate amendments and passed the bill by a vote of 113 yeas to 5 nays. A “yea” vote is a vote for the AIF position.

**CS/SB 107 passed both the House and Senate and is pending Governor action.**

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**HB 339 Citizen  
Participation in  
Government Act by  
Representative  
Chris Hart  
(R-Tampa)**


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**T**he term “SLAPP” is an acronym for Strategic Lawsuits Against Public Participation. SLAPP suits arise in the following ways:

A citizen or citizens group initially brings suit under a statute that authorizes suits or administrative proceedings in opposition to a government action, for example a permitting action. These proceedings may be used solely for the purpose of delay in order to increase the costs of projects so that it becomes unfeasible for the development or permitting activity to continue. By abusing the process, citizens groups or individual citizens may injure business or development. In response to dilatory and unmeritorious lawsuits in government processes, businesses and developers bring suit for civil rights violations, defamation, malicious prosecution, abuse of process, tortious interference with business relationships, tortious interference with a contract, civil conspiracy or other intentional torts.

The bill as initially proposed would provide immunity from civil liability for any act in furtherance of the constitutional right to petition a government for redress of grievances. The bill provided procedures to handle lawsuits dealing with the right to petition government. The bill as filed would impact negatively the right of each and every business entity in Florida to redress grievances and civil actions against citizens who have appeared or filed unmeritorious proceedings in opposition to permitting activities.

The bill was amended in the Senate Judiciary Committee to apply only to actions brought by government against citizens. This was in response to a particularly egregious lawsuit by a Florida county against citizens who were objecting to governmental action. The bill as amended would currently impact only lawsuits brought by governmental entities against citizens.

AIF does not oppose the bill as amended as long as it applies only to governmental entities.

- Record 3a: On March 17, 1999 the House Health Care Services passed the bill favorably as amendment by a vote of 9 yeas to 0 nays. A “yea” vote is a vote for the AIF position.
- Record 3b: On April 5, 1999, the House Judiciary Committee passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A “yea” vote is a vote for

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**HB 339 Continued**


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the AIF position.

**HB 339 died in the House General Government Committee.**

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**HB 591**  
**Transportation**  
**Department by the**  
**House Committee**  
**on Transportation**  
**& Economic**  
**Development and**  
**Representative**  
**Kelley Smith**  
**(D-Palatka)**

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**H**B 591 contained the eminent domain provisions which were supported by AIF. Eminent domain allows the state or condemning authority to take private property for public use. This bill would institute a negotiation process before eminent domain proceedings begin. The condemning authority must, before litigation, give notice of the proceeding and give a written offer of compensation.

If there is a business on the property, the business owner must seek business damages by a written offer (otherwise the court may not recognize that any business damages are due to the owner.) This offer must include copies of business records for four years preceeding notification to validate the damage claims. The condemning authorities shall pay all attorneys' fees and costs, as long as they are reasonable, for the business owner during this negotiation process. The bill allows for a six-month period (from January 1, 2000, to July 1, 2000) for the condemning authority to phase in these negotiation procedures.

The legislation also requires that the Department of Transportation be consulted when an owner of a lawful sign located adjacent to a new right-of-way wants to relocate or reconstruct the sign.

Effective July 1, 2000, before an eminent domain proceeding is brought, the following conditions must be met:

- the condemning authority must attempt to negotiate in good faith with an owner of the parcel to be acquired,
- must provide the owner with a written offer, and
- a copy of the appraisal upon which the offer is based, if requested
- provides for attorney's fees
- provides for business damages, in a jury trial, for a business established for more than four years (present statute provides for businesses established for more than 5 years)

AIF supports the effort to expand the protection of businesses that are subject to eminent domain proceedings.

- Record 4a: On March 8, 1999, the House Community Affairs Committee passed the bill favorably by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 26, 1999, the House passed the bill as amended by a

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**HB 591 Continued**


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vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1999, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 4c: On April 30, 1999, the House concurred with the Senate amendments and passed the bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 591 passed both the House and Senate and is pending Governor action.**

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**CS/CS/SB 940**  
**Eminent Domain by**  
**the Senate Fiscal**  
**Policy Committee**  
**and the**  
**Comprehensive**  
**Planning and**  
**Military Affairs**  
**Committee**

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**T**his bill contained the eminent domain provisions which were supported by AIF. Eminent domain allows the state or condemning authority to take private property for public use. This bill would institute a negotiation process before eminent domain proceedings begin. The condemning authority must, before litigation, give notice of the proceeding and give a written offer of compensation.

If there is a business on the property, the business owner must seek business damages by a written offer (otherwise the court may not recognize that any business damages are due to the owner.) This offer must include copies of business records for four years preceeding notification to validate the damage claims. The condemning authorities shall pay all attorneys' fees and costs, as long as they are reasonable, for the business owner during this negotiation process. The bill allows for a six-month period (from January 1, 2000, to July 1, 2000) for the condemning authority to phase in these negotiation procedures.

The legislation also requires that the Department of Transportation be consulted when an owner of a lawful sign located adjacent to a new right-of-way wants to relocate or reconstruct the sign.

Effective July 1, 2000, before an eminent domain proceeding is brought, the following conditions must be met:

- the condemning authority must attempt to negotiate in good faith with an owner of the parcel to be acquired,
- must provide the owner with a written offer, and
- a copy of the appraisal upon which the offer is based, if requested
- provides for attorney's fees
- provides for business damages, in a jury trial, for a business established for more than four years (present statute provides for businesses established for more than 5 years)

On February 2, 1999, the Senate Comprehensive Planning and Military Affairs Committee passed PCB COM 99-05 favorably as amended by a vote of

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**CS/CS/SB 940**  
**Continued**


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7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On February 4, 1999, PCB COM 99-05 became SB 940.

