

# EMPLOYER

Informing readers about issues pertinent  
to Florida's business community



# Advocate

Cover Story

## Why the Business Community Needs Rick Scott as Governor Pg. 3

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Jeff Atwater,  
Adam Putnam  
and Marco Rubio  
will be Great  
for Florida

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Cover photo by: Shealah Craighead



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ASSOCIATED INDUSTRIES OF FLORIDA

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# Political Operations

## How to Get Involved

As this publication will show, there is a lot going on in Florida as it relates to politics and electing members of the Florida Legislature. It is most important that you are involved in that process as the decisions they make affect your daily lives. Due to term limits or the pursuit of higher office, there is a perpetual reshuffling of the Florida Legislature which demands a concerted effort by Florida business to be “in the know.” AIF provides its members several ways to become involved in the political process.

**First**, join the **AIF Political Council (AIFPC)**. The mission of the Political Council is to provide information and access for its membership on election news and information, candidates, polls and the overall political environment in Florida. It is not an entity used to engage in endorsements, electioneering communication or election activities. AIFPC is a way for its members to take an active role in the political process by providing them the information necessary to make educated decisions in all of Florida’s races and help business owners determine the best placement of their campaign contributions for endorsing pro-business candidates.

**Second**, contribute to the **Associated Industries of Florida Political Action Committee (AIFPAC)**. The AIFPAC is comprised of AIF members who pool their political resources together to support incumbents who have proven business-friendly voting records and pro-business candidates to the Florida Legislature. AIFPAC is led by a Board of Directors; and after consideration of candidate questionnaires, incumbent voting records and political analyses of the districts, they determine who receives contributions and endorsements from AIFPAC.

**Third**, visit AIF’s one-of-a-kind website for Florida employers. At [aif.com](http://aif.com) you can get information on a daily basis relative to all the critical business issues facing the business community and look at the annual *Vote Records* publication to see how the current group of legislators are voting on critical issues. Through the *Vote Records* database you can view both current and historical vote patterns for legislators going back 30 years. This information is a good tool in your own deliberations on which candidates to support or not support.

To learn more, please contact Michelle Mattox, AIF’s Chief Political Officer, at 850-224-7173.



By Barney T. Bishop III



## AIF Leads the Way in This Year's Critical Political Season

**W**hen it was founded 90 years ago, AIF was designed to do just two things: legislative advocacy and political action. This year, AIF has methodically navigated a very unusual political season and has once again provided consistent guidance to our members when it comes to voting candidates who understand that a free-enterprise system is what makes America and Florida great.

After we finished our candidate interview process, we began the endorsement process for the U.S. Senate race. It was rather easy to secure the necessary two-thirds vote by the AIF Board of Directors to endorse the GOP nominee **Marco Rubio** (see page 18) back in June. This decision communicates to our members and the business community at large that Marco is the very best candidate to represent Florida in Washington, D.C.

The AIF Political Action Committee (AIFPAC), which makes all non-federal endorsements, decided in June to endorse **Pam Bondi** for Attorney General. Our PAC requires a two-thirds vote, and she was the only candidate to secure enough votes for an endorsement. When compared to her Democratic opponent — who has not supported the free-enterprise system, is more than willing to raise taxes, and has supported legislation that would make Florida non-competitive with other southern states — it's clear that Pam is best suited to be Florida's chief law enforcement officer. (see Bondi article on page 12).

In quick order, AIFPAC also endorsed **Adam Putnam** for Commissioner of Agriculture and Consumer Services (see article on page 16) and **Jeff Atwater** for Chief Financial Officer (see article on page 15). Both of these men have proven track records, and their experience will help lead Florida with a pro-prosperity agenda over the next four years.

In the most important race — the race for Governor — the AIFPAC selected **Rick Scott** (see Cover Story on page 6). His views on issues critical to the business community, such as jobs, taxes and regulation, made him the perfect choice. Rick has been criticized for events that occurred at his former company, Columbia/HCA. On page eleven you will be able to read some facts on this that no one is talking about.

Rick's selection of Rep. Jennifer Carroll as his running mate was "icing on the cake" as she has been a star in the Florida House and has an AIF historical voting record of 97 percent. We are excited about Rick's and Jennifer's chances this election cycle because all indicators show that voters who do not support the President and his radical, left-leaning policies are much more motivated to vote on Election Day.

In this edition, you will learn more about the candidates mentioned above as well as all of our endorsed candidates, constitutional amendments that are important to members and other articles that are timely as we get ready for the 2010 General Election.

Of course, the most important fact to remember is that we all have a moral obligation to make our democracy work and that means exercising your right to vote for the candidate of your choice. That's why America is a beacon to the world.

Barney T. Bishop III is President & CEO of Associated Industries of Florida and affiliated companies (e-mail: [bbishop@aif.com](mailto:bbishop@aif.com))



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# AIF Political Endorsements

**E**lecting lawmakers who understand the needs of our state's business community is a priority for AIF — rallying the voting power of its business members behind state and federal candidates who support the principles of a free-enterprise system.

All federal endorsements were made by the AIF Board of Directors and required a 2/3 vote. The endorsement did not include any financial contribution.

All endorsements for the State Legislature and Governor and Cabinet (required 2/3 vote) were made by the Associated Industries of Florida Political Action Committee (AIFPAC).

The AIFPAC is a political tool available to members of AIF which provides them an opportunity to be involved politically with the legislative races statewide. It derives its contributions from businesses and associations that are current members of AIF, and its purpose is to assist in the election of business-friendly incumbents and candidates to the Florida Legislature.

AIFPAC is led by a Board of Directors who determine — after consideration of candidate questionnaires, incumbent voting records and political analyses of the districts — which candidates will receive contributions and endorsements from the AIFPAC. The member companies and associations invested in the AIFPAC recognize and understand the issues that face Florida's businesses and economy; and through their contribution to the AIFPAC, they support candidates that share their opinions.



Governor – **Rick Scott** (R)



Lt. Governor – **Jennifer Carroll** (R)



Attorney General  
**Pam Bondi** (R)



Chief Financial Officer  
**Jeff Atwater** (R)



Commissioner of Agriculture  
& Consumer Services  
**Adam Putnam** (R)

*“Florida’s lackluster economy demands strong leaders who will advance measures that foster a business-friendly climate.”*

– BARNEY BISHOP, PRESIDENT & CEO, AIF

**Florida Senate**

- SD 2 Greg Evers (R)
- SD 6 Bill Montford (D)
- SD 8 John Thrasher (R)\*
- SD 12 Jim Norman (R)
- SD 20 Alan Hays (R)
- SD 24 Thad Altman (R)\*
- SD 25 Elyn Bogdanoff (R)
- SD 27 Lizbeth Benacquisto (R)
- SD 32 Jeremy Ring (D)\*
- SD 35 Gwen Margolis (D)
- SD 36 Miguel Diaz de la Portilla (R)
- SD 38 Anitere Flores (R)

**Florida House**

- HD 1 Doug Broxson (R)
- HD 3 Clay Ford (R)\*
- HD 6 Jimmy Patronis (R)\*
- HD 7 Marti Coley (R)\*
- HD 10 Leonard Bemby (D)\*
- HD 11 Debbie Boyd (D)\*
- HD 16 Charles McBurney (R)\*
- HD 17 Lake Ray (R)\*
- HD 18 Ronald “Doc” Renuart (R)\*
- HD 20 Bill Proctor (R)\*
- HD 22 Keith Perry (R)
- HD 24 Dennis Baxley (R)
- HD 25 Larry Metz (R)
- HD 26 Fred Costello (R)
- HD 28 Dorothy Hukill (R)\*
- HD 30 Ritch Workman (R)\*
- HD 31 John Tobia (R)\*
- HD 33 Jason Brodeur (R)
- HD 34 Chris Dorworth (R)\*
- HD 35 Dean Cannon (R)\*
- HD 38 Bryan Nelson (R)\*
- HD 40 Eric Eisnagle (R)\*
- HD 41 Steve Precourt (R)\*
- HD 42 Marlene O’Toole (R)\*
- HD 47 James Grant (R)
- HD 48 Peter Nehr (R)\*
- HD 50 Ed Hooper (R)\*
- HD 51 Janet Long (D)\*
- HD 54 Jim Frishe (R)\*
- HD 56 Rachel Burgin (R)\*

**U.S. Senate**



U.S. Senate  
**Marco Rubio (R)**

- HD 57 Dana Young (R)
- HD 58 Janet Cruz (D)\*
- HD 60 Shawn Harrison (R)
- HD 61 Will Weatherford (R)\*
- HD 64 Kelli Stargel (R)\*
- HD 65 John Wood (R)\*
- HD 66 Ben Albritton (R)
- HD 67 Greg Steube (R)
- HD 70 Doug Holder (R)\*
- HD 71 Ken Roberson (R)\*
- HD 75 Trudi Williams (R)\*
- HD 79 Mike Horner (R)\*
- HD 80 Debbie Mayfield (R)\*
- HD 81 Gayle Harrell (R)
- HD 83 Pat Rooney, Jr. (R)
- HD 84 Mack Bernard (R)\*
- HD 85 Joe Abruzzo (D)\*
- HD 87 Bill Hager (R)
- HD 91 George Moraitis (R)
- HD 98 Franklin Sands (D)\*
- HD 101 Matt Hudson (R)\*
- HD 111 Erik Fresen (R)\*
- HD 112 Jeanette Nunez (R)
- HD 113 Carlos Lopez-Cantera (R)\*
- HD 114 Ana Rivas Logan (R)
- HD 115 Jose Felix Diaz (R)
- HD 117 Michael Bileca (R)
- HD 119 Katie Edwards (D)
- HD 120 Ron Saunders (D)\*

**U.S. House**



Jeff Miller (R)\*  
CD 1



Ander Crenshaw\*  
(R) CD 4



Cliff Stearns (R)\*  
CD 6



John Mica (R)\*  
CD 7



Dan Webster (R)  
CD 8



Gus Bilirakis (R)\*  
CD 9



C. W. Bill Young (R)\*  
CD 10



Vern Buchanan (R)\*  
CD 13



Connie Mack (R)\*  
CD 14



Bill Posey (R)\*  
CD 15



Tom Rooney (R)\*  
CD 16



Ileana Ros-Lehtinen (R)\*  
CD 18



Allen West (R)  
CD 22



David Rivera (R)  
CD 25

\* Incumbent

# Why the Business Community

by Tamela Perdue, Esq.



Photo by: Shealah Craighead

**B**usiness leaders know Florida's economic condition is the most challenging this generation has ever faced. Indicators measuring the depth of the recession and our state's long path to recovery are discouraging.

