



Associated Industries of Florida

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*Champions
for
Business*

The Champion for Business Award is presented to legislators who display exemplary efforts on behalf of the business community — providing leadership in support of free-market principles.



Champions for Business

What is a *Champion for Business* award? Simply put, it symbolizes our gratitude for extraordinary efforts by legislators on behalf of the business community.

For more than three decades, Associated Industries of Florida (AIF) published *Voting Records*, an analysis of every vote cast by every legislator on major business issues. The votes each legislator actually casts provides tangible evidence of whether or not that legislator upholds the ability of Florida companies to operate free of overly burdensome state regulation and taxation. It is a valuable tool used by AIF and the business community to determine which legislators running for re-election deserve our support. Yet, voting records only tell part of the story.

AIF also helps its member companies detect what bills and amendments are filed by whom, and who is taking part in behind-the-scene efforts and debates on behalf of the business community. These intangible forms of support through non-voting actions are also of vital importance and merit recognition.

AIF instituted the *Champion for Business* award to acknowledge law-makers who do more than vote for business by providing leadership on key legislation. A *Champion for Business* is a legislator who takes risks for their belief in the free-enterprise system, who defies the status quo when it is harmful to our state's competitive climate, and who faces down the opponents to the growing prosperity of Florida's citizens.

The *Champion for Business* is evidence that, in our efforts to let our members and their legislators know who has been good for business and who has been bad, we leave no stone unturned.

This year, the AIF Legislative Team selected those legislators who we deem are strong and forceful advocates for the business community. In our collective wisdom, these twelve legislators and Gov. Jeb Bush are the epitome of what a *Champion for Business* should be. Whether they proposed an important bill, authored a key amendment, or toiled behind-the-scenes, these legislators are the ones who made a difference this session.

Throughout the 60 days of lawmaking, these were the senators and representatives we turned to when we needed someone on whom we could depend. They all deserve to be singled out for their dedication to our free-market economy.

Maybe they are the exception, rather than the rule. But that's why we want to recognize them, because we need more of them in the Florida government.

Business

Governor Jeb Bush (R-Florida)



Even before the beginning of the 2005 Legislative Session, Governor Jeb Bush emerged as one of the

strongest advocates for legal reform that the state has ever seen. His State of the State Address delivered on the opening day of the session made the point as clearly as possible. "We need meaningful tort reform, and we need it now. We must eliminate joint and several liability in Florida, so that people and businesses pay for the injury or loss they cause according to responsibility, rather than financial ability." Governor Bush worked with leaders and saw the passage of the major tort reform package by the House of Representatives. However, the Senate was less amenable to making such important changes to our state's business climate and never even took a vote on this critical issue. Governor Bush has committed to continuing to work with legislators and the business community to realize his vision of a strong and prosperous Florida with a fair and balanced legal system. AIF appreciates and applauds the efforts of Governor Bush and proudly honors him as a Champion for Business.

Representative Frank Attkisson



(R-Kissimmee) has been named a Champion for Business because of his dedication to the principles of

private enterprise. For many years, AIF has sought passage of legisla-

tion that would level the playing field when the private sector had to compete against a local government to provide certain services. As a former city commissioner and mayor, Rep. Attkisson saw governments use taxpayer money as start-up funds for government-run business ventures, setting the public sector in direct competition with the private sector. Rep. Attkisson filed the Governmental Authority Provision of Communications Services Act of 2005 to prevent local governments from providing certain services that could be better supplied by private companies, including high-speed Internet, cable or telecommunication services, unless a community is unable to find a private sector option for the service. The governmental authority must do research and hold public hearings before entering into such endeavors. Much of Rep. Attkisson's proposed legislation was amended onto SB 1322, which passed during the 2005 Regular Session.

Senator Mike Haridopolos



(R-Melbourne) is a two-time Champion for Business. In 2004, he did yeoman's work on legislation to repeal the

onerous and misguided substitute communications systems tax, only to see his bill die in the final minutes of the session. This year his leadership and hard work carried him to victory. The bill repealing the tax, SB 818, was co-sponsored by 23 senators and enjoyed bipartisan support. Although that bill never came up before the Senate, through

his adroit maneuvering, Sen. Haridopolos amended his language onto another bill, which received a unanimous vote in The Florida Senate and went on to the House for final approval. And so the substitute communications systems tax has been repealed once and for all. AIF salutes Sen. Haridopolos for his perseverance on this issue.