On March 3, 1999, the Senate Comprehensive Planning and Military Affairs Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 31, 1999, the Senate Fiscal Policy Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 8, 1999, the Senate passed the bill by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 5a: On April 19, 1999, the House Transportation Committee passed the bill favorably as amended by a vote of 9 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/CS/SB 940 died in the House Real Property & Probate Committee.**

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**CS/HB 1523**  
**Information**  
**Technology**  
**Resources by the**  
**House Judiciary**  
**Committee and**  
**Representative**  
**Chris Hart**  
**(R-Tampa)**


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**T**his bill creates the Commerce Protection Act which defines exclusive remedies available against businesses, persons, and governmental agencies for damages caused by the failure of their information technology resources to function properly due to the year 2000 computer bug. This bill contains a number of provisions carefully crafted by AIF and the business community. AIF supports this bill.

- Record 6a: On March 30, 1999, the House Judiciary Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 6b: On April 20, 1999, the House Community Affairs Committee passed the bill favorably as amended by a vote of 7 yeas to 1 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 1523 died in the House Claims Committee; refer to CS/CS/CS SB 80.**

# HOUSE AVERAGE ON LEGAL AND JUDICIAL = 97%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
5	0	100	Albright (R)	F				F	F				F	F			
6	0	100	Alexander (R)	F	F			F	F				F	F			
5	0	100	Andrews (R)	F				F	F				F	F			
5	0	100	Argenziano (R)	F				F	F				F	F			
5	0	100	Arnall (R)	F				F	F				F	F			
4	0	100	Bainter (R)	F					F				F	F			
6	0	100	Ball (R)	F		F		F	F				F	F			
8	0	100	Barreiro (R)	F				F	F	F		F	F	F			F
8	0	100	Bense (R)	F				F	F		F		F	F	F	F	
5	1	83	Betancourt (D)	F	A			F	F				F	F			
5	0	100	Bilirakis (R)	F				F	F				F	F			
5	0	100	Bitner (R)	F				F	F				F	F			
5	0	100	Bloom (D)	F				F	F				F	F			
5	0	100	Boyd (D)	F				F	F				F	F			
5	0	100	Bradley (D)	F				F	F				F	F			
6	1	86	Bronson (D)	F				F	F		F		F	F		A	
5	0	100	Brown (D)	F				F	F				F	F			

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
8	0	100	Brummer (R)	F	F			F	F		F		F	F		F	
			Bullard (D)														
5	0	100	Bush (D)	F				F	F				F	F			
7	0	100	Byrd (R)	F				F	F		F		F	F		F	
5	0	100	Cantens (R)	F				F	F				F	F			
6	0	100	Casey (R)	F			F	F	F				F	F			
5	1	83	Chestnut (D)	F				F	F				F	F	A		
5	0	100	Constantine (R)	F				F	F				F	F			
4	0	100	Cosgrove (D)	F				F	F				F				
6	0	100	Crady (D)	F				F	F				F	F	F		
4	0	100	Crist (R)	F				F	F					F			
5	0	100	Crow (R)	F				F	F				F	F			
5	0	100	Dennis (D)	F				F	F				F	F			
5	0	100	Detert (R)	F				F	F				F	F			
5	0	100	Diaz de la Portilla (R)	F				F	F				F	F			
5	0	100	Dockery (R)	F				F	F				F	F			
7	0	100	Edwards (D)	F				F	F		F		F	F		F	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
3	2	60	Effman (D)	F				A	A			F	F				
3	0	100	Eggelation (D)					F	F			F					
5	0	100	Farkas (R)	F				F	F			F	F				
6	0	100	Fasano (R)	F		F		F	F			F	F				
5	0	100	Feeney (R)	F				F	F			F	F				
8	0	100	Fiorentino (R)	F				F	F	F		F	F	F			F
6	0	100	Flanagan (R)					F	F		F		F	F		F	
6	0	100	Frankel (D)	F		F		F	F			F	F				
6	0	100	Fuller (R)	F				F	F			F	F	F			
5	0	100	Futch (R)	F				F	F			F	F				
4	0	100	Garcia (R)	F				F	F				F				
8	0	100	Gay (R)	F				F	F	F		F	F	F			F
7	1	88	Goode (R)	F				F	F	F		F	F	F			A
5	0	100	Goodlette (R)	F				F	F			F	F				
4	1	80	Gottlieb (D)	F				A	F			F	F				
5	0	100	Green (R)	F				F	F			F	F				
5	1	83	Greene (D)	F		F		A	F			F	F				

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
5	0	100	Greenstein (D)	F				F	F				F	F			
6	0	100	Hafner (D)	F		F		F	F				F	F			
6	0	100	Harrington (R)	F				F	F				F	F	F		
5	0	100	Hart (R)	F				F	F				F	F			
5	2	71	Healey (D)	F	A			A	F				F	F	F		
5	0	100	Henriquez (D)	F				F	F				F	F			
5	0	100	Heyman (D)	F				F	F				F	F			
5	0	100	Hill (D)	F				F	F				F	F			
3	3	50	Jacobs (D)	F			A	A	A				F	F			
5	0	100	Johnson (R)	F				F	F				F	F			
5	0	100	Jones (R)	F				F	F				F	F			
5	0	100	Kelly (R)	F				F	F				F	F			
6	0	100	Kilmer (R)	F		F		F	F				F	F			
8	0	100	Kosmas (D)	F				F	F	F		F	F	F			F
6	0	100	Kyle (R)	F				F	F				F	F	F		
4	0	100	Lacasa (R)					F	F				F	F			
5	0	100	Lawson (D)	F				F	F				F	F			