Consider the following:

- *Since 2007, Florida has lost a larger percentage of our jobs than the rest of the country.*
- *Florida's unemployment rate is close to being among the five worst in the country, yet the state had one of the lowest unemployment rates just three years ago.*
- *Florida's economic decline is larger and expected to linger longer than the national average.*
- *Floridians earn lower wages than people in other states.*

In the midst of these daunting economic circumstances, Florida voters must select a new governor capable of steering our state in the right direction. The political answers of the past are not enough to turn our state's economy around. Florida's next governor must be able to overcome these obstacles with the passion, courage, creativity and

leadership that will get the job done. Only Rick Scott stands out as having the background, expertise and experience to willingly and credibly extend a handshake to Florida citizens and businesses and simply say "Let's Get To Work."

## An Early Entrepreneur Committed to Faith, Family & Community

The son of a truck driver and JC Penney clerk, Richard Scott is today considered one of America's foremost entrepreneurs.

Rick Scott's wealth and financial resources are vastly known due to his unprecedented success in winning the Republican nomination for Florida Governor. His path to success did not begin glamorously and his rewards resulted from his commitment to his values, his courage to take risks and his never-ending willingness to work hard.

After high school and one year of community college, Scott enlisted in the United States Navy, where he served on active duty aboard the USS Glover as a radar man. Scott then enrolled at the University of Missouri-Kansas City

*His path to success did not begin glamorously and his rewards resulted from his commitment to his values, his courage to take risks and his never-ending willingness to work hard.*

# Needs Rick Scott as Governor

and, while also working full-time at a local grocery store, he made his first significant foray into the business world by buying two Kansas City doughnut shops for his mother to manage.

Following graduation from UMKC with a bachelor's degree in business administration, Scott earned a law degree from Southern Methodist University. He stayed in Dallas, working for the city's largest law firm, Johnson & Swanson, primarily representing companies in the health care, oil and gas and communication industries. His specialization was in health care mergers and acquisitions. It was during his work on these transactions that he recognized how patients could be better served by improving hospital efficiency, which would lead to lower costs and better outcomes.

In the spring of 1987, while still practicing law, Scott put together a \$6 billion finance package and made an offer to purchase HCA, Inc. When the offer was rejected, Scott started Columbia with his entire life savings of \$125,000.

When Scott left Columbia in 1997 at the age of 44, it was one of the most admired companies in America. It had grown to become the world's largest health care company with more than 340 hospitals, 135 surgery centers, and 550 home health locations in 37 states and two foreign countries. Columbia's annual revenues exceeded \$20 billion, and it employed more than 285,000 people, making it the 7th largest U.S. employer and the 12th largest employer worldwide. Though Columbia owned only 5 percent of the hospitals in the country in 1997, the company operated more than a quarter of the Top 100 Hospitals in America, as ranked by Mercer/HCIA. (See *The Truth About Scott and Columbia/HCA* on page 9)

In late 1997, Scott purchased a controlling interest in America's Health Network, which later merged with Fox Entertainment to become The Health Network and later Discovery Health. In 2001, Scott co-founded Solantic Corporation, which operates unique and innovative urgent care centers across Florida. These centers provide urgent care for patients with no insurance, patients who cannot get in to see their personal physician or patients who prefer not to go to the emergency room for less serious health care needs. Solantic was the first urgent care center operator to have menu boards similar to Starbucks, listing all prices up front. In July 2007, Solantic completed a deal to expand the company into Wal-Mart Super Centers in Florida, and the company now has 27 locations across Florida.

He resides in Naples, Florida with his wife Ann, his

high school sweetheart. They have been married for 37 years and have two grown daughters. Scott is a Christian and has attended church his whole life. He is currently a trustee and member of Naples Community Church, which he helped start in 2006.

Throughout his career, Scott has been involved in a variety of charitable activities including serving on the National Board of the United Way from 1997 to 2003. From 1999 to 2003, Scott worked with World Vision to create a primary health care system in Bunyala, a poor area of Kenya.

## A Crusader for the Free-Market

In March 2009, Scott launched Conservatives for Patients' Rights (CPR), an advocacy group dedicated to the free market principles of choice, competition, accountability and personal responsibility in health care. Modeling the organization after his own efforts in the industry, the goal of CPR was to prevent further government encroachment on the rights of patients.

As President Obama's government-run public option plan began to take shape, Scott directed CPR to focus specifically on stopping the public option plan, even as political groups launched attacks against Scott and the debate began to intensify.

In November of 2009, AOL Politics Daily writer Matt Lewis called Scott "The Unsung Conservative Hero of the Health Care Debate," crediting Scott with rejecting conventional wisdom and running an unorthodox campaign that spread the free market message coast-to-coast rather than specifically targeting key states. Scott's strategy, Lewis said, "... helped generate the coast-to-coast momentum that led to the August town-hall meeting phenomenon, which ultimately put Democrats back on their heels."

For his role in founding CPR, Scott won the Weyrich Award for Business Person of the Year for 2009. The Weyrich Awards are given to "leaders in the conservative movement who have made significant contributions to the cause of liberty."

On February 2nd, CPR received wide coverage when the group publicly declared victory over the public option after it became clear that President Obama didn't have the support to get it through Congress.

**A Visionary Leader Prepared for Florida's Challenges ...** please see *Rick Scott's Future – Working for Florida* on following page.

# Rick Scott's Future – Working



**W**ith all of Scott's accolades and accomplishments, it would be easy for him to rest on his laurels and enjoy a comfortable retirement in the Sunshine State. Instead, he has chosen a different course — one that has been hard fought on the campaign trail and demonstrated his commitment to his sincere beliefs that he can lead Florida to a place of prosperity and success in the next four years.

Scott's Blueprint to Secure Florida's Future is built upon seven ambitious steps that he describes and details:

## **Implement Accountability Budgeting**

As governor, Rick Scott will require accountability budgeting to force each state bureaucrat to justify every tax dollar they spend. He proposes the use of biennial budgets in order to adequately review budget goals and give the public time to participate in the budget process. Scott will also impose spending limits to ensure government expenditures are at an affordable level — changing the focus from how much government can spend to how much the economy can grow.

## **Reduce Government Spending**

Studies demonstrate that Florida's economic growth is higher when state spending is lower. Some reform areas that Rick Scott's administration will tackle are:

**Reforming Medicaid** – Reforming health care for Medicaid recipients (through a waiver), and state employees to consumer directed care will lower the cost of health care, increase choice of health plans, and save taxpayers \$1.8 billion.

**Corrections Reform** – Despite unions' attacks and misrepresentations about Scott's prison reform plan, one cornerstone of the corrections reform requires paying competitive, market-based salaries for corrections' staff. His other ideas — including utilizing inmate labor to grow prison food and competitively bidding health care contracts — could reduce the corrections budget by \$1 billion. This is \$1 billion in taxes that Floridians and Florida businesses would not have to pay.

**Operational Efficiencies** – Using common sense business solutions can reduce the cost of government through operational efficiency savings upwards of \$500 million (Source: *Florida Taxwatch*).

Photo by: Shealah Craighead



*In order to open Florida for business, we must first ensure that incentives and policies are in place to reward success.*

# for Florida



*We live and work in the greatest state in the nation and there is no reason we cannot have the greatest economy once again.*

## **Enact Regulatory Reform**

As a successful business leader, Rick Scott knows how important lowering the costs of doing business is to employers and to keep more Floridians employed. With these goals in mind, Scott pledges to get rid of the regulatory burdens that bog down business in Florida. He will tackle our unemployment compensation trust fund deficits while keeping unemployment taxes affordable and stable, which will decrease the unemployment rate.

Scott will impose a regulatory freeze on state agencies and implement a comprehensive review of existing and proposed agency regulations to determine which are overburdensome and duplicative. He will specifically review state development regulations and expedite permits for job-creating businesses and industries. Scott also recognizes the critical need Floridians have for reliable and affordable energy rates, which has recently been ignored by the Public Service Commission (PSC). He will reform the PSC processes to allow reasonable energy production and expansion.

Scott also believes that frivolous, expensive litigation and outrageous judicial outcomes must be acknowledged and addressed so Florida businesses are no longer hampered from operating at their highest capacity. He also pledges to fix our health insurance costs by addressing such Florida idiosyncrasies like mandates that only apply here and exceed the national average.

## **Focus on Job Growth and Retention**

In order to open Florida for business, we must first ensure that incentives and policies are in place to reward success — rather than punishing it. As governor, Rick Scott will be Florida's chief economic development officer. He won't miss any opportunity to keep or add jobs to this state. There must be an elimination of overlapping economic development agencies, and Rick Scott will establish one central entity that will assist local economic development agencies and serve as our statewide recruitment agency. Local offices will remain central to job creation and retention in our state, but will have better resources and trained specialists to assist the local businesses they serve.

Scott will make further strides in achieving greater flexibility in the state's economic development programs to allow our existing businesses to expand here in their own unique ways. He is committed to the state's Innovation Fund that brought Scripps and Burnham research labs to Florida, developing high-tech clusters with high-paying jobs, and he will nurture new cutting-edge technology clusters — such as the biotechnology cluster in Orlando that, by conservative figures, creates more than \$7 in economic returns for every \$1 invested (a 7:1 return on investment).

## **Invest in World Class State Universities**

Rick Scott firmly believes that a world-class university system will provide our state the highly-educated workforce necessary to enhance the state's vibrant technology sectors. One of his primary goals is to maximize the impact from university research on the economy by ensuring that every Florida university and its groundbreaking research are connected to the state's economic development process. He believes this will occur by leveraging the research strengths of our state's universities — such as recent investments made in medical colleges — to invest in new and emerging technologies that positively impact our economy. His business background and expertise will guide Florida to greater investments in university research, laboratories, business incubators, and technology transfer.

### Reduce Property Taxes

Property tax revenues have been growing faster than personal incomes especially since 2000. Over the last decade, property tax revenues grew 107 percent, or 5 percent a year, compared to a 64 percent growth in personal income, or 3.3 percent annually. Although tax rates have not increased in Florida during the recession, to avoid a real increase in tax payments on property that is not homesteaded, the tax rate would have to fall by more than 22 percent. However, that has not happened and the real property tax burden has outpaced income growth. Scott will cut property taxes for all Florida homeowners who desperately need some tax relief.