Representative John Stargel



(R-Lakeland) is also a Champion for Business for the second year in a row. Like Sen. Haridopolos,

he was not discouraged by the last-minute failure to repeal the substitute communications systems tax in 2004. He simply filed his bill again and won unanimous passage of HB 49 by the Florida House of Representatives during the first week of the 2005 session. At one point in the session, when the Senate suggested a moratorium on the tax instead of elimination, Rep. Stargel stood firm and told the Senate that the House would not accept anything less than a repeal. With the help of Sen. Haridopolos, the repeal eventually made it through the House and into Florida law. Thanks to Rep. Stargel, Florida's businesses will not be under the threat of a substitute communications systems tax that would have cost them, as well as Florida families, thousands of dollars in "new taxes."

Representative Fred Brummer



(R-Apopka) was the perfect choice for chairman of the Committee on Finance and Taxation, where he continued his

long-held stand against new taxes, earning for himself the designation of Champion for Business for 2005. He won House passage of a repeal of the intangible personal property

tax that would have eliminated the one mill annual and recurring tax imposed on stocks, bonds, notes, and other intangible property. Unfortunately, the Senate would not acquiesce to a full repeal and instead, reduced the millage rate to 0.5. AIF salutes Rep. Brummer for supporting the repeal of the intangible tax and for his recognition that it is wrong and foolhardy to penalize businesses and individuals who save or invest their money. As one of only four states that levies such a tax, Florida tax policy is a self-inflicted wound on our competitive ability. It is only with the leadership of politicians such as Rep. Brummer, that our state will continue to make up ground lost to destructive policies such as the intangibles tax.

Senator Jeff Atwater (R-North



Palm Beach), as chair of the Senate Committee on Governmental Efficiency Appropriations, upheld a commitment

against new taxes. This newly created committee, formerly called the Finance & Taxation Committee, reviewed all tax-related issues. Under the leadership of Sen. Atwater, the committee undertook the added responsibility of critiquing Florida's success at long-term planning. He sponsored CS/SJR 2144, a joint resolution that will ask voters in the next election to decide whether they want to limit the amount of non-recurring revenue that the Legislature can use to fund recurring programs. If the proposed constitutional amendment passes, lawmakers could allocate an amount of one-time money, no greater than three percent of total general revenue, for the purposes of funding ongoing state programs. The amendment would also create the Joint Legislative Budget Commission and the Government Efficiency Task Force in 2007, with representation from both the Legislature and private sector, to

develop a long-range financial outlook for the State of Florida.

Representative Don Brown



(R-DeFuniak Springs) took on the Herculean task of filing the AIF-backed comprehensive legal reform

legislation, which included repeal of joint and several liability. The countless hours he devoted to this complex issue were evident as he eloquently and expertly explained and defended these bills in committees and on the House floor. Rep. Brown understands that true tort reform can only be achieved by abolishing the doctrine of joint and several liability from Florida courtrooms. Although Senate President Tom Lee (R-Brandon) proclaimed from day one that the Senate would not take up comprehensive tort legislation, Rep. Brown was undeterred and courageously filed the only bill (HB 1513) that, had it passed, could have given this state true, meaningful, and lasting relief from an unfair and outrageously expensive civil justice system. Rep. Brown fought off attempts by trial lawyers and other opponents within the Legislature to either strip down or kill off the much-needed portions of the bill. While the Senate lived down to expectations by refusing to consider the bill, the House passage of HB 1513, with the language abolishing joint and several language intact, is an historic achievement that would not have occurred absent the efforts of Rep. Don Brown. We appreciate his tenacity and resolve to continue leading the charge for meaningful tort reform in the future.

House Speaker Allan Bense



(R-Panama City) is receiving his second Champion for Business Award for his leadership during the 2005 Legislative Session. It was widely agreed that the

Florida House ran as smoothly and efficiently as it ever has due to the leadership of Speaker Bense. By soliciting input from legislators of both parties, he was able to keep the House on course with plenty of time available to debate the issues critical to Florida's future. Bense also showed incredible courage in his efforts on tort reform. While the Senate president was unwilling to allow debate on comprehensive legal reform to reach the Senate floor, Bense let HB 1513, this session's vehicle for true legal reform in Florida, to make its way onto the House floor for full debate and a final vote. His leadership opened the way for his chamber's historic passage of meaningful tort reform, including the abolition of joint and several liability. AIF applauds the Speaker for his leadership and courage in tackling this all-important issue for Florida's future economic success.

Representative Joe Pickens



(R-Palatka) earned his Champion for Business Award by leading the way for meaningful reform of asbestos litigation.

Prior to the passage of his bill, the Asbestos and Silica Reform Act of 2005, thousands of lawsuits had been brought against hundreds of Florida companies seeking damages for alleged asbestos exposure, even though no actual physical injury or impairment could be detected. Those who were not required to prove impairment were awarded the lion's share of available damage funds, leaving fewer dollars for those who had suffered genuine injuries and impairments and needed the most help. This deluge of legislation created a backlog in many Florida jurisdictions, clogging up the judicial system and increasing the legal costs of all involved. Rep. Pickens' bill requires physical impairment as an essential element of any asbestos claim, which

ensures those who really need the funds to receive them and protects businesses from frivolous lawsuits. This bill was another part of the major tort reform package supported by AIF, and we congratulate Rep. Pickens on a job well done.