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
4	2	67	Levine (D)	F				A	A			F	F			F	
4	0	100	Littlefield (R)	F				F	F			F					
5	0	100	Logan (D)	F				F	F			F	F				
5	0	100	Lynn (R)	F				F	F			F	F				
5	0	100	Maygarden (R)	F				F	F			F	F				
5	0	100	Melvin (R)	F				F	F			F	F				
3	3	50	Merchant (R)	F	A			A	A			F	F				
5	0	100	Miller, Jefferson (R)	F				F	F			F	F				
4	0	100	Miller, Les (D)	F				F				F	F				
5	0	100	Minton (D)	F				F	F			F	F				
7	0	100	Morrone (R)	F				F	F	F		F	F				F
6	0	100	Murman (R)	F				F	F			F	F	F			
6	0	100	Ogles (R)	F	F			F	F			F	F				
5	0	100	Patterson (R)	F				F	F			F	F				
6	0	100	Peaden (R)	F				F	F	F		F	F				
7	0	100	Posey (R)	F		F		F	F			F	F	F			
5	0	100	Prieguez (R)	F				F	F			F	F				

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
5	0	100	Pruitt (R)	F				F	F				F	F			
5	0	100	Putnam (R)	F				F	F				F	F			
4	1	80	Rayson (D)	F				A	F				F	F			
6	0	100	Reddick (D)	F		F	F	F	F				F	F			
8	0	100	Ritchie (D)	F				F	F	F		F	F	F			F
5	0	100	Ritter (D)	F				F	F				F	F			
5	0	100	Roberts (D)	F				F	F				F	F			
7	0	100	Rojas (R)	F				F	F		F		F	F		F	
5	0	100	Russell (R)	F				F	F				F	F			
5	0	100	Ryan (D)	F				F	F				F	F			
4	0	100	Sanderson (R)	F					F				F	F			
5	0	100	Sembler (R)	F				F	F				F	F			
4	1	80	Smith, Christopher (D)	F				F	A				F	F			
6	0	100	Smith, Kelley (D)	F	F			F	F				F	F			
6	0	100	Sobel (D)	F		F	F	F	F				F	F			
6	0	100	Sorensen (R)	F				F	F	F			F	F			
5	0	100	Spratt (D)	F				F	F				F	F			

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON LEGAL AND JUDICIAL (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Information Technology Resources	2a - Admin. Procedure Act	2b - Admin. Procedure Act	2c - Admin. Procedure Act	2d - Admin. Procedure Act	2e - Admin. Procedure Act	3a - Citizen Participation in Govt. Act	3b - Citizen Participation in Govt. Act	4a - Transportation Dept.	4b - Transportation Dept.	4c - Transportation Dept.	5a - Eminent Domain	6a - Information Technology Resources	6b - Information Technology Resources
5	0	100	Stafford (D)	F				F	F				F	F			
5	0	100	Stansel (D)	F				F	F				F	F			
5	0	100	Starks (R)	F				F	F				F	F			
5	0	100	Suarez (D)	F				F	F				F	F			
5	0	100	Sublette (R)	F				F	F				F	F			
5	0	100	Thrasher (R)	F				F	F				F	F			
7	0	100	Trovillion (R)	F		F		F	F				F	F	F		
5	0	100	Tullis (R)	F				F	F				F	F			
8	0	100	Turnbull (D)	F				F	F	F		F	F	F			F
5	0	100	Valdes (R)	F				F	F				F	F			
5	0	100	Villalobos (R)	F				F	F				F	F			
6	0	100	Wallace (R)	F		F		F	F				F	F			
5	0	100	Warner (R)	F				F	F				F	F			
5	0	100	Wasserman-Schultz (D)	F				F	F				F	F			
6	0	100	Waters (R)	F	F			F	F				F	F			
5	0	100	Wiles (D)	F				F	F				F	F			
5	0	100	Wilson (D)	F				F	F				F	F			
5	0	100	Wise (R)	F				F	F				F	F			
635	20	97	TOTAL/AVERAGE														

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**TAXATION**

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## TAXATION

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**CS/SB 172 Taxation  
by the Senate Fiscal  
Resource Committee  
and Senator  
James Horne  
(R-Orange Park)**

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**T**his bill includes language to reduce the amount of estimated tax payments from 66 percent to 60 percent of the current month's sales tax liability, and raises the threshold for making estimated payments from \$100,000 in sales tax payments in the previous year to \$200,000 in sales tax payments. This will exclude about 6,000 of the 12,000 businesses in Florida from having to remit the payments.

While this accounting maneuver solved the fiscal problem for the State, it created problems in the business community where many businesses had to borrow funds to be used to advance to the State because of credit sales and irregular monthly sales cycles. This provision was scheduled to be phased out over several years but was re-instituted in 1990, when once again there was a shortage of revenues and the State needed more money. Now, with plenty of recurring revenue, the businesses of Florida are thankful that the State reduced the amount of borrowing funds from every sales tax dealer on a recurring basis by modifying the estimated sales tax payment requirement.

The bill also provides for the surtax on alcoholic beverages consumed on the premises to be reduced by one-third. The Alcoholic Beverage Surcharge is a tax that was passed by the 1990 Legislature which singled out every restaurant, grill, bar, and any other establishment that was licensed to serve alcohol by the drink, to collect this very unjust tax.

This bill also includes the following provisions:

- Reduction of the statute of limitations for actions to collect taxes from 5 to 3 years for taxes due on or after July 1, 1999.
- Thirty day extension for filing of tangible personal property tax returns required to be granted by the property appraiser and an additional extension of 15 days may also be granted.
- Various provisions are implemented to prevent misuse of resale certificates, including annual verification of resale certificates.
- Interest on refunds and delinquent taxes shall be at the market rate.
- A moratorium is imposed on the new or increased school impact fees, and the Florida School Construction Finance Commission is created to study the use of school impact fees and alternative methods of funding school construction.

On March 10, 1999, the Senate Fiscal Resource Committee passed the bill favorably as a committee substitute by a vote of 6 yeas to 0 nays. A "yea"

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**CS/SB 172 Continued**


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vote is a vote **for** the AIF position.

