



VOTING RECORDS

On Key Business Issues

*2004 Regular Session
of the Florida
Legislature*



Jon L. Shebel
President & CEO

Associated Industries of Florida

Dear Employer:

It is my pleasure to provide you with this tabulation of the voting conduct of each member of the Florida Legislature during the 2004 Session. Voting Records reports on the votes made by every legislator on bills that were lobbied, advocated, promoted or opposed by Associated Industries of Florida. By reporting on 2,312 votes on 31 bills, this publication embodies the most exhaustive and complete record of the Legislature's approach to the concerns of Florida's employers.

We go to great lengths to insure that legislators are aware of AIF's positions on issues of great importance to the business community. Every year before the session even begins, we produce *Issue Pages*, which looks at key issues and gives our reasoning on why we support or oppose that issue. In addition, during the session we provide each legislator with a *Daily Brief* on the activities of that day highlighting bills of interest to business and our positions on those issues. From time to time, when an issue of paramount importance is scheduled for debate, we will issue a *Special Notice* to each legislator and highlight our position on the bill in question. At the end of each week we produce a *Weekly Report* which is also sent to every legislator reviewing the actions of the legislature. Our greatest asset, however, is our experienced and accomplished legislative team which has compiled a record of success second to none. What makes them so valuable? It is their collective vast experience and incredible insight into the nuances of the issues that allows AIF to be at the forefront of the debates on business issues.

Voting Records is an important tool, but not the only tool, which AIF, our PAC and our members should use to decide which legislators we will support and which we will not. For example, this year 39 of the 40 Senators and 112 of the 120 Representatives, scored 75% or better. So with everyone scoring relatively high, it would be easy to assume that a low ranking would mean a "bad" voting record. In this particular session, this isn't necessarily the case. Because it is not entirely uncommon for an aberration to occur in one's voting record in just one session, we take the long view when deciding where our political support will go by looking at their voting record over several sessions. Of course, that is impossible for freshman legislators, which means that we have to consider other factors in evaluating whom to support. That's where the AIF Legislative Team plays such a vital role in helping us to understand the philosophy of the legislator and their willingness to listen to our arguments for or against a proposed bill.

Along with calculating votes, we also have the ability to document the contributions that a legislator or candidate receives, so that we can have a more complete picture of his or her candidacy. This time consuming work is invaluable to us when we make our own PAC decisions and when we make our recommendations to you. Notwithstanding that your own legislator may be a "friend," the real question is, are they a friend to the business community? All of our work and all of our efforts are geared to educating you on who is a friend and who is a foe to your efforts as an employer in this state. With this being an election year, this is the most important information that you can have, and naturally our goal is to help elect the most business-friendly legislature possible so that Florida will become a more "business-friendly" state.

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complete
**Voting
Records
report**



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Cover Photo:
Mark Foley,
House Photographer

A Business Supported Legislature, sort of ...

If you look at the chart pictured below you are going to see continued improvement in the pro-business voting record of the legislature. In fact, the House's overall record of 90% equals their highest mark since the 1998 Session. The 86% overall average of the Senate harkens back to the early to mid-nineties when both chambers scored very well with the business community. The good news is that since the low watermark of the 2002 Session (the Senate's overall voting record was 42%!), the legislature has significantly increased its voting average on key business issues. The bad news is that this year a lot of the business agenda nevertheless failed to survive the final hours of the legislative session. Why? Because many of our issues got caught up in the traditional fight between the two chambers. It seemed that the distrust and lack of communication between the Senate and House was heightened even more so this year.

The lesson to be learned from this is that high support for business issues by legislators does not always translate into tangible results for the business community. That's where the rubber hits the road for the leadership in each respective chamber — too many vital and necessary issues died in committees or on the floor. This year's analysis of *Voting Records* substantiates this and reflects fewer votes on fewer issues than ever before. In fact, on the key issues selected by the AIF Legislative Team, the top two Senators this session voted 29 and 26 times respectively with the business community versus 55 and 50 times last session. Likewise in the House, the top two Representatives this year voted 22 and 19 times with us versus 49 and 47 times last year. Interestingly, this does not mean there was a dearth of pro-business legislation this year; what it means is that too much of our legislation never made it to a floor vote.

