



FROM OCTOBER 31, 2001

Special Session 'B' Wrap Up

As we reported last night, the Florida House of Representatives adjourned "sine die" after adopting the Senate's budget and some other less noteworthy Senate bills. As has been reported previously, the Florida Senate was astonished by the House move to take up, debate and pass the Senate budget. House Speaker Tom Feeney (R-Oviedo) made it clear that since the Senate was unwilling to move on a number of House positions and seemed intent on making the House look like the "bad guy" by forcing the House to push more cuts, why bother with the negotiations? Thus, the House passed the Senate's version, which was limited to about \$800 million in cuts, falling short of the anticipated and necessary \$1.3 billion in cuts necessary to balance the budget for the 2001-02 fiscal year.

On the off chance that the House would reconsider its position, the Senate sent down to the House another budget bill yesterday, incorporating a delay in the intangibles tax reduction, as opposed to the outright repeal, which was the Senate's original position. The budget numbers were the same, but the Senate hoped that a delay as opposed to repeal would be perceived as "giving a little" to the already miffed House. The House didn't bite.

With the House having left town, the Senate decided to do the same today, following some committee hearings this morning and afternoon that would typically be held during a routine interim committee week.

Unless the economy takes an unexpected upswing, we expect that the legislature will be back in Tallahassee to address those budget issues left unresolved during this special session.

What Passed

In addition to the budget bill and the implementing bills that accompany its adoption, both chambers passed the following legislation: SB 24b by Senator Charlie Clary (R-Destin) was adopted. The bill deals with the Department of Transportation design-build contracts, rights-of-way and easements. SB 40b by Senator Locke Burt (R-Ormond Beach) was adopted. The bill authorizes the governor and cabinet to approve volunteer leave under the bill for rescue, medical and support services in response to disasters occurring within boundaries of United States. SB 48b by Senator Jim Sebesta (R-St. Petersburg) was adopted. The bill provides economic assistance to airports and noise mitigation for certain airports. SB 54b by Senator Ron Silver (D-North Miami) was adopted. The bill specifies that municipalities may impose a surcharge on gross revenues of certain parking facilities. SB 94b by Senator Buddy Dyer (D-Orlando) and Senator Debbie Wasserman-Schultz (D-Pembroke Pines) was adopted. The bill provides for the creation of a Red Cross license plate and United Way license plate and the distribution of the annual use fees received from the sale of the plates to these organizations for relief efforts in the wake of the September 11 attacks. Please note that given the "ping and pong" of the bills between the two chambers, it is coincidental that all the bills adopted are Senate bills. Every bill had a like or similar House companion. The House simply took up the Senate bills sent their way prior to adjourning.

What Did Not Pass

A lot of bills were left behind without consideration. However, noteworthy among those left behind were a raft of bills related to our current war against terrorism, terrorist states and homeland defense.

The House adopted a number of these bills before they adjourned and then sent them down to the Senate for final consideration. As mentioned above, the Senate is now leaving town as well, so these bills are now dead. The legislative leadership in both chambers has stated that they will revisit these issues when they return, either in another special session or when the regular session commences on January 22, 2002. It is obvious that law enforcement and others supporting these bills did not "close the sale" in convincing the legislature that these proposals were timely and urgent. Many legislators stated that they wanted to devote more time to consider these proposals since many of them involve issues related to civil liberties and both the U.S. and Florida Constitution.

Here's a quick summary of what was left for another day:

HB 103b by Representative Dudley Goodlette (R-Naples) and others; defined "terrorism" for the purposes of the Florida Criminal Code. HB 105b by Representative Dudley Goodlette (R-Naples) and others; provided for reclassification of offenses, the commission of which facilitated or furthered any act of terrorism. HB 107b by Representative Dudley Goodlette (R-Naples) and others; authorized circuit judges to order detention of certain material witnesses for a prescribed period of time under specified circumstances. HB 109b by Representative Dudley Goodlette (R-Naples) and others; added aircraft piracy to list of crimes for which interception of communications may be authorized; allowed judge to authorize continued interception anywhere within the state - of wire, oral or electronic communications under specified conditions. HB 111b by Representative Dudley Goodlette (R-Naples) and others; provided direction for law enforcement in responding to terrorist acts. HB 115b by Representative Dudley Goodlette (R-Naples) and others; provided for regulation governing aircraft utilized for aerial applications of fertilizer, pesticides and seeds. HB 117b by Representative Dudley Goodlette (R-Naples) and others; prohibited biological weapons from being introduced into Florida's water systems (they couldn't agree to pass this one?). HB 125b by Representative Dudley Goodlette (R-Naples) and others; provided public records exemption for privately held or leased property that cooperates with law enforcement authorities by providing privately held information related to the company's security administration or plans if the property should host a state agency on its property.

Representative Goodlette is prominent among these bills because he chaired the House Select Committee on Security. The committee was established for expressed purpose of addressing these issues.

This report was prepared by Curt Leonard, Manager – Governmental Affairs at Associated Industries of Florida (AIF). Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

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