On March 30, 1999, the Senate passed the bill as amended by a vote of 37 yeas to 1 nay. A “yea” vote is a vote **for** the AIF position.

- Record 1a: On March 30, 1999, the House passed the bill as amended by a vote of 118 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.

On March 30, 1999, the Senate refused to concur with the House amendments and a conference committee was appointed.

On April 21, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 37 yeas to 1 nay. A “yea” vote is a vote **for** the AIF position.

- Record 1b: On April 27, 1999, the House passed the Conference Committee Report by a vote of 119 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.

**CS/SB 172 passed both the House and Senate and is pending Governor action.**

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**CS/SB 318**  
**Intangible Personal**  
**Property Taxes by**  
**the Senate Fiscal**  
**Resource Committee**  
**and Senator**  
**Tom Lee**  
**(R-Brandon)**

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**T**he 1999 Legislature passed this bill, which was the product of the Tax Reduction Conference Committee Report and includes the repeal of the second third of accounts receivable, which was a carry over promise from last year's Legislature.

The bill also includes provisions to reduce the tax rate for intangible personal property tax from 2 mills to 1.5 mills. Also, the bill allows limited liability companies to file consolidated intangibles tax returns as members of an affiliated group.

The intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes, among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable. AIF and the business community are very supportive of the second tier in the final repeal of Florida's intangibles tax.

On March 10, 1999, the Senate Fiscal Resources Committee passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.

On March 30, 1999, the Senate passed the bill as amended by a vote of 32 yeas to 4 nays. A “yea” vote is a vote **for** the AIF position.

- Record 2a: On March 30, 1999, the House passed the bill as amended by a vote of 119 yeas to 0 nays. A “yea” vote is a vote **for** the AIF position.

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**CS/SB 318 Continued**


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On March 30, 1999, the Senate refused to concur with the House amendments and a Conference Committee was appointed .

On April 21, 1999, the Senate concurred with the House amendments and passed the bill by a vote of 36 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

- Record 2b: On April 27, 1999, the House passed the Conference Report by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 318 passed both the House and Senate and is pending Governor action.**

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**CS/HB 397 Sales  
Tax Exemptions by  
the House Business  
Development &  
International Trade  
Committee  
and Representative  
Tom Feeney  
(R-Oviedo)**

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**A**IF supported legislation that will exempt from sales tax, repair parts, and labor for machinery and equipment used to manufacture items of tangible personal property for sale.

In an effort to make Florida a more attractive place to manufacture items of tangible personal property for sale, this bill provides a sales tax exemption for labor charges for, and parts and materials used in, the repair of machinery and equipment used to produce tangible personal property at a fixed location by specified industries. The exemption is to be phased in over a four-year period and shall be applied as follows:

- Beginning July 1, 1999, 25 percent of such charges for repair parts and labor shall be exempt and an additional 25 percent each year until it is completely phased out by July 1, 2002.

Often, the machine or equipment was originally purchased tax exempt under the "New and Expanding Business" sales tax exemption, which encourages manufacturers to expand current manufacturing operations or locate new manufacturing operations in the state. Since the original equipment is purchased tax exempt, it seems logical to exempt from sales tax the repair parts, equipment, and labor charges used to keep the equipment running. It was imperative for Florida to remove this imbedded tax from the cost of goods manufactured in this here.

- Record 3a: On March 3, 1999, the House Business Development & International Trade Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 16, 1999, the House Finance and Taxation Committee passed the bill favorably by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

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**CS/HB 397 Continued**

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- Record 3c: On April 22, 1999, the House passed the bill by a vote of 113 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1999, the Senate substituted CS/HB 397 for CS/SB 992. CS/SB 992 was laid on the table.

On April 28, 1999, the Senate passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 397 passed both the House and Senate and is pending Governor action.**

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**HB 1113 Taxation  
by Representative  
Fred Brummer  
(R-Apopka), and  
Representative  
Joseph Arnall  
(R-Jacksonville  
Beach)**

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**T**his legislation reduces the statute of limitations on actions to collect taxes, tax penalties or interest by the Department of Revenue and the Department of Business and Professional Regulation by reducing the time period from five to three years for taxes due on or after July 1, 1999.

The bill also provides for the payment of market rate interest, rather than a fixed rate, on deficiencies and provides an entitlement to interest at market rate on certain tax refunds.

- Record 4a: On March 22, 1999, the House Committee on Business Regulation & Consumer Affairs passed the bill favorably by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1113 died in the House Finance and Taxation Committee; refer to CS/SB 172.**

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**HB 1943 Intangible  
Personal Property  
Taxes by the House  
Finance and  
Taxation Committee  
and Representative  
George Albright  
(R-Ocala)**

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**T**his bill includes provisions to repeal the second third of accounts receivable, which was a carry over promise from last year's Legislature.

The bill also includes provisions to reduce the tax rate for intangible personal property tax from 2 mills to 1.75 mills. Also, the bill allows limited liability companies to file consolidated intangibles tax returns as members of an affiliated group.

The intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes, among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable.

- Record 5a: On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-04 favorably by a vote of 14 yeas to 1 nay. A "yea" vote



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**HB 1943 Continued**


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is a vote for the AIF position.

On March 19, 1999, PCB FT 99-04 became HB 1943.

- Record 5b: On March 26, 1999, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1943 died in the Senate Fiscal Resource Committee; refer to CS/SB 318.**

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**HB 1947 Tax  
Administration by  
the House Finance  
and Taxation  
Committee and  
Representative  
George Albright  
(R-Ocala)**


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**T**his bill includes language to reduce the amount of estimated tax payments due by Florida businesses by changing the due date from the 20th to the 28th day of each month and raises the threshold for making estimated payments from \$100,000 in sales tax payments in the previous year to \$200,000 in sales tax payments. This will exclude about 6,000 of the 12,000 businesses in Florida from having to remit the payments.