Governor Jeb Bush once again weighed in on many of the key business issues. But even with former Senate President Toni Jennings as his Lt. Governor and chief legislative liaison, they had their work cut out for them in bringing the two chambers together. Many issues revolved around the budget, and the philosophical differences between the Senate and House leaders was very apparent. Unfortunately, Senate President Jim King (R-Jacksonville) and House Speaker Johnny Byrd (R-Plant City) were left to oversee the two most acrimonious sessions ever witnessed since the capture of the legislature by the Republican Party in 1998.

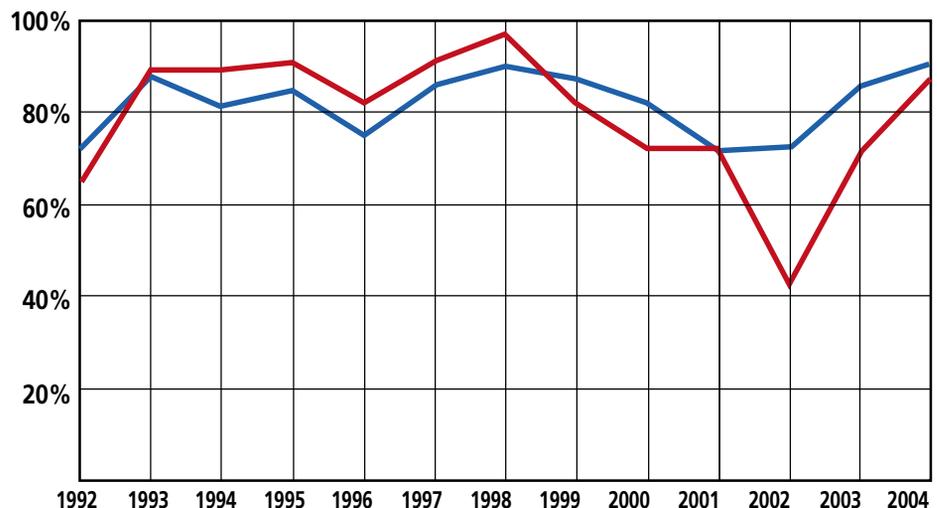
Our work will continue on behalf of the business community to not only garner support of the legislature on pro-business legislation, but to get these bills to the floor and enacted into law. ■

The Florida Legislature 1992-2004

CUMULATIVE PRO-BUSINESS TOTALS

House Average —

Senate Average —





2004 FLORIDA LEGISLATURE VOTING RECORDS

On Key Business Issues – by Rank

Voting Records is compiled using actual votes cast as reported in official state records. It does not include changed or paired votes. Some votes may be corrected by the Legislature at a later date, but those changes will not be reflected in *Voting Records*, which relies on the positions of members of the Legislature at the time the votes are recorded. Each vote cast is measured equally, with no added points to certain bills.