### Phase Out the Business Income Tax

In total, Scott's tax and budget reforms are estimated to create an additional 365,000 jobs. One huge hurdle to that objective is Florida's business income tax. Economic studies show that Florida's business income tax makes Florida less competitive versus other states. (*see chart at right*) Fully phasing out the business income tax over time will have a large positive benefit for Florida's economy while having a

minimal impact on state revenues. At the same time, overall state tax revenues will benefit from the dynamic economic growth created from the corporate income tax phase-out.

Scott believes that sticking to these principles will create thousands of jobs across this state and return the state's economy to a level of unbridled success.

### Let's Get To Work

The choice for business is clear. Rick Scott's plan calls for less government, taxes and regulation instead of boosting government spending, raising taxes and increasing government regulation. We live and work in the greatest state in the nation and there is no reason we cannot have the greatest economy once again. Florida needs the leadership, courage and vision of Rick Scott to meet the challenges ahead and the Florida business community should adopt his ideals and ambitions by joining with him to get Florida back to work. ■

**Tamela Perdue, Esq. is AIF's General Counsel**  
(e-mail: [tperdue@aif.com](mailto:tperdue@aif.com))

## Candidate for Lt. Governor – *Jennifer Carroll*

**R**ick Scott has selected a demonstrated leader and hero of the Florida business community to be his running mate. Rep. Jennifer Carroll is a legislator, small business owner, and veteran serving the Florida House of Representatives' District 13.

She was born in Port of Spain, Trinidad West Indies, emigrated to the United States as a young child and served her adopted nation honorably and with distinction with the United States Navy for over 20 years. Carroll worked through the ranks and retired as Lt. Commander Aviation Maintenance Officer. During her time in the Navy, she was awarded the Meritorious Service Medal, the Overseas Ribbon, two Coast Guard Special Operation Ribbons, and an Expert Pistol Medal.

Carroll graduated from the University of New Mexico with a B.A. in Political Science and received her M.B.A. from St. Leo University. Carroll moved to Florida in 1986 and, since living in the state, started a business, 3N. & J.C. Corp., where she is President. She ran for the Florida House of Representatives in 2003 and became the first African-American female Republican in the Florida Legislature's history. As a legislator, she was appointed Deputy Majority Leader by Speaker Johnnie Byrd from 2003-2004 and served as Majority Whip from 2004-2006. While serving in the Florida House, she achieved a historical AIF voting record of 97%.

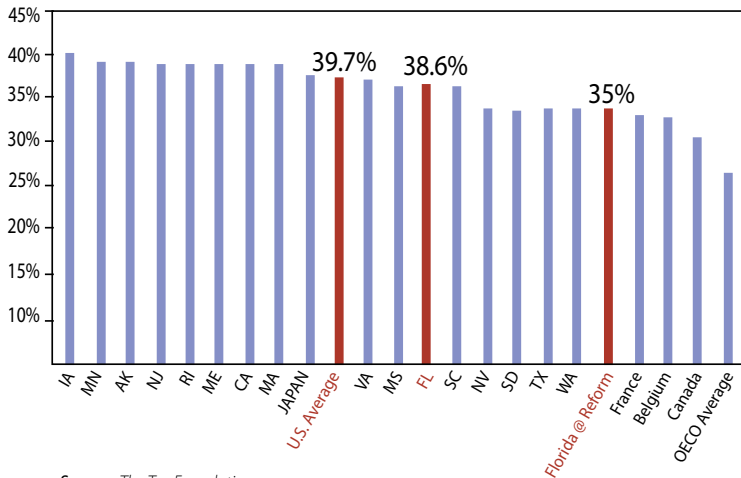
Carroll shares Rick Scott's vision for the state of Florida and his conservative values. She believes in smaller government, lower taxes, personal responsibility, and personal freedom. She opposes the liberal agenda of higher taxes, government control of health care through Obamacare, and excessive regulation like Cap and Trade.

Carroll is married to Nolan Carroll of Miami and they have three children. The Carrolls currently live in Fleming Island, Florida. ■

# The True History of Rick Scott & Columbia/HCA

## Business Income Tax Rates in the U.S. and Other Higher Taxed Countries

(State and Federal Combined)



Source: The Tax Foundation

## Building Business

In 1987, Rick Scott started Columbia with his personal savings. Columbia purchased hospitals and instituted practices that made them more efficient, allowing patients to pay less while receiving better outcomes. In 1994, Scott made a successful bid for HCA, Inc., which at that time owned approximately 100 hospitals, and the company's name changed to Columbia/HCA. By the end of 1995, Scott had added 80 more hospitals to the network.

Under Scott's leadership, Columbia had a "best demonstrated practices" group that constantly worked on ways to reduce costs, improve outcomes and benefit patients. Columbia's success also resulted in approximately \$2 billion in funding for charitable foundations, many of which focus on ways to improve health care in America.

In 1997, Columbia was recognized by Business Week as one of the 50 Best Performing Companies of the S&P 500.

## Facing Challenges

In the mid-1990s, the Clinton Administration launched a nationwide investigation seeking out instances of health care fraud with a goal of aggressively pursuing every hospital corporation in the country. They assigned 1,500 federal agents to work solely on health care fraud. At the time, there were more than 4,000 active investigations launched and more than 2,700 health entities fined or threatened by the government.

Columbia was not singled out for any specific deeds when the federal government launched its investigation into its policies and procedures. In fact, some of the finest health care facilities in the country — like Duke University Medical Center where Senator Kennedy had brain surgery and the University of Chicago Hospitals where Michelle Obama was a Vice-President — were also investigated and fined for Medicare practices found in these widespread fishing expeditions launched by the administration.

Scott was CEO of Columbia/HCA until 1997, when he and the company parted ways due to a disagreement over how to move Columbia/HCA forward in light of the government's investigation into Medicare compliance. The federal Medicare investigation continued for years after Scott's departure when the company decided to settle all claims.

There's no doubt that when the government spends millions of dollars probing every aspect of one of the world's largest companies, the investigators are virtually obligated to find something. Interestingly enough, after the damage of these investigations was done, the Clinton Justice Department eventually conceded in a Congressional GAO report that perhaps all of those investigations could have been avoided with better claims analysis by the investigating staff.

## Resolving Disputes

Years after Scott left the company, Columbia/HCA decided to settle with the Department of Justice and agreed to pay fines in 2000 and 2003. Scott played no part in the decision to settle the case.

Rick Scott was never even interviewed, and obviously never charged with any wrongdoing whatsoever. The fact that the government never questioned, let alone charged Scott with anything at all, speaks for itself. ■



Photo by: Shealah Craighead



# Why Pam Bondi Will Make a Great Attorney General

by Tamela Perdue, Esq.

A native of Tampa, Pam Bondi is a fourth generation Floridian and hails from a family dedicated to service, including three generations of educators. She graduated from the University of Florida and Stetson Law School. For the past 18 years, Bondi has served as an Assistant State Attorney in Hillsborough County. Her investigative and courtroom experience came into play with national, high-profile cases, including putting Adam Davis on death row for the murder of Vicky Robinson and convicting Melvin Givens of first degree murder for the stabbing death of local NBC-News Producer Danielle Cipriani.

Bondi served as Felony Bureau Chief and a key member of internal homicide, vehicular homicide, and DUI manslaughter committees. She also sat on the Executive Committee responsible for budget, personnel and legal strategies.

She has served as the Vice Chair of the Florida Bar Grievance Committee, and on the Board of Directors of the

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Tampa Bay United Way, Children's Board, Junior League and University of Florida Gator Club.

Bondi was named as one of the Tampa Bay Review's 2001 "*Lawyers of Distinction*" and has also received the Italian "*Woman of Excellence in Government*" award.

**We recently had the opportunity to sit down with Pam Bondi and talk about her bid for Florida Attorney General. She unequivocally convinced AIF that she is the best choice for Florida's business community and, after you read her interview, we are certain you will agree and support her.**

**AIF: In your opinion, what role does the Attorney General play in the State of Florida?**

**BONDI:** *The Attorney General of Florida, serving both as the "Chief Legal Officer" for our state and as a member of the Cabinet, has an extremely important and diverse role in this state.*

*First and foremost, the Attorney General is a protector of the rights, security and safety of Florida's consumers, businesses, families and seniors. The people of Florida deserve to have an AG who will be a proactive and aggressive defender of the basic, fundamental freedoms provided to them by law. I have spent almost two decades as an Assistant State Attorney in one of the largest, most successful offices in the state doing just that. In that role, I have prosecuted and investigated every major category of crime and am proud to have helped many businesses who have been the victim of theft and embezzlement.*

*Fighting to put dangerous criminals behind bars and give justice to victims isn't a fleeting political interest to me, but instead has defined my career and given me the experience, insight and motivation necessary to be Florida's "top cop," as the job is often called. In addition to defending the safety and security of the citizens of Florida, the AG must be willing and able to defend our constitution. Our nation and state are facing a time of constitutional crisis where there is a great discord between the rule of our government and the rule of law.*

*That is why now — more than ever — it is essential to elect an AG who will vigorously and courageously defend the constitution and the sovereign rights and freedoms it codifies. I have the experience and training necessary to fight the federal health care law, and other injustices, successfully in a court of law. I am proud to have spent my career in a real courtroom on the front lines of justice protecting our businesses, citizens and families.*

*Another essential role of the AG is the great responsibility and opportunity to impact the economic well-being of our state. It is essential to elect an AG who understands that business, not government, will return this state to economic stability and prosperity. I strongly believe in the reduction of unnecessary, expensive and burdensome regulations, fees*

*and taxation to ensure that our businesses are able to do what they do best — business. In the capacity as a member of the Cabinet, the AG has a serious responsibility to make fiscally-conservative appointments to roles in the SBA; to encourage significant systemic reforms to Medicaid to slow growth and reduce fraud; and actively encourage a better atmosphere for our businesses to grow and succeed.*

*The AG must also be an effective manager of a large organization. I am an experienced manager having been the Felony Bureau Chief and serving on the Executive Committee responsible for budget, personnel and legal strategies. And for a decade, I oversaw and helped supervise and manage a staff of 340 employees and more than 130 attorneys in the Hillsborough County State Attorney's office.*

**AIF: As the state's highest legal officer, what guidelines and criteria would you use to determine if a business or industry would be the target of a state lawsuit? Would your criteria be different if considering a regulated industry that operated within the regulatory requirements, but an undesirable outcome still occurred?**

**BONDI:** *I strongly believe that unless there is willful intent to harm people or the environment, or commit fraud by a business, individual or industry, a state lawsuit should be considered an action of last resort. Politics should not play a part in that decision. Moreover, I will never use this office as a platform to further a political agenda through the use of the media at the detriment of our businesses.*

*Businesses deserve fair treatment when investigated and confronted about suspected wrongdoing. When potential wrongdoing surfaces, and that wrongdoing is verified through an honest, professional and impartial investigation, I first would work to ensure that all parties understand and agree that the mutual goal of protecting, preserving and restoring the state and the citizens of the state is the top priority. Giving business the opportunity to responsibly solve consumer problems without the state intervening is in the best interest of Florida's consumers, and I would encourage the exploration of every possible option.*

*However, if legal action became necessary because, for example, a crime against the state or citizens was committed, or a business did not live up to the corrective actions necessary to appropriately compensate or correct wrongs against our state and citizens, I would aggressively seek to resolve those issues in a court of law.*

*My criteria for a lawsuit against a regulated industry acting within the regulatory requirements would involve an additional step. I would determine whether government regulations or regulators contributed to the problem. Historical compliance with the numerous government regulations that burden some businesses may also be considered as a positive factor in determining whether a business was acting*



Pam Bondi shares her platform with AIF and Florida business leaders.