- Record 6a: On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-06 favorably by a vote of 16 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 19, 1999, PCB FT 99-06 became HB 1947.

- Record 6b: On March 26, 1999, the House passed the bill by a vote of 118 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**HB 1947 died in the Senate Fiscal Resource Committee; refer to CS/SB 172.**

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**HB 1949 Sales Tax/  
Telecommunications  
Services by the  
House Finance and  
Taxation Committee  
and Representative  
George Albright  
(R-Ocala)**


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**T**he bill reduces the sales tax rate for commercial, non-residential use of telecommunications services from 7 to 6.5 percent. The bill also provides that sales tax on prepaid calling cards will be assessed at the point of sale of the card, instead of at the point of usage.

Further, the bill provided legislative intent to further reduce the tax rate to 6 percent on January 1, 2001.

AIF supported this legislation although it was not passed by the Legislature this session.

- Record 7a: On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-07 favorably by a vote of 16 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 19, 1999, PCB FT 99-07 became HB 1949.

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**HB 1949 Continued**

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- Record 7b: On March 26, 1999, the House passed the bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position

**HB 1949 died in the Senate Fiscal Resource Committee.**

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**HB 1955 Alcoholic  
Beverage  
Surcharge/  
Reduction by the  
House Finance and  
Taxation Committee  
and Representative  
George Albright  
(R-Ocala)**

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**T**he bill provides for the surtax on alcoholic beverages consumed on the premises to be reduced by one-third. The Alcoholic Beverage Surcharge is a tax that was passed by the 1990 Legislature which singled out every restaurant, grill, bar, and any other establishment that was licensed to serve alcohol by the drink, to collect this very unjust tax.

- Record 8a: On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-10 favorably by a vote of 16 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 8b: On March 26, 1999, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1955 died in the Senate Fiscal Resource Committee; refer to CS/SB 172.**

# HOUSE AVERAGE ON TAXATION = 99.7%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
14	0	100	Albright (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
9	0	100	Alexander (R)	F	F	F	F			F			F		F		F		F
9	0	100	Andrews (R)	F	F	F	F			F			F		F		F		F
9	0	100	Argenziano (R)	F	F	F	F			F			F		F		F		F
8	0	100	Arnall (R)	F	F	F	F			F					F		F		F
9	0	100	Bainter (R)	F	F	F	F			F			F		F		F		F
9	0	100	Ball (R)	F	F	F	F			F			F		F		F		F
9	0	100	Barreiro (R)	F	F	F	F			F			F		F		F		F
9	0	100	Bense (R)	F	F	F	F			F			F		F		F		F
14	0	100	Betancourt (D)	F	F	F	F	F		F		F	F	F	F	F	F	F	F
14	0	100	Bilirakis (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
9	0	100	Bitner (R)	F	F	F	F			F			F		F		F		F
9	0	100	Bloom (D)	F	F	F	F			F			F		F		F		F
9	0	100	Boyd (D)	F	F	F	F			F			F		F		F		F
10	0	100	Bradley (D)	F	F	F	F	F		F			F		F		F		F
9	0	100	Bronson (D)	F	F	F	F			F			F		F		F		F
10	0	100	Brown (D)	F	F	F	F			F	F		F		F		F		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
14	0	100	Brummer (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
6	0	100	Bullard (D)	F		F						F		F		F		F	
9	0	100	Bush (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Byrd (R)	F	F	F	F		F			F		F		F		F	
15	0	100	Cantens (R)	F	F	F	F		F	F	F	F	F	F	F	F	F	F	F
9	0	100	Casey (R)	F	F	F	F		F			F		F		F		F	
8	0	100	Chestnut (D)	F	F	F			F			F		F		F		F	
9	0	100	Constantine (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Cosgrove (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Crady (D)	F	F	F	F		F			F		F		F		F	
10	0	100	Crist (R)	F	F	F	F		F	F		F		F		F		F	
9	0	100	Crow (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Dennis (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Detert (R)	F	F	F	F		F			F		F		F		F	
9	0	100	DiazdelaPortilla (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Dockery (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Edwards (D)	F	F	F	F		F			F		F		F		F	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
9	0	100	Effman (D)	F	F	F	F			F			F		F		F		F
8	0	100	Eggelletion (D)	F	F	F	F						F		F		F		F
9	0	100	Farkas (R)	F	F	F	F			F			F		F		F		F
14	0	100	Fasano (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
9	0	100	Feeney (R)	F	F	F	F			F			F		F		F		F
8	0	100	Fiorentino (R)	F	F	F	F			F			F		F				F
9	0	100	Flanagan (R)	F	F	F	F			F			F		F		F		F
9	0	100	Frankel (D)	F	F	F	F			F			F		F		F		F
9	0	100	Fuller (R)	F	F	F	F			F			F		F		F		F
10	0	100	Futch (R)	F	F	F	F			F	F		F		F		F		F
8	0	100	Garcia (R)	F	F	F	F			F					F		F		F
9	0	100	Gay (R)	F	F	F	F			F			F		F		F		F
8	0	100	Goode (R)	F	F	F	F						F		F		F		F
9	0	100	Goodlette (R)	F	F	F	F			F			F		F		F		F
14	0	100	Gottlieb (D)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
14	0	100	Green (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
5	0	100	Greene (D)		F	F	F			F			F						