F L O R I D A S E N A T E									
Rank	Name/Party	For	Against	w/AIF	Rank	Name/Party	For	Against	w/AIF
1	King (R)	10	0	100%	19	Cowin (R)	20	3	87%
2	Bennett (R)	19	1	95%	19	Lawson (D)	20	3	87%
2	Garcia (R)	19	1	95%	19	Miller (D)	20	3	87%
4	Clary (R)	17	1	94%	24	Dawson (D)	18	3	86%
5	Pruitt (R)	14	1	93%	24	Jones (R)	18	3	86%
6	Sebesta (R)	12	1	92%	26	Carlton (R)	17	3	85%
7	Posey (R)	29	3	91%	26	Webster (R)	17	3	85%
8	Argenziano (R)	18	2	90%	26	Wilson (D)	17	3	85%
8	Constantine (R)	19	2	90%	29	Alexander (R)	16	3	84%
8	Margolis (D)	26	3	90%	29	Wasserman Schultz (D)	16	3	84%
8	Saunders (R)	19	2	90%	31	Geller (D)	19	4	83%
8	Smith (D)	19	2	90%	31	Lee (R)	15	3	83%
13	Klein (D)	16	2	89%	33	Bullard (D)	14	3	82%
13	Siplin (D)	16	2	89%	33	Peaden (R)	23	5	82%
15	Crist (R)	14	2	88%	33	Villalobos (R)	18	4	82%
15	Fasano (R)	21	3	88%	36	Dockery (R)	21	5	81%
15	Lynn (R)	14	2	88%	37	Campbell (D)	20	5	80%
15	Wise (R)	15	2	88%	38	Diaz de la Portilla (R)	18	5	78%
19	Aronberg (D)	20	3	87%	39	Haridopolos (R)	12	4	75%
19	Atwater (R)	20	3	87%	40	Hill (D)	11	6	65%

Total Votes With AIF/Business = 86%

H O U S E O F R E P R E S E N T A T I V E S

Rank	Name/Party	For	Against	w/AIF	Rank	Name/Party	For	Against	w/AIF	Rank	Name/Party	For	Against	w/AIF
1	Allen (R)	12	0	100%	37	Gardiner (R)	13	1	93%	78	Harrington (R)	8	1	89%
1	Ambler (R)	14	0	100%	37	Green (R)	13	1	93%	78	Paul (R)	8	1	89%
1	Antone (D)	8	0	100%	37	Henriquez (D)	14	1	93%	78	Planas (R)	8	1	89%
1	Attkisson (R)	12	0	100%	37	Kallinger (R)	14	1	93%	78	Prieguez (R)	8	1	89%
1	Bowen (R)	13	0	100%	37	Kravitz (R)	14	1	93%	78	Rivera (R)	8	1	89%
1	Domino (R)	15	0	100%	37	Murman (R)	13	1	93%	86	Adams (R)	7	1	88%
1	Galvano (R)	13	0	100%	37	Simmons (R)	13	1	93%	86	Byrd (R)	7	1	88%
1	Gannon (D)	11	0	100%	37	Waters (R)	13	1	93%	86	Culp (R)	7	1	88%
1	Garcia (R)	11	0	100%	49	Altman (R)	11	1	92%	86	Evers (R)	7	1	88%
1	Hasner (R)	14	0	100%	49	Baker (R)	12	1	92%	86	Fiorentino (R)	7	1	88%
1	Johnson (R)	13	0	100%	49	Bean (R)	12	1	92%	86	Gibson, A. (D)	14	2	88%
1	Littlefield (R)	16	0	100%	49	Berfield (R)	11	1	92%	86	Gibson, H. (R)	7	1	88%
1	Llorente (R)	11	0	100%	49	Carroll (R)	12	1	92%	86	Jordan (R)	7	1	88%
1	Mayfield (R)	16	0	100%	49	Davis, D. (R)	11	1	92%	86	Machek (D)	7	1	88%
1	McInvale (D)	10	0	100%	49	Dean (R)	11	1	92%	86	Meadows (D)	7	1	88%
1	Mealor (R)	17	0	100%	49	Harper (D)	12	1	92%	86	Needelman (R)	7	1	88%
1	Murzin (R)	16	0	100%	49	Homan (R)	11	1	92%	97	Ausley (D)	13	2	87%
1	Patterson (R)	16	0	100%	49	Kilmer (R)	11	1	92%	98	Greenstein (D)	11	2	85%
1	Pickens (R)	8	0	100%	49	Poppell (R)	11	1	92%	98	Joyner (D)	11	2	85%
1	Reagan (R)	11	0	100%	49	Rubio (R)	11	1	92%	98	Quinones (R)	11	2	85%
1	Robaina (R)	12	0	100%	49	Russell (R)	12	1	92%	101	Wishner (