*in good faith when any mistake or problem occurred. In this scenario, I would additionally require research and education as to how the regulatory process had failed citizens and the business and work to correct that failure, including any necessary future legislative action.*

**AIF: State revenues have sharply declined in the past few years creating ever-shrinking budgets in which state government must operate. The state economists also predict these shortfalls will continue for the foreseeable future. For what specific changes would you advocate to create a balanced budget? Do your proposals include increasing revenue, decreasing government services or other options?**

**BONDI:** *In tough economic times, we all are faced with difficult decisions on how to make ends meet. Our state's revenue is reliant on taxes, and I do not believe that increasing taxes on hardworking citizens and productive businesses will provide a sustainable economic solution for our state. Instead, I feel that our leaders have an obligation to continually review our state's spending and implement budget-tightening measures, just as millions of Florida taxpayers have done in order to live within their means.*

*Further, the strength of our business community is critical to the long-term fiscal health of our state. The continuation and expansion of tax incentive and economic development programs designed to attract business leaders to build and expand in Florida are essential to our future.*

**AIF: In your opinion, what are the pros and cons of competition in the marketplace and how do you believe Florida's current regulatory environment fosters or hinders competitive business markets in the state?**

**BONDI:** *I strongly believe that it is the entrepreneurial*

*spirit of business that fuels Florida's economy. Yet, business leaders face numerous challenges and are forced to jump through regulatory hoops in order to comply with requirements and operate legally in our state. In my opinion, unfair, expensive and burdensome regulation is one of the greatest challenges to competitive business in our state. Over the last nine months since I have been a candidate for Florida's Attorney General, I have had the opportunity to meet with many business organizations, leaders, advocates and employees across our state. Business regulation issues are consistently identified as one of the biggest concerns and top priorities necessary for the business community to address.*

*Although regulation is necessary to some extent, businesses are now facing duplication of regulation by state agencies and local governments, costing businesses not only an enormous amount of money, but time as well. To make matters worse, there are times when an employer complies with one regulation for a permit, only to be denied a permit from another agency because of that compliance.*

*I believe in reducing all unnecessary regulatory burdens so that businesses can increase production and create new jobs that will help Florida get back to economic prosperity. I applaud Florida's legislative leaders for recognizing the importance of regulatory reform and tackling this challenging, but essential task of overhauling and reforming the system.*

*If I'm given the honor to serve as a member of the Cabinet, I will provide all possible support for the elimination of unnecessary and costly regulation in order to encourage economic growth and fiscal stability for our state.*

**AIF: How important is it to you that Florida's long-standing policy and practice of employment-at-will continue?**

**BONDI:** *I strongly support at-will-employment and believe it provides business and government the tools necessary to attract, hire and retain good employees. Additionally, it enables employers to reward excellent performance. At-will-employment, the standard for private-sector employment across the nation, has also been applied to the legislative, judicial and executive branches of Florida's government providing public-sector employers with the flexibility to release ineffective workers and to set pay based on merit rather than seniority. Business leaders must have the freedom to take actions that will best impact their company's productivity and profitability. At-will-employment allows government and companies to attract and retain the best and brightest talent and ensure that the quality of service they provide is at the highest level possible. ■*

For more info visit [www.pambondi.com](http://www.pambondi.com)

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# Jeff Atwater a Proven Leader Ready to be Florida's Next CFO

by Michelle Mattox

**D**uring his tenure in the Florida Legislature and most recently as President of the Florida Senate, Jeff Atwater has consistently proven himself to be a friend of Florida's business community. This election year, he asks for all of Floridians' support and confidence in his qualifications to become the state's next Chief Financial Officer (CFO).

The office of CFO is one of three statewide elected seats that serve on the Florida Cabinet. The Governor and the Cabinet are charged with voting on important executive decisions for Florida. In addition to that service, the CFO oversees 13 divisions from workers' compensation to consumer services to insurance regulation, among others.

Atwater holds a MBA from the University of Florida and has more than 25 years experience in the banking industry. This experience, coupled with his ability to understand the challenges facing Florida's business and his leadership in the Florida Legislature, makes him the perfect candidate to serve as CFO. As a legislator, Sen. Atwater was instrumental in reforming and stabilizing Florida's workers' compensation system, chaired the Government Efficiency Committee working to reduce government bureaucracy and burdens on businesses, and held the line on taxes including eliminating the intangibles tax.

While serving as President of the Florida Senate, Atwater played an integral role in passing sweeping tort reform legislation ensuring

Florida business are not unfairly targeted or burdened by frivolous claims. He also led the charge on tackling burdensome unemployment taxes and championed legislation to mitigate those costs on the first day of the 2010 Legislative Session. This legislation made certain that people would continue to receive essential unemployment benefits without levying disproportionate taxes on Florida businesses. For his commitment to the business community, Atwater was awarded AIF's Champion for Business in 2004, 2005 and 2010. Further, he has a historical AIF Voting Record of 87 percent and has been endorsed for CFO by the AIF PAC.

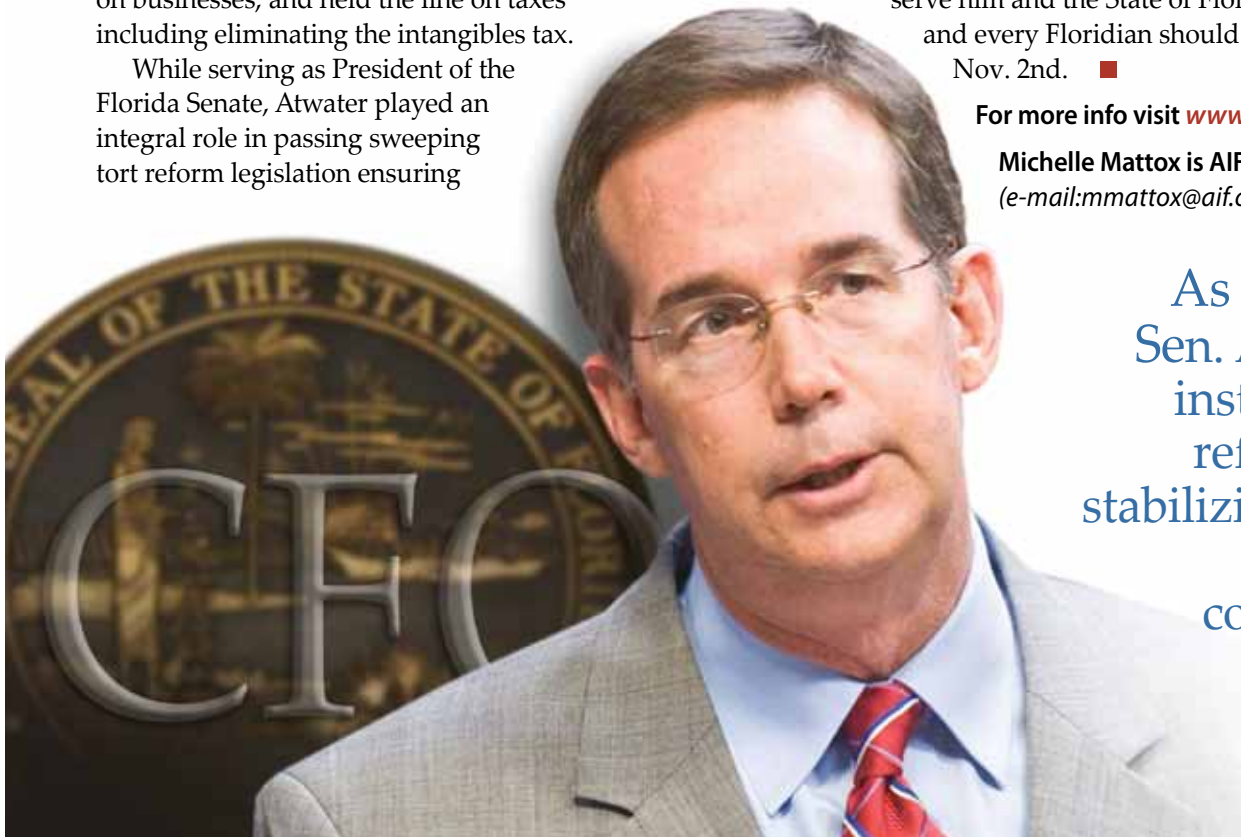
Atwater is a fifth-generation Floridian and currently resides in the Village of North Palm Beach with his wife, Carole, and their four children. He has a history steeped in Florida service. His father was a WWII fighter pilot and FBI agent who later became Chief of Police of the Village. His mother is a well-known and loved community volunteer. His great-grandfather was Florida Governor Napoleon Bonaparte Broward, the name sake of Broward County, and his great-uncle was Florida Governor Cary Hardee, the name sake of Hardee County.

Atwater's service, leadership and legacy will all serve him and the State of Florida well as our CFO, and every Floridian should vote for him on Nov. 2nd. ■

For more info visit [www.jeffatwater.com](http://www.jeffatwater.com)

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As a legislator, Sen. Atwater was instrumental in reforming and stabilizing Florida's workers' compensation system.



# Adam Putnam

## A Longtime Champion for the Business Community

by José L. Gonzalez



**W**hen most business people think about the position of Commissioner of Agriculture and Consumer Services, the first thought that comes to mind is farms and orange groves. The reality, however, is that this cabinet position plays an incredibly vital role to Florida's economy and business owners throughout the state. For starters, the Commissioner of Agriculture is one of only four statewide elected officials who have equal footing with the Governor on issues under the Cabinet's jurisdiction. The issues before the Cabinet touch the lives of all citizens and business owners of Florida. Some of the Cabinet's responsibilities include: the issuance of state bonds; purchasing and managing state lands; and overseeing the actions of the Department of Revenue (DOR).