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
10	0	100	Greenstein (D)	F	F	F	F		F	F		F		F		F		F	
9	0	100	Hafner (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Harrington (R)	F	F	F	F		F			F		F		F		F	
15	0	100	Hart (R)	F	F	F	F	F	F	F		F	F	F	F	F	F	F	F
8	1	89	Healey (D)	F	F	F	F		A			F		F		F		F	
9	0	100	Henriquez (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Heyman (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Hill (D)	F	F	F	F		F			F		F		F		F	
12	1	92	Jacobs (D)	F	F	F	F		F			A	F	F	F	F	F	F	F
9	0	100	Johnson (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Jones (R)	F	F	F	F		F			F		F		F		F	
9	0	100	Kelly (R)	F	F	F	F		F			F		F		F		F	
10	0	100	Kilmer (R)	F	F	F	F		F	F		F		F		F		F	
9	0	100	Kosmas (D)	F	F	F	F		F			F		F		F		F	
9	0	100	Kyle (R)	F	F	F	F		F			F		F		F		F	
7	0	100	Lacasa (R)		F		F		F			F		F		F		F	
9	0	100	Lawson (D)	F	F	F	F		F			F		F		F		F	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
9	0	100	Levine (D)	F	F	F	F			F			F		F		F		F
9	0	100	Littlefield (R)	F	F	F	F			F			F		F		F		F
8	0	100	Logan (D)	F	F	F				F			F		F		F		F
8	1	89	Lynn (R)	F	F	F	F			F			F		A		F		F
9	0	100	Maygarden (R)	F	F	F	F			F			F		F		F		F
9	0	100	Melvin (R)	F	F	F	F			F			F		F		F		F
9	0	100	Merchant (R)	F	F	F	F			F			F		F		F		F
10	0	100	Miller, Jefferson (R)	F	F	F	F			F	F		F		F		F		F
9	0	100	Miller, Les (D)	F	F	F	F			F			F		F		F		F
9	0	100	Minton (D)	F	F	F	F			F			F		F		F		F
9	0	100	Morrone (R)	F	F	F	F			F			F		F		F		F
9	0	100	Murman (R)	F	F	F	F			F			F		F		F		F
15	0	100	Ogles (R)	F	F	F	F		F	F	F	F	F	F	F	F	F	F	F
9	0	100	Patterson (R)	F	F	F	F			F			F		F		F		F
9	0	100	Peaden (R)	F	F	F	F			F			F		F		F		F
9	0	100	Posey (R)	F	F	F	F			F			F		F		F		F
10	0	100	Prieguez (R)	F	F	F	F	F		F			F		F		F		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
9	0	100	Pruitt (R)	F	F	F	F			F			F		F		F		F
9	0	100	Putnam (R)	F	F	F	F			F			F		F		F		F
9	0	100	Rayson (D)	F	F	F	F			F			F		F		F		F
10	0	100	Reddick (D)	F	F	F	F	F		F			F		F		F		F
10	0	100	Ritchie (D)	F	F	F	F	F		F			F		F		F		F
9	0	100	Ritter (D)	F	F	F	F			F			F		F		F		F
9	0	100	Roberts (D)	F	F	F	F			F			F		F		F		F
13	0	100	Rojas (R)	F	F	F	F		F	F			F	F	F	F	F	F	F
9	0	100	Russell (R)	F	F	F	F			F			F		F		F		F
9	0	100	Ryan (D)	F	F	F	F			F			F		F		F		F
9	0	100	Sanderson (R)	F	F	F	F			F			F		F		F		F
9	0	100	Sembler (R)	F	F	F	F			F			F		F		F		F
9	0	100	Smith, Christopher (D)	F	F	F	F			F			F		F		F		F
9	0	100	Smith, Kelley (D)	F	F	F	F			F			F		F		F		F
9	0	100	Sobel (D)	F	F	F	F			F			F		F		F		F
10	0	100	Sorensen (R)	F	F	F	F			F	F		F		F		F		F
9	0	100	Spratt (D)	F	F	F	F			F			F		F		F		F
9	0	100	Stafford (D)	F	F	F	F			F			F		F		F		F

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON TAXATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Taxation	1b - Taxation	2a - Intangible Personal Property Taxes	2b - Intangible Personal Property Taxes	3a - Sales Tax Exemptions	3b - Sales Tax Exemptions	3c - Sales Tax Exemptions	4a - Taxation	5a - Intangible Personal Property Taxes	5b - Intangible Personal Property Taxes	6a - Tax Administration	6b - Tax Administration	7a - Sales Tax Telecommunications	7b - Sales Tax Telecommunications	8a - Alcoholic Beverage Surcharge	8b - Alcoholic Beverage Surcharge
14	0	100	Stansel (D)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
9	0	100	Starks (R)	F	F	F	F			F			F		F		F		F
9	0	100	Suarez (D)	F	F	F	F			F			F		F		F		F
7	0	100	Sublette (R)	F	F	F	F			F			F		F				
9	0	100	Thrasher (R)	F	F	F	F			F			F		F		F		F
9	0	100	Trovillion (R)	F	F	F	F			F			F		F		F		F
9	0	100	Tullis (R)	F	F	F	F			F			F		F		F		F
8	1	89	Turnbull (D)	F	F	F	F			A			F		F		F		F
9	0	100	Valdes (R)	F	F	F	F			F			F		F		F		F
9	0	100	Villalobos (R)	F	F	F	F			F			F		F		F		F
10	0	100	Wallace (R)	F	F	F	F	F		F			F		F		F		F
9	0	100	Warner (R)	F	F	F	F			F			F		F		F		F
13	0	100	Wasserman-Schultz (D)	F	F	F	F		F			F	F	F	F	F	F	F	F
14	0	100	Waters (R)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
14	0	100	Wiles (D)	F	F	F	F		F	F		F	F	F	F	F	F	F	F
9	0	100	Wilson (D)	F	F	F	F			F			F		F		F		F
9	0	100	Wise (R)	F	F	F	F			F			F		F		F		F
1150	4	99.7	<b>TOTAL/AVERAGE</b>																

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**UNEMPLOYMENT  
COMPENSATION**

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## UNEMPLOYMENT COMPENSATION

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**HB 1951**  
**Unemployment**  
**Compensation by**  
**the House Finance**  
**and Taxation**  
**Committee and**  
**Representative**  
**George Albright**  
**(R-Ocala)**

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**T**his bill provides an unemployment tax reduction of 0.5 percent for unemployment compensation tax rates for the year 2000 with certain exceptions. The bill also provides a 5 percent increase for weekly benefits for the first eight weeks of a claim during benefit years beginning January 1, 2000, through December 31, 2000, with a maximum weekly benefit of \$288.