Representative Dwight Stansel



(D-Live Oak) was named a Champion for Business for his tireless efforts on behalf of legal reform. He sponsored legisla-

tion (HB 135) designed to create a fair and level playing field for utility companies that are sued for injuries or damages due to non-working or malfunctioning streetlights. Under Rep. Stansel's bill, a plaintiff must receive actual notice that a streetlight was not working and prove that the utility provider knew that the streetlight was not working. The provider then has 60 days to repair or replace the light unless unforeseen and uncontrollable circumstances, such as a natural disaster, prevent the repair. AIF appreciates Rep. Stansel's strong commitment over the past two sessions to build support for this bill and to usher it through to final passage. Rep. Stansel also filed the Florida Incentive Based Permitting Act that would have provided a number of incentives, including permits of longer durations, for a business demonstrating a good compliance record with the Department of Environmental Protection. Although this bill did not pass, Rep. Stansel's vision and commitment to continued work on such important issues is sincerely appreciated and commended.

Representative Holly Benson



(R-Pensacola) has been selected for a Champion for Business Award for her leadership in passing Medicaid reform

legislation. Rep. Benson, as chair of the House Health and Families Council, worked long hours to develop a bill that balanced the needs of beneficiaries and providers with the state's goal to reduce the high costs of the Medicaid program. Because of her hard work, we are moving toward a modernized health-care delivery system for poor, elderly, and disabled Floridians that will serve as a model for the rest of the nation.

Representative Rene Garcia



(R-Hialeah) was selected as a Champion for Business for his leadership in passing Medicaid reform legislation.

With Rep. Benson, he devoted long hours to developing legislation that will guide Florida towards a future that protects those who rely on the health-care safety net without jeopardizing the state's ability to fund other programs while maintaining strong economic growth. Rep. Garcia also sponsored HB 1621, which addressed the medical liability problem in Florida by creating the Enterprise Act for Patient Protection & Provider Liability. Under Rep. Garcia's leadership, the bill passed the House, but unfortunately died in the Senate.

Representative Dennis Ross



(R-Lakeland) is recognized as a Champion for Business for his efforts on the property insurance legisla-

tion enacted by the 2005 Legislature. As chair of the House Committee on Insurance, Rep. Ross addressed many difficult issues arising from last year's four hurricanes. With the passage of SB 1486, he demonstrated his ability to balance the needs of hurricane plagued Floridians with concerns of the viability of the insurance industry. Over the objections of the Florida Academy of Trial Lawyers, the bill reverses the holding of the court's decision in *Mierzwa v. Florida Windstorm Underwriting Association*. In effect, the decision would have forced property insurance companies to duplicate coverage for flood damage, which is currently provided under the Federal Flood Insurance Program. Doing so would have cost businesses and homeowners millions of dollars in additional premiums, along with assessments on all policyholders to pay for deficits in coverage. In addition, Rep. Ross fought for claims dispute resolution language in the bill that will greatly reduce litigation involving property losses resulting from sinkholes. He was also successful in keeping out trial lawyer language that would have increased insurers "bad faith" exposure in all property liability and structure claims.

The 2005 Legislative Session is over and now everyone's asking: **What exactly happened?**

Do you know about the new laws that will affect you as a business owner? What about how the performance of your senator and representative on bills that affect your bottom line?

Not to worry. The new editions of *Employer Advocate* and *Voting Records* are your guide to who voted for which bill and what it all means.

Employer Advocate has been the main source of analysis of the major issues that affect the Florida business community for many years. In the coming edition, you will read about what really happened in the battle for Legal Reform in Florida. What bills passed and why didn't the one bill that would have made a huge difference in our legal system not even get debated in the Senate? On the positive side, what tax bill did Associated Industries champion through to passage that will save Florida between \$200 and \$500 million dollars a year? All of this and more will be outlined in the 2005 Summer Edition of the *Employer Advocate*.

For more than 30 years, Associated Industries of Florida has compiled *Voting Records* on major business issues facing the Florida Legislature. This publication has become the touchstone for employers who want to know how their senators and representatives vote on bills that promote the free enterprise system. The 2005 *Voting Records* digs deep, relying on 84 bills and 8,092 votes to gauge the ratio of each legislator's support for the positions advocated by the Florida business community.

And watch out for *Employer Advocate* and *Voting Records* coming on-line to a computer near year.