Congressman Adam Putnam (R-Bartow) is running for the position of Commissioner of Agriculture and has been endorsed by the AIF Political Action Committee. His long track-record of public service in this state is distinguished and his support of the free-market system is unquestionable. Born in Bartow, Putnam is a fifth generation Floridian whose family is in the citrus and cattle ranching business. Putnam has been a strong conservative voice in both the Florida House of Representatives and the U.S. Congress. While a member of the Florida House, Putnam scored a historical AIF voting record of 94 percent. At the national level, Putnam most recently scored an 85 percent voting record with the Business Industry Political Action Com-

mittee (BIPAC), which scores federal elected officials and is used by organizations such as the National Association of Manufacturers (NAM). His voting record with other business groups, such as the U.S. Chamber of Commerce and the National Federation of Independent Businesses, is also in the high 90th percentile. Throughout his congressional career, Putnam has been recognized as a leader on a variety of issues, most notably agriculture, food safety, childhood nutrition, energy and government efficiency. Putnam has also been an outspoken proponent of reforming our government to ensure additional oversight and transparency. He recently drafted legislation that would reform the "earmark" process in Congress — reforms that have now been implemented.

Congressman Putnam has identified a number of issues important to Florida's business community as priorities for his campaign for Commissioner of Agriculture. Most importantly, Putnam has recognized the danger of the federally-mandated water quality standards being imposed by the Environmental Protection Agency (EPA). Compliance with these arbitrary, Florida-specific, numeric nutrient criteria will cost citizens and business owners millions of dollars if they are not stopped. Congressman Putnam has been a champion in Congress advocating on behalf of the business community to stop these unscientific and costly water quality standards. In addition, Putnam has identified job creation and the protection of Florida's \$7 billion agricultural industry (specifically through enhancing and promoting Florida's small farms) as top priorities for his candidacy.

For employers and their employees, the choice this November is clear when it comes to electing Florida's next Commissioner of Agriculture. Adam Putnam exemplifies many of the characteristics necessary to be a strong, pro-business member of the Florida Cabinet. ■

For more info visit [www.adamputnam.com](http://www.adamputnam.com)

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# Amendment 4's Hidden Danger #1

by Ryan Houck

*Ryan Houck is with Citizens for Lower Taxes and a Stronger Economy, Inc., a non-profit, non-partisan organization working to defeat Amendment 4 — a statewide “Vote on Everything” initiative — which will lead to higher taxes, fewer jobs and endless litigation at taxpayer expense.*

**A** mendment 4's Hidden Danger #1: It's Impossible to Create a “Lawyer-Proof” Ballot Summary that Describes a Comprehensive Plan in 75 Words or Less.

Florida Amendment 4 (also known as “Hometown Democracy”) seeks to give Floridians a final referendum vote on all comprehensive plan changes. It may seem like a good idea to folks who are frustrated with sprawl and overdevelopment, but voting for it is like bringing a nice-looking piece of furniture into your home that is infested with bedbugs. It's full of hidden dangers that can make your home and town unlivable, and are very difficult to exterminate once in place.

While Amendment 4 has many flaws, the biggest (and most hidden) is a requirement to summarize complex land use language into 75 words or less so it can appear on a ballot. Florida election law requires that these ballot summaries are 75 words or less; however, it's impossible to take what is usually hundreds of pages of land use changes and translate it into an adequate synopsis. If Florida's cities are forced to undertake this task, they will be vulnerable to costly lawsuits challenging those summaries as deceptive and incomplete, which is precisely what happened in St. Pete Beach.

In 2008, St. Pete Beach put proposed comprehensive plan changes on the ballot. This followed a 2006 change to its city charter, which, like Amendment 4, required that future changes to the city's comprehensive plan be approved by a vote of the citizens. When St. Pete Beach put its comprehensive plan changes on the ballot in 2008, Florida election law forced the city to summarize the 150 pages of changes into a 75-word ballot summary.

After the comp plan was approved by the voters, St. Pete Beach was promptly sued by a resident who alleged that the city's 75 word ballot summaries were “rife with deceptive and misleading statements” and omitted “material facts.” Ironically, the plaintiff alleges the city's 75 words were deficient, but in his complaint he cannot even

describe what is missing from the city's ballot summaries in less than 75 words!

The litigation that started in 2008 is still ongoing, and in 2010 alone, St. Pete Beach has incurred over \$200,000 in legal fees defending the vote of the people. By comparison, St. Pete Beach spent only \$33,000 on litigation in 2001. Similar problems threaten all Florida cities if Amendment 4 passes since all Florida cities will also be forced to undertake the impossible task of crafting 75 word ballot summaries of comprehensive plan changes that involve hundreds of pages of complex land use changes.

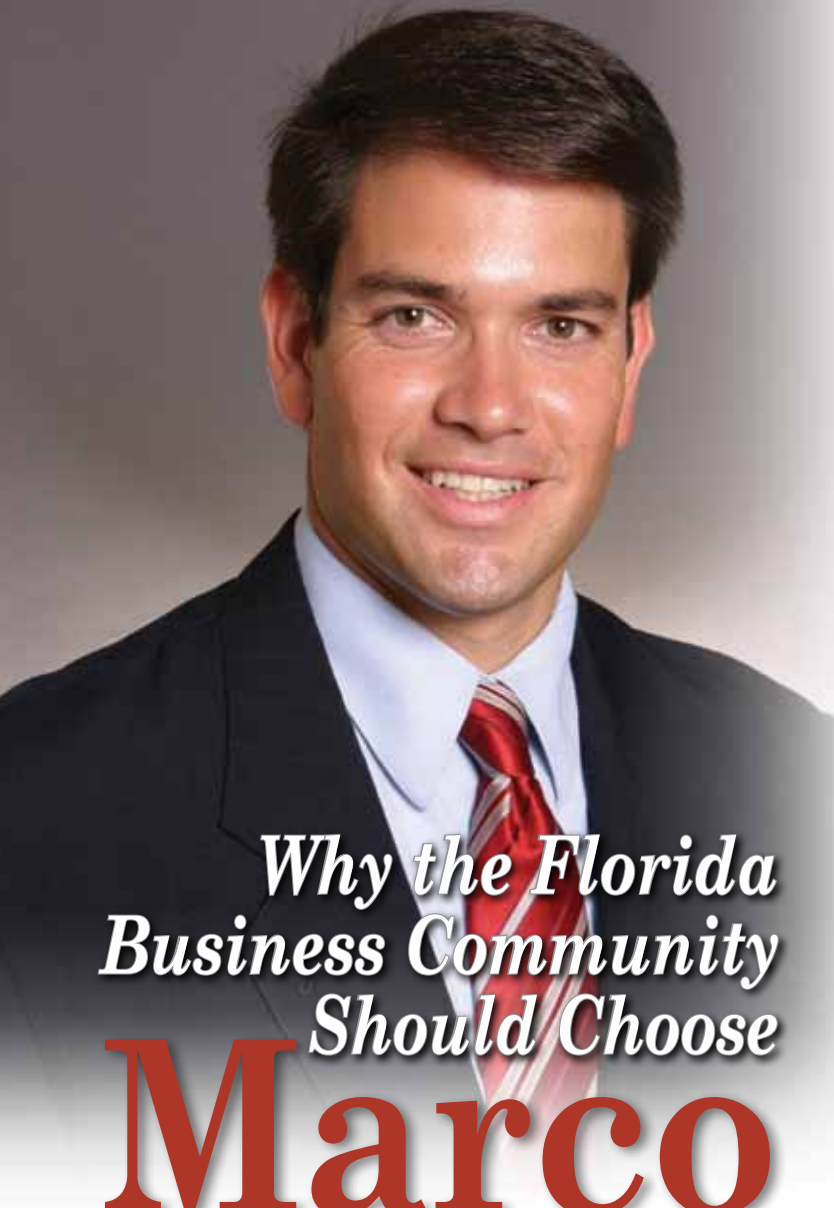
The problem with summarizing comprehensive plans in 75 words under Amendment 4 is that you just can't fit in everything that everyone cares about into those 75 words. No matter how hard you try, there will always be someone who can file a lawsuit alleging that what is most important to *them* was left out, and the ballot language was “misleading” or “deceptive” or “incomplete.” And, like a swarm of bedbugs, land use lawyers thrive by feeding on these legal vulnerabilities leaving all Floridians to suffer for it.

So why will fixing the problems caused by Amendment 4 be as difficult as exterminating a house full of bedbugs? The reason is simple. Amendment 4 is a statewide constitutional amendment. Once Floridians figure out how overbroad and damaging Amendment 4 really is, local cities won't have the legal authority to alter or modify the scope of Amendment 4's rules to suit the needs and desires of the local population.

By comparison, once St. Pete Beach's voters realized the mistake they'd made by adopting their Amendment 4-style rules, they repealed their broad scope in favor of a much more restricted set of rules. However, they were only able to fix their mistake because they had the power to undo the changes made to the local city charter. Since Amendment 4 is a constitutional amendment, no Florida city will have the power to undo its requirements once it's been approved, even if a majority of the city's voters want to alter or repeal it.

So, just like a bedbug infestation, once Amendment 4 is approved, Floridians will be stuck dealing with the vexing problems that come with it for a very, very long time. ■

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*Why the Florida  
Business Community  
Should Choose*  
**Marco  
Rubio**  
*for U.S. Senate*

by Tamela Perdue, Esq.

**E**ven though he has served this state as an elected official for over a decade, Marco Rubio is not a typical career politician. He is not someone who says anything to get elected. Instead, he is someone who has spent years listening to Floridians concerns about the direction that Washington is taking our country and now stands ready to challenge that establishment with clear ideas and firm resolve.

Rubio, is a Miami native and son to Cuban-born parents who came to America following Fidel Castro's takeover. He is a graduate of South Miami Senior High School, and earned a bachelor of science from the University of Florida in 1993. He continued his studies at the University of Miami where he earned his juris doctor, cum laude, in 1996.

From 2000-2008, Rubio served in the Florida House of Representatives and had a 95% AIF voting record. During this period, he served as Majority Whip, Majority Leader and Speaker of the House, effectively promoting an agenda of lower taxes, better schools, a leaner and more efficient government and free market empowerment. Rubio also helped spearhead Florida's congressional and legislative redistricting effort. In 2006, he chaired the House Select Committee on Property Rights, which crafted national model legislation to protect private property rights following the U.S. Supreme Court's *Kelo v. City of New London* decision that opened the door for eminent domain abuse. He received an AIF Champion For Business for his leadership on this critical legislation.

During the two years prior to assuming the speakership, Rubio traveled around the state hosting "Idearaisers" to solicit Floridians' input on ways to strengthen Florida. The 100 best ideas were compiled into a book entitled "100 Innovative Ideas for Florida's Future" which served as the basis for his term. All 100 ideas were passed by the Florida House. Fifty-seven of these ideas ultimately became law, including measures to help small businesses obtain affordable health coverage.

In addition to these ideas, Rubio championed a major overhaul of the Florida tax system that would have eliminated all property taxes on primary residences in favor of a flat consumption tax. During his legislative career, Rubio also promoted efforts to develop a world-class public

*"As Americans, we have reached a point in our history when we must decide if we are to continue on the free market, limited government path that has made us exceptional, or if we are prepared to follow the rest of the world down the road of government dependency. It is a clear choice between two very different futures, and I believe the American people are prepared to make the tough, but necessary, choices to ensure future generations enjoy unrivaled levels of job growth, freedom, security and prosperity." – Marco Rubio*

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school curriculum, increase performance-based accountability, enhance school choice and target the socio-economic factors affecting chronic academic underperformance. He is also widely credited for shepherding the passage of historic energy legislation based on market incentives rather than government-imposed mandates.

Rubio's campaign for U.S. Senate and its importance to the future economic survival of our state are best defined by his "12 Simple Ideas to Grow Our Economy"

**IDEA #1: Permanently Extend The 2001 And 2003 Tax Cuts.** Allowing the 2001 and 2003 tax cuts to sunset would be the largest tax increase in American history, and would fundamentally harm small businesses, which are the job creators in our economy. If we do not make these tax cuts permanent, the child tax credit will fall, the marriage penalty will be re-imposed, working families and small businesses will see their income tax rates jump, capital gains and dividends will increase, and the death tax will return to a prohibitive 55 percent.

**IDEA #2: Cut Taxes On American Businesses.** More than any other tax, the corporate tax hurts economic growth and reduces living standards. Unfortunately, the United States has the second highest corporate tax rate of any advanced industrial economy. By cutting this tax, we can spur job creation in America and build a more competitive economic environment to attract businesses from across the world.

**IDEA #3: Permanently End The Death Tax.** The death tax, which is set to rise from zero to 55% in 2011, will discourage saving and investment while undermining job creation and income growth, when we need them most.

**IDEA #4: Ending Double Taxation.** Washington shouldn't be able to tax the same income two or three times. That means no more job-destroying double taxation of capital gains, dividends or death.

**IDEA #5: Reform The Alternative Minimum Tax (AMT).** If nothing is done to fix the AMT, taxes will spike dramatically for over 28 million families. Relying on yearly congressional action to keep the AMT current with inflation is risky and sends a message of uncertainty to millions of American families. The AMT is an onerous tax that we should repeal when possible but at the very least, we should immediately index it to inflation.

**IDEA #6: Fundamentally Reform The U.S. Tax Code.** The current tax code hinders economic growth. Too many years of special interest lobbying and class warfare politics have cemented it as anti-family, anti-jobs and anti-competitive. The U.S. should have a tax system that is simpler, fairer and promotes economic growth. We should start moving toward being able to pay our taxes with a single rate on paper the size of a postcard.

**IDEA #7: Stop The Value-Added Tax.** Democrats know they cannot fund their spending ambitions without a giant

new tax. Some have sought to impose a valued-added tax in addition to the income and payroll taxes already in place. This would subject American taxpayers to European levels of taxation, depriving workers of a substantial portion of their take-home pay and further burdening the economy. For the U.S. to retain its vibrant and dynamic economy, we must block efforts to dramatically increase the government's share of the economic pie.

**IDEA #8: Repeal And Replace ObamaCare.** We must repeal ObamaCare and replace it with common-sense reforms that will actually lower health care expenses for American families and businesses like allowing people to buy health insurance across state lines, encouraging the use of electronic medical records and requiring transparency in health care costs.

**IDEA #9: Prevent A National Energy Tax.** The cap-and-trade plan proposed by Democrats in Washington will substantially raise energy costs and result in countless lost jobs.

**IDEA #10: Oppose Efforts To Strip Away Workers' Rights To A Secret Ballot.** By eliminating secret-ballot union elections, the deceptively named Employee Free Choice Act (EFCA), or "card check," would fundamentally violate the freedom of workers and result in lost jobs.

**IDEA #11: Halt Regulations That Are Hurting Job Creation.** Too often, government regulation does not provide effective oversight and only hurts job creation in America. We should streamline regulations to help foster economic growth while providing proper oversight. We need to rein in out-of-control federal agencies, stop any effort by the Environmental Protection Agency to back door a cap-and-trade system and remove regulatory barriers to the flow of credit from community bankers to small businesses.

**IDEA #12: Promote Economic Growth And Job Creation Through Trade.** We must continue reducing barriers to free and fair trade. We should adopt the free trade agreements that have already been negotiated with Colombia, Panama, South Korea and other nations around the world. We should also insist that other countries reduce their own barriers to trade so that American goods can find new markets.

Since the end of his tenure as Speaker, Rubio has resumed his law practice as a sole practitioner. Rubio and his wife, Jeanette Dousdebes Rubio, have been married since 1998. They are the parents of four children: Amanda, Daniella, Anthony, and Dominic.

Marco Rubio is highly regarded for his principled, energetic and idea-driven leadership, which make him the only choice for the Florida business community to elect to the U.S. Senate in 2010. ■

For more info visit [www.marcorubio.com](http://www.marcorubio.com)

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# 2010 Constitutional Amendments Guide – What Every Employer Needs to Know

by José L. Gonzalez

**E**very two years Floridians are faced with new proposals which seek to amend Florida's constitution.

During the last 20 years, Florida's Constitution has been amended an astounding 57 times. In response to this phenomenon, legislative and business leaders supported a proposed constitutional amendment in 2006 to increase the threshold for passage of an amendment to 60 percent. During the next election cycle six (6) amendments were placed on the ballot and four (4) of them were approved — even with the higher threshold.

Given the ease by which our state's constitution can be amended, it is critical for employers to educate themselves and their employees on what exactly these proposals will do to our state's economy, our way of life and our ability to govern ourselves. The 2010 election cycle brings with it a number of proposed amendments that will have great impact on the future of Florida. The majority of the amendments (six) were sponsored by the Florida Legislature. The other three made it on the ballot through the citizen initiative process. However, a number of the 2010 proposed amendments have been challenged in court. Court rulings have disposed a total of three (3) of them with one amendment (#8) still pending as of the writing of this article.

At Associated Industries of Florida, we closely monitor and advocate on behalf of the business community as it relates to any proposed constitutional amendment that has the potential to affect our state's business climate or the ability for an employer to make a profit. It is our hope that this guide will educate our members and their employees on how to vote on these proposed amendments come November 2.

## AMENDMENT 1 Repeal of Public Campaign Financing Requirement

**Sponsor:** The Florida Legislature (*passed during the 2009 regular session*)

**Effective Date:** January 4, 2011

**Background:** In 1987, the Florida Legislature established public financing for statewide campaigns, arguing that it was becoming too expensive to run for public office and that the high costs were preventing strong candidates from running. In 2010, the legislature will ask voters to approve a constitutional amendment that does away with the public financing system. The public financing of statewide campaigns was originally created by statute, but in 1998 voters amended Florida's Constitution to include this program. That is why, in order to do away with the program, voters must vote to repeal it from the constitution. The offices eligible for public financing include all statewide cabinet races (Governor, Attorney General, Commissioner of Agriculture and Consumer Services, and Chief Financial Officer). In 2006, the cost was \$11.1 million. Charlie Crist, who was elected governor that year, received \$3.3 million.

**Proponents:** Sen. Mike Haridopolos and other Republican leaders argue that during these difficult economic times it is wrong to ask taxpayers to contribute to statewide campaigns.

**Opponents:** League of Women Voters, Common Cause and Democratic legislators contend that Floridians voted overwhelmingly for the present public financing requirement 13 years ago. Public financing reduces the effect of money on politics and can open the door for candidates to run without big-money backers.

**AIF Position:** SUPPORT. Florida's economy is reeling from double-digit unemployment rates and our state budget continues to face steep deficits. During these tough economic times, it does not make sense to use taxpayer dollars on campaign financing. These dollars could go for other essential state services needed to keep the economy growing.

## AMENDMENT 2 Homestead Ad Valorem Tax Credit for Deployed Military Personnel

**Sponsor:** The Florida Legislature (*passed during the 2009 regular session*)

**Effective Date:** January 1, 2011

**Background:** Amendment 2 would require the legislature to provide by law an additional homestead property tax exemption for members of the United States military or military reserves, the United States Coast Guard or its reserves, and the Florida National Guard who receive a homestead exemption and were deployed in the previous year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature. The exemption would be based upon the number of days in the previous calendar year the person was deployed on active duty outside the continental United States in support of military operations designated by the legislature.

If the amendment had been in effect for FY 2009-10, Florida's Revenue Estimating Conference (REC) estimates the potential statewide negative fiscal impact would have been approximately \$13 million (assuming current millage rates). Also, according to the REC, approximately 25,000 Floridians would benefit from Amendment 2.

**Proponents:** Members of the Florida Legislature argued that military personnel based overseas are performing important services for our country at considerable sacrifice. This amendment would help compensate them for that service.

**Opponents:** At this time, no known opposition to Amendment 2 exists.

**AIF Position:** SUPPORT. The fiscal impact to the State of Florida from this proposal is relatively small — about \$10 to 15 million dollars. Providing our military men and women some tax relief is well-worth this price tag.

## AMENDMENT 4 Hometown Democracy

**Sponsor:** Florida Hometown Democracy Inc.

**Effective Date:** January 4, 2011

**Background:** This amendment to the Florida Constitution would require voter approval of development proposals that conflict with already established local growth-management plans. Comprehensive plans, as they are known, are blueprints that cities and counties use to lay out a vision of what their communities will look like.

The Florida Supreme Court approved the amendment in 2006, ruling that it deals with a single subject and that

*Given the ease by which our state's constitution can be amended, it is critical for employers to educate themselves and their employees on what exactly these proposals will do to our state.*

its ballot language was accurate. On June 17, 2009, the court handed Hometown Democracy a major victory when it struck down a 2007 law championed by AIF that allowed voters to revoke their signatures from petition drives. After the law passed in 2007, Save Our Constitution, Inc. used it to send letters to those who signed the Hometown Democracy petition, and 13,000 of them agreed to revoke their signatures.