The bill further clarifies disqualification benefits for voluntary quitting full-time, part-time, or temporary work, and reauthorizes the Florida Training Investment Program until June 30, 2002.

- Record 1a: On March 16, 1999, the House Finance and Taxation Committee passed PCB FT 99-08 favorably by a vote of 15 yeas to 1 nays. A “yea” vote is a vote for the AIF position.

On March 19, 1999, PCB FT 99-08 became HB 1951.

- Record 1b: On March 26, 1999, the House passed the bill by a vote of 117 yeas to 1 nay. A “yea” vote is a vote for the AIF position.

On March 30, 1999, the Senate substituted HB 1951 for CS/SB 108 and passed the bill by a vote of 37 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

**HB 1951 was signed by the Governor and became Law on April 15, 1999; refer to Ch. # 99-131, Laws of Florida.**

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION = 99%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
2	0	100	Albright (R)	F	F
1	0	100	Alexander (R)		F
1	0	100	Andrews (R)		F
1	0	100	Argenziano (R)		F
1	0	100	Arnall (R)		F
1	0	100	Bainter (R)		F
1	0	100	Ball (R)		F
1	0	100	Barreiro (R)		F
1	0	100	Bense (R)		F
2	0	100	Betancourt (D)	F	F
2	0	100	Bilirakis (R)	F	F
1	0	100	Bitner (R)		F
1	0	100	Bloom (D)		F
1	0	100	Boyd (D)		F
1	0	100	Bradley (D)		F
1	0	100	Bronson (D)		F
1	0	100	Brown (D)		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
2	0	100	Brummer (R)	F	F
1	0	100	Bullard (D)		F
1	0	100	Bush (D)		F
1	0	100	Byrd (R)		F
2	0	100	Cantens (R)	F	F
1	0	100	Casey (R)		F
1	0	100	Chestnut (D)		F
1	0	100	Constantine (R)		F
1	0	100	Cosgrove (D)		F
1	0	100	Crady (D)		F
1	0	100	Crist (R)		F
1	0	100	Crow (R)		F
1	0	100	Dennis (D)		F
1	0	100	Detert (R)		F
1	0	100	Diaz de la Portilla (R)		F
1	0	100	Dockery (R)		F
1	0	100	Edwards (D)		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
1	0	100	Effman (D)		F
1	0	100	Eggelletion (D)		F
1	0	100	Farkas (R)		F
2	0	100	Fasano (R)	F	F
1	0	100	Feeney (R)		F
1	0	100	Fiorentino (R)		F
1	0	100	Flanagan (R)		F
			Frankel (D)		
1	0	100	Fuller (R)		F
1	0	100	Futch (R)		F
1	0	100	Garcia (R)		F
1	0	100	Gay (R)		F
1	0	100	Goode (R)		F
1	0	100	Goodlette (R)		F
2	0	100	Gottlieb (D)	F	F
2	0	100	Green (R)	F	F
			Greene (D)		

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
1	0	100	Greenstein (D)		F
1	0	100	Hafner (D)		F
1	0	100	Harrington (R)		F
2	0	100	Hart (R)	F	F
1	0	100	Healey (D)		F
1	0	100	Henriquez (D)		F
1	0	100	Heyman (D)		F
1	0	100	Hill (D)		F
0	2	0	Jacobs (D)	A	A
1	0	100	Johnson (R)		F
1	0	100	Jones (R)		F
1	0	100	Kelly (R)		F
1	0	100	Kilmer (R)		F
1	0	100	Kosmas (D)		F
1	0	100	Kyle (R)		F
1	0	100	Lacasa (R)		F
1	0	100	Lawson (D)		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
1	0	100	Levine (D)		F
1	0	100	Littlefield (R)		F
1	0	100	Logan (D)		F
1	0	100	Lynn (R)		F
1	0	100	Maygarden (R)		F
1	0	100	Melvin (R)		F
1	0	100	Merchant (R)		F
1	0	100	Miller, Jefferson (R)		F
1	0	100	Miller, Les (D)		F
1	0	100	Minton (D)		F
1	0	100	Morrone (R)		F
1	0	100	Murman (R)		F
2	0	100	Ogles (R)	F	F
1	0	100	Patterson (R)		F
1	0	100	Peadar (R)		F
1	0	100	Posey (R)		F
1	0	100	Prieguez (R)		F

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
1	0	100	Pruitt (R)		F
1	0	100	Putnam (R)		F
1	0	100	Rayson (D)		F
1	0	100	Reddick (D)		F
1	0	100	Ritchie (D)		F
1	0	100	Ritter (D)		F
1	0	100	Roberts (D)		F
2	0	100	Rojas (R)	F	F
1	0	100	Russell (R)		F
1	0	100	Ryan (D)		F
1	0	100	Sanderson (R)		F
1	0	100	Sembler (R)		F
1	0	100	Smith, Christopher (D)		F
1	0	100	Smith, Kelley (D)		F
1	0	100	Sobel (D)		F
1	0	100	Sorensen (R)		F
1	0	100	Spratt (D)		F
1	0	100	Stafford (D)		F

