

ASSOCIATED INDUSTRIES OF FLORIDA
**LEGISLATIVE
DAILY BRIEF**



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LEGAL REFORM

Today on the steps of the Old Capitol, Governor Bush joined a wide array of civic groups, professional associations, and small business owners at a rally to urge the passage of significant legal reform in the state of Florida. Also present at the rally was Senate President Tom Lee (R-Brandon), Speaker Allan Bense (R-Panama City), members of the Florida Coalition for Legal Reform (FCLR) and the Florida Justice Reform Institute (FJRI).

Chief among the Governor's concerns is the elimination of joint and several liability, class action reform, asbestos litigation, limiting venue shopping, and premises liability just to name a few. In fact, Governor Bush stated that "He was for all tort reform," referring to the broad package of legal reform that has been filed by Associated Industries of Florida and the FCLR.

Several national legal reform figures also addressed the crowd this morning, including Tiger Joyce, president of the American Tort Reform Association (ATRA) and Dan Pero, president of the American Justice Partnership-a nationwide coalition of advocates for legal reform at the state level.

Please go to http://www.flalegalreform.com/newsarticles/2005-03-15-lawsuit_abuse.pdf for a press release from the Governor's office on today's rally.

Please go to <http://www.flalegalreform.com/newsarticles/031505TortPR.htm> for a press release from the Florida Coalition on Legal Reform on today's rally.

CONSTITUTIONAL AMENDMENTS

The Senate Ethics and Elections Committee passed three Senate Joint Resolutions designed to make amending Florida's Constitution more difficult. All three proposals, if passed by the legislature this year, will still have to be approved by voters.

In recent years, Florida has seen a dramatic increase in the number of Constitutional amendments brought forth via the citizen initiative process; the joint resolutions passed today are aimed at curbing this recent phenomenon. The three proposals, sponsored by Senator Jim King (R-Jacksonville) and Senator Jeff Atwater (R-North Palm Beach), are mirror images of the proposals by Representative Pickens (R-Palatka) finding their way through the House. SJR 6 increases the vote threshold for passing an amendment or revision to 60 percent, SJR 4 requires that Constitutional amendments and revisions by initiative pass a subject matter filter, and SJR 2200 requires 60 percent voter approval on all proposed amendments or revisions which would impose a significant financial impact on state government in excess of 1/10 of 1 percent of the state's budget (roughly 60 million dollars based on last year's budget).

The only difference between the two chambers is that the Senate, to this day, has not taken up the proposal of requiring Constitutional amendments brought up by citizen initiative to pass by a 60 percent margin in 60 percent of Congressional districts.

All three proposals passed unanimously today, and faced very little debate from the members of the committee. The only opposition came from members of the public, including Ben Wilcox of Common Cause, who testified that his organization was opposed to these proposals unless a statutory initiative alternative was included in the proposals. A statutory initiative process would allow Floridians to place new statutes or revisions of statutes on the ballot. As has been the case recently, this idea was met with heavy criticism from members of the committee who cited the usual examples from California's experience with its statutory initiative process.

Senator Atwater, closing on his presentation, reminded the committee and members of the audience that these proposals were but a "menu" of options that the citizens of Florida could pick and chose from. In other words, Floridians might decide that they want to increase the voting threshold to 60 percent but not limit the subject matter of proposed Constitutional amendments or they might not approve any of the proposals at all.

AIF supports reforms to the process of amending the state Constitution by citizen initiative. Florida's Constitution is too easily manipulated by special interests, subverting the deliberation of public policy decisions and threatening the business community with the enactment of economically destructive programs and mandates.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our "members only" Florida Business Network web site at <http://fbnnet.com>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.