**Proponents:** No-growth activists: Palm Beach land-use attorney Lesley Blackner and Tallahassee environmental attorney Ross Burnaman, environmental groups like the Sierra Club, and other fringe groups argue that local governments have proven themselves incapable of placing the public interest before the interests of real estate developers; and therefore, voters should have the final say on these decisions by voting on thousands of proposed land use changes.

**Opponents:** Floridians for Smarter Growth, hundreds of business groups, as well as local county and city governments. The "Vote on Everything" amendment would paralyze Florida's economy and bring about a sea of costly litigation.

**AIF POSITION: OPPOSE.** Amendment 4 is JOB KILLER! If approved by voters, this amendment could mean a permanent recession for Florida's economy by totally bringing the planning process to a halt. In addition, a handful of self-interested voters could condemn to failure efforts by local governments to attract exciting new industries and research complexes. The failure of these ventures would carry an enormous local and statewide price tag in terms of lost prosperity and opportunity for other Floridians. (see page 17)

## **AMENDMENT 5&6** **Standards for Legislature to Follow in Legislative and Congressional Redistricting**

**Sponsor:** Fair Districts Florida, Inc.

**Effective Date:** January 4, 2011

**Background:** Fair Districts Florida, Inc. (FDF), a registered state political committee, was successful in placing two amendments to the constitution for the 2010 ballot through the citizen-initiative process. According to FDF: "These amendments would establish fairness standards for

use in creating legislative and congressional district boundaries. While protecting minority voting rights, the standards would prohibit drawing district lines to favor or disfavor any incumbent or political party." While FDF has not identified what process they would use for drawing districts (computer modeling, panel of experts, etc.), the language in the amendments stipulate that:

- Districts would have to be compact
- The Legislature would have to utilize existing political and geographical boundaries when possible

If approved by the voters, this amendment to the state constitution would eliminate Florida's current redistricting process.

Every ten years, after the census, the state of Florida redraws the boundaries of congressional, state house and state senate districts. Originally, this was intended to ensure districts are roughly equal in population to make sure that every vote counted equally. Currently, redistricting decisions are made by the Florida Legislature. A redistricting plan is voted on by all elected officials much like any other piece of legislation.

**Proponents:** NAACP, unions, trial attorneys, Florida Education Association, League of Women Voters, Common Cause, and other left-of-center groups.

**Opponents:** AIF and other business groups have engaged in opposition to 5 and 6. Protect Your Vote, Inc. has been created to educate Floridians on why they should "Nix Five and Six."

**AIF POSITION: OPPOSE.** Allowing the courts to redraw political boundaries is risky and has never been tried before. Jeopardizing representation from Florida's diverse communities is not a risk voters are willing to take. Amendments 5 and 6 would make redistricting a nightmare — enabling trial lawyers and special-interest groups to prolong the process while wasting the hard-earned dollars of every Florida family. (see page 25)

## **AMENDMENT 8** **Revision of the Class Size Requirements for Public Schools**

**Sponsor:** The Florida Legislature (*passed during the 2010 regular session*)

**Effective Date:** The measure will take effect retroactively

to the beginning of the 2010-2011 school year.

**Background:** Frustrated with crowded schools as Florida's population boomed, voters in 2002 passed the Class Size Amendment, which capped the number of students allowed in classrooms across the state. The measure was to be phased in over eight years. This amendment would raise the maximum allowable number of students per class by changing the calculation from per-class maximums to school-wide averages. By maintaining the measurement at the school level, principals would have the flexibility to increase a class above the original limit by having another class below the original limit, thus being able to better balance and manage class scheduling and avoiding a significant disruption when an unplanned child enrolls — often referred to as the 19th child scenario.

The current class size caps were voted into law in 2002 by 52 percent of the voters. The amendment limited classes in pre-K through third grade to 18 students; fourth through eighth grade to 22 students; and high school to 25 students. The limits were to be phased in over several years and put into full effect at the start of the 2010-2011 school year. Opponents have tried unsuccessfully over the years to make changes to the class-size limits. The state estimates it has spent about \$16 billion the past several years preparing to implement the caps, mostly on classroom teacher salaries and benefits. Another \$2.9 billion is being proposed for class size reduction funding for the 2010-2011 school year.

**Proponents:** Legislative leaders and business groups like AIF argue that the cost of the original class size amendment is simply too high in today's poor economy. Amendment 8 would provide needed flexibility that does not exist in the constitution as amended in 2002. The "Yes on 8: Right-Size Class-Size" campaign has been organized to educate voters on the importance of passing amendment 8.

**Opponents:** Florida Education Association and other teacher unions, as well as Democratic members of the Florida Legislature contend that voters made it clear in 2002 that they wanted to limit class sizes. They argue smaller classes make a better learning environment.

**AIF POSITION: SUPPORT.** AIF was a strong supporter of the legislation passed this year to place amendment 8 on the ballot. This proposed amendment strikes the right balance of maintaining the spirit of the class size reduction mandate, but gives a workable solution to costly implementation issues. ■

**José Gonzalez is AIF's Vice President for Governmental Affairs (e-mail: [jgonzalez@aif.com](mailto:jgonzalez@aif.com))**

## The following proposed amendments **WILL NOT** be considered in the November General Election Cycle:

### AMENDMENT 3

#### Property Tax Limit for Non-Homestead Property; Additional Exemption for New Homestead Owners

This amendment, sponsored by the Florida Legislature, would have reduced the maximum annual increase in taxable value of commercial properties from 10 percent to 5 percent and would have required an extra 25 percent homestead exemption for first-time home buyers. It was designed to spur home sales and attract investors to Florida.

On August 31, the Supreme Court of Florida upheld a lower court's ruling to throw the amendment off of the ballot saying its title and summary were "misleading" because they failed to list an effective date.

### AMENDMENT 7

#### Standards for Legislature to Follow in Legislative and Congressional Redistricting

This amendment, sponsored by the Florida Legislature, sought to clarify the provisions of the Fair Districts Florida amendments (#5 and #6) on redistricting by providing clarifying language and by allowing other factors to be taken into account when drawing the district boundaries.

On August 31, the Supreme Court of Florida upheld a lower court's ruling to throw the amendment off of the ballot agreeing that the ballot language was "confusing and misleading" to the public

### AMENDMENT 9

#### Health Care Services

This amendment, also sponsored by the Florida Legislature, would have prevented any government from requiring that individuals, employers or health care providers participate in any health care program. This amendment was passed by the Republican-controlled legislature in response to the passage of federal health care reform.

On August 31, the Supreme Court of Florida, after receiving an appeal from the 1st District Court of Appeals, upheld a circuit court's ruling to remove amendment 9 from the ballot agreeing with the lower court's decision that the ballot language was "misleading."

# Enjoy the Political Polls

by Jim McLaughlin

**P**olls, polls and more polls! The political landscape is littered with all kinds of polls these days, especially in what is shaping up to be such a historic election year. In a state like Florida, possibly the most important political swing state in the country, you are guaranteed to see lots of polls and political ads. Recall the 2000 presidential election results if you don't think Florida is perhaps the most important political state in the country.

Some of the polls you see are right and some are wrong. As a political pollster who works only for Republicans, fewer than 5 percent of our polls will ever be released to the public. Typically, there's a story behind most of the polls released to the press. Someone usually releases the poll for a reason — whether it is a media outlet trying to increase viewership/readership, or a campaign/interest group trying to promote their preferred candidate or cause.

Why so many these days? First, technology has made it much easier to conduct a poll. A college professor or even a political hack with a laptop can pretty much figure out how to get a poll done even though they may not have the experience or acumen to do an accurate poll. Second, the media loves the polls ... especially when the results of the polls fit their own narratives or can help them sell a story. The media claim they don't like polls, but they generally report on them. The press often criticizes the candidates for not talking "about issues" or "going negative." However, when a candidate introduces his or her economic recovery plan, they will get very little coverage (if any). The news media's favorite political stories these days are not usually about issues, but what we call "process stories." Who is up? Who is down? Who has the momentum? That's why they report about the polls and quite often pay for their own.

Many of these publicly-released polls should be taken with a proverbial grain of salt. With tight budgets, media are trying to do polls as inexpensively as possible, and then use the results to drive a story. I am amazed at how often the media will report on a survey that is asked of just "adults" or

even "registered voters." If the sample of a poll is not asked of "likely voters," you should be very skeptical of the results. If you are interested in a particular campaign, you should only be concerned with the results among "likely voters."

In an election environment like this, where the Republican base is more motivated, the surveys of "likely voters" tend to favor the GOP candidates and the surveys of "adults" and "registered voters" tend to favor the Democrats. In 2006 and 2008, the Democratic base was more motivated and had more intensity than the Republicans. In 2010, what we call "voter intensity" has been consistently favoring the Republicans going back to the health care debate and is continuing with voters' feelings that the economy is getting worse rather than better.

It is not good to be a politician these days in the minds of the voters. It is a rare occasion to see a candidate touting their "experience" in campaign advertising. More than 60 percent of voters nationally and in Florida will tell you the state is on the wrong track. A majority will tell you they disapprove of President Barack Obama's job performance, and more than 70 percent disapprove of the Democrat-controlled Congress, mainly because of the state of the economy. Whereas, in 2006 and 2008, the Democrats' double-digit leads in the congressional generic ballot spelled doom for the Republicans, these findings clearly illustrate the playing field has now tilted toward Republicans, even though the Republicans in Congress have negatives in the 70-percent range.

Now, let's talk more specifically about Florida. The U.S. Senate and Governor's races are going to be some of the most closely-watched political races in the country. With control of the U.S. Senate and implications in the 2012 presidential election, Floridians may have the best seat in the country for political theatre this year.

Geographically, Democrats tend to run stronger in South Florida while the Republicans do better in North Florida. The I-4 corridor is the swing area of the state and tends to decide statewide elections. Whoever is leading the polls in the I-4 corridor,

*If you are interested in a particular campaign, you should only be concerned with the results among "likely voters."*



# Nix 5 and 6!

## If you live in Florida, sit back and enjoy the political theatre.

usually wins in Florida.

In the U.S. Senate race, as we predicted, Gov. Charlie Crist has gone from frontrunner to fighting for second with Democrat Rep. Kendrick Meek. We have predicted that Crist will eventually come in third in the Senate race. Why? When polls showed Crist leading, it was because he was the de-facto Democrat candidate in the race. Crist was receiving more than 50 percent of the Democrat vote and more than 40 percent of the African-American vote. Now that Meek has won the primary, Democratic voters are coalescing behind his campaign, which is siphoning votes from Crist. This is with no one even laying a glove on Governor Crist for his \$2-billion tax increase or the significant job losses under his watch, which will almost assuredly become campaign issues.

This may be the most anti-incumbent political environment we have ever seen. That is why Republican gubernatorial candidate Rick Scott constantly refers to himself as the political outsider and his opponent, Democrat Alex Sink, is stressing her own business experience instead of her political experience. Whoever voters believe can best turn around the economy and reform state government will win this race.

Nationally, look for the Republicans to win back the House, but the U.S. Senate will be a tall order. Keep in mind, the Republicans need to win 10 seats to get back the U.S. Senate. In the last 60 years, only three times has a party gained more than 10 seats to pick up the majority ... 1958 (Democrats +15), 1980 (Republicans +12) and 1994 (Republicans +10).

If you live in Florida, sit back and enjoy the political theatre. We hope you like politics. You are going to see lots of polls and political commercials. Just remember, some of the polls may be right and some may be wrong. ■

Jim McLaughlin is president of McLaughlin & Associates, a national survey research and strategic services company and AIF pollster (e-mail: [jimmclaughlin@mclaughlinonline.com](mailto:jimmclaughlin@mclaughlinonline.com))

**Amendments 5 and 6 would impose unrealistic and unattainable restrictions on Florida's elections law.** These amendments would allow the courts to redraw political districts — a risky move that has never been tried in any state in the nation. According to the James Madison Institute, Amendments 5 and 6 would create “confusing and contradictory standards.” Drawing district lines without favoring one political party or one community of interest is impossible. Amendments 5 and 6 would also require that district lines are compact and contiguous. In a state as geographically unique as Florida, that simply cannot be done. No one supporting the amendments has drawn a map that meets the rigorous requirements in the language. Similar amendments have consistently been rejected by voters in other states. Florida's business community should reject them, too.

### Why Nix Amendments 5 and 6?

#### Amendments 5 and 6 are harmful to Floridians.

Amendments 5 and 6 are supported by outside groups including ACORN, the ACLU, trial lawyers and other special-interest insiders with no ties to Florida.

Half of the \$4.2 million raised to put Amendments 5 and 6 on the ballot came from personal injury lawyers, labor unions and ACORN working to elect Florida legislators and Congressional members who will push forward their fringe, liberal agenda.

Amendments 5 and 6 will put Florida under the control of heavily-bankrolled, special-interests groups who have targeted Florida as one of the states they want to sway.

#### Amendments 5 and 6 are harmful to minorities.

Amendments 5 and 6 make it impossible to draw districts that favor a minority group; effectively eliminating most of our existing minority districts. Florida currently has three African-American and three Hispanic Congressional members, seven African-American and three Hispanic state senators, and 19 African-American and 15 Hispanic state representatives. All of those seats are threatened by Amendments 5 and 6.

We've worked too hard for too long to achieve appropriate minority representation. Don't let Amendments 5 and 6 turn back the clock.

#### Amendments 5 and 6 are harmful to taxpayers.

Using Florida courts to redraw political districts, Amendments 5 and 6 amount to a bailout for Florida personal injury lawyers — costing Florida families millions. Given the current budget crisis in Florida, these are taxpayer dollars we simply do not have.



**Protect Your Vote.  
Nix Amendments  
5 and 6.**

For more information visit  
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# National Elections Outlook: The Final Phase

by Burnadette Budde

The Labor Day kickoff, the traditional start of serious campaigning, wasn't as much of a benchmark this election cycle. The primaries began in Illinois on February 2, and there were eight held after Labor Day, stretching this season out beyond the norm. Adequately funded candidates, attentive voters and chattering pundits all contributed to a full mode of day-by-day ads, rallies and ever-abundant polling reports. In other words, we've been at this for months. Yet, the fluidity of opinion — along with the immediacy of events — can alter projections until the balloting ends.

## Following are a few relevant things we learned in the primaries:

- Republicans were nominated by narrow margins; often with far less than 50 percent of the vote in contentious primaries involving numerous candidates.
- Insurgents were advantaged by big primary fields and many toppled early favorites who ran with establishment, insider credentials.
- Pollsters are able to measure desire for change and ornery attitudes, but the projections on outcomes have been flawed due to faulty samples (failure to measure composition of turnout) or fast closes by underdogs.
- Voters are not as polarized or rigid as the pollsters tell us because they've been open-minded enough to see and hear the candidates, which in turn has allowed the unknown contenders to surge at the end.
- Grassroots efforts are essential — even if television ads get all the buzz — as they have proved to reward the candidates who rely on volunteers motivated by issues or personality.

The elongated primary season is not the only factor that has disrupted the normal timelines for evaluating 2010. We're conditioned to believe the first Tuesday after the first Monday in November is Election Day — this year on November 2. The move toward universal absentee ballots and early voting means a significant portion of the vote will be cast before November 2. In some states, as much as half of the electorate will not wait until November 2 to vote. By the time Joe the Plumber came along on October 12, 2008, many voters had already cast their ballots — more than half in some states. In effect, general election balloting started the third week of September, about the time the primaries wrapped up. This cycle, the law requires every state to guarantee an opportunity for military and citizens living abroad to have their absentee ballots counted. Those ballots began circulating about six weeks ahead of November 2.

Candidates in the closing weeks are dealing with persuasion and execution in the same timeframe. While some of our fellow citizens are still trying to make up their minds, others are voting or have already cast their ballots. In the coming weeks, here are developments which can alter what we're being told by the supposedly informed who claim they can predict outcomes:

- There is still plenty of time for dormant or new issues to surface which force candidates to take a position on something they didn't have on their list of talking points. We've gone from health care to immigration to an oil spill to gay marriage to Christian values to New York City mosque to rotten eggs to ... what's next?
- Candidates judged via the Web or controlled personal appearances often perform in unusual ways when thrust before the cameras in the presence of their opponents, either in scheduled debates or spontaneous encounters.
- Voters are an unpredictable lot. Right now, they are telling pollsters conflicting and incompatible things — they want change, they intend to vote Republican, they don't trust the Republicans to solve problems, they don't like anyone. Go figure.
- The shape of the electorate is as yet unknown. A number of operatives are certain the new 2008 voters will disappear, or change their preferences if they do appear. Really? How many Ohio State University students involved in 2008 have to vote to influence the outcome of a House, Senate, gubernatorial contest that may be decided by a few thousand votes.
- Conventional wisdom says the president's approval ratings are key, and that once set, that number won't go up. Maybe, but President Obama is still twice as popular as congressional figures, and he continues to attract audiences when he appears.

If you are among those who prefer to wait until the polls close to decide winners/losers, here is a short guide

to election night returns and the cue-giving races to follow between now and then. I began the cycle claiming it was an election about words (messages and messengers), not an election about numbers. I have no number, have no intention of figuring out a number, and don't care that others keep pressing me for a number. I have no number! I can give you a method of evaluating how credible others are when they tell you their number. My surmise is that Republicans either do worse than the pundits think, or way better. Those who get to 39 in the House are probably low-balling it when they put their outer marker in the 40's. No harder to win 60+ than it is to win 30+. But, we're all just guessing, trust me.

## SENATE

- Republicans need a net gain of 10 seats to control with 51. Democrats need to win only 10 of the 37 seats on the ballot to retain control with 50 seats.
- Indiana and Kentucky are the first states to report. Republicans think they will win Indiana, a Democratic open seat, by large margins. If this is close and it takes the networks more than an hour to call this race, then it will be a weaker night than expected for Republicans. Republicans cannot lose any of their open seats, such as Kentucky. If Democrats take this state, don't look for Republicans to win a net of 10 seats. Trouble for Rand Paul (R) likely means overall weakness for the other insurgent tea-type statewide nominees in competitive general elections, such as Nevada and Colorado.
- New Hampshire and Florida report early in the evening. Both are Republican open seats. If these states aren't called for Republican nominees by 9 p.m. eastern time, it will be a long, perhaps underwhelming, night for Republicans.
- Regardless of how the earlier states are resolved, don't go to bed until the Pacific Coast is decided. There's no way Republicans win control of the Senate without California and Washington, and they must keep the open seat in Alaska.

## HOUSE

- Republicans need a net gain of 39 seats to control with 218. Democrats are fielding enough incumbents – about 20 of them – to still return with 218. If this truly is a bad year for incumbents of one party only, then all the usual resources that insulate officeholders won't protect the majority. Democrats can lose 56 seats and still hold 200 in the 112th Congress.
- Indiana saw Democrats capture in 2006, and then retain in 2008, three seats previously held by Republicans. If this is the year of buyer's remorse and a different climate, all three of these seats should go Republican. My non-scientific rule of thumb: multiply the net gain

from Indiana by 15 and add a few. If Republicans pick up one seat in Indiana, net of 15 to 20; if net gain is two in Indiana, net gain of 30 to 40; if net gain in Indiana is three, net gain of 45 to infinity.

- Pick any other delegation with a possibility of three House seats in play. If they don't win them all, then they don't win a big number nationwide.

## GOVERNOR

- There are 37 on the ballot: 19 held by Democrats, 17 held by Republicans and one held by an Independent.
- My intuition tells me these races run on a different track and national trends are less important than in congressional races. Therefore, a Republican in Texas can be in trouble, Florida can elect a Democrat, Maryland could elect a Republican, and Nevada voters could pick one party for governor and another for Senate (even though the Democratic nominees are father and son).
- Florida is probably the first state where the polls close with a competitive governor's race. Watch for how this tracks with the projections for the Senate race.
- Final tallies for governor also depend on waiting out the far west: Hawaii, Alaska, California and Oregon. Election outcomes are a junkie's joy, but a political operative's job is to determine what the results mean. We already know enough about the 112th Congress to disregard the daily speculation about race-by-race developments.
- The 112th Senate will have at least 15 new faces because eight Republicans and seven Democrats are not running again. At least a third of the Senate will be serving in its first term, meaning they were elected in 2006, 2008, or 2010. The more seats Republicans win, the more that caucus will be dominated by newcomers. Those who say Republicans will control are really saying they expect at least 18 newcomers in this caucus. Democrats already know their anchors are gone with death, retirements and possible defeats.
- The 112th House will have at least 43 new faces because 23 Republicans and 20 Democrats are not running again. The departures are disproportionately on Energy and Commerce, Ways and Means, Appropriations. This guarantees substantial realignment regardless of the party ratios.
- There will be at least 34 governors who are not the person who was in this office at the end of the 2008 election cycle. Look to this branch to provide new blood within both parties. And, I'm betting there will be at least one state with an independent governor. ■

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