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON UNEMPLOYMENT COMPENSATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Unemployment Compensation	1b - Unemployment Compensation
2	0	100	Stansel (D)	F	F
1	0	100	Starks (R)		F
1	0	100	Suarez (D)		F
1	0	100	Sublette (R)		F
1	0	100	Thrasher (R)		F
1	0	100	Trovillion (R)		F
1	0	100	Tullis (R)		F
1	0	100	Turnbull (D)		F
1	0	100	Valdes (R)		F
1	0	100	Villalobos (R)		F
1	0	100	Wallace (R)		F
1	0	100	Warner (R)		F
2	0	100	Wasserman-Schultz (D)	F	F
2	0	100	Waters (R)	F	F
2	0	100	Wiles (D)	F	F
1	0	100	Wilson (D)		F
1	0	100	Wise (R)		F
<b>132</b>	<b>2</b>	<b>99</b>	<b>TOTAL/AVERAGE</b>		

F - Vote for position of AIF • A - Vote against position of AIF

**THE FLORIDA HOUSE**

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**WORKERS'**  
**COMPENSATION**

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## WORKERS' COMPENSATION

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**HB 1767 Workers'  
Compensation by  
the House Insurance  
Committee  
and Representative  
Stan Bainter  
(R-Eustis)**

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**T**he bill would make changes to the workers' compensation system relating to medical care, permanent total disability (PTD) benefits eligibility, program administration, and procedures. Medical care issues would include authorizing individual self-insured employers to "opt-out" of managed care requirements, modify medical bill reporting requirements, and granting rehabilitation providers access to medical records.

The bill would have clarified several important issues to redress recent adverse court decisions that have disturbed the balance in the workers' compensation law. The main fix corrected the Burger King decision, in which the First District Court of Appeals struck down the Legislature's attempt to end permanent total disability supplemental benefits at age 62. The appeals court interpreted the inartfully worded statute to mean that benefits ceased at age 62 but resumed at age 65.

AIF supported this bill as it was originally filed, but the reform effort died on the House calendar because AIF was not able to reach a compromise with the AFL-CIO and others.

- Record 1a: On March 3, 1999, the House Insurance Committee passed PCB INS 99-02 favorably by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 11, 1999, PCB INS 99-02 became HB 1767.

**HB 1767 died on the House Calendar.**

# HOUSE AVERAGE ON WORKERS' COMPENSATION = 100%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Albright (R)	
			Alexander (R)	
			Andrews (R)	
			Argenziano (R)	
			Arnall (R)	
1	0	100	Bainter (R)	F
			Ball (R)	
			Barreiro (R)	
			Bense (R)	
			Betancourt (D)	
			Bilirakis (R)	
			Bitner (R)	
			Bloom (D)	
			Boyd (D)	
			Bradley (D)	
			Bronson (D)	
			Brown (D)	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Brummer (R)	
			Bullard (D)	
			Bush (D)	
1	0	100	Byrd (R)	F
			Cantens (R)	
			Casey (R)	
			Chestnut (D)	
			Constantine (R)	
1	0	100	Cosgrove (D)	F
			Crady (D)	
			Crist (R)	
			Crow (R)	
			Dennis (D)	
			Detert (R)	
			DiazdelaPortilla (R)	
1	0	100	Dockery (R)	F
			Edwards (D)	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Effman (D)	
			Eggelletion (D)	
			Farkas (R)	
			Fasano (R)	
			Feeney (R)	
			Fiorentino (R)	
			Flanagan (R)	
			Frankel (D)	
			Fuller (R)	
			Futch (R)	
			Garcia (R)	
			Gay (R)	
1	0	100	Goode (R)	F
			Goodlette (R)	
			Gottlieb (D)	
			Green (R)	
			Greene (D)	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Greenstein (D)	
			Hafner (D)	
			Harrington (R)	
			Hart (R)	
			Healey (D)	
			Henriquez (D)	
1	0	100	Heyman (D)	F
			Hill (D)	
			Jacobs (D)	
			Johnson (R)	
			Jones (R)	
			Kelly (R)	
			Kilmer (R)	
			Kosmas (D)	
			Kyle (R)	
			Lacasa (R)	
1	0	100	Lawson (D)	F

F - Vote for position of AIF • A - Vote against position of AIF



# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Levine (D)	
			Littlefield (R)	
			Logan (D)	
			Lynn (R)	
			Maygarden (R)	
			Melvin (R)	
			Merchant (R)	
			Miller,Jefferson (R)	
			Miller,Les (D)	
			Minton (D)	
			Morrone (R)	
			Murman (R)	
			Ogles (R)	
1	0	100	Patterson (R)	F
			Peaden (R)	
			Posey (R)	
			Prieguez (R)	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Pruitt (R)	
			Putnam (R)	
1	0	100	Rayson (D)	F
			Reddick (D)	
			Ritchie (D)	
			Ritter (D)	
			Roberts (D)	
			Rojas (R)	
			Russell (R)	
			Ryan (D)	
			Sanderson (R)	
			Sembler (R)	
			Smith, Christopher (D)	
			Smith, Kelley (D)	
			Sobel (D)	
			Sorensen (R)	
			Spratt (D)	
			Stafford (D)	

F - Vote for position of AIF • A - Vote against position of AIF

# HOUSE AVERAGE ON WORKERS' COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Workers' Compensation
			Stansel (D)	
			Starks (R)	
			Suarez (D)	
			Sublette (R)	
			Thrasher (R)	
			Trovillion (R)	
			Tullis (R)	
			Turnbull (D)	
			Valdes (R)	
			Villalobos (R)	
			Wallace (R)	
			Warner (R)	
			Wasserman-Schultz (D)	
1	0	100	Waters (R)	F
1	0	100	Wiles (D)	F
			Wilson (D)	
			Wise (R)	
11	0	100	<b>TOTAL/AVERAGE</b>	

F - Vote for position of AIF • A - Vote against position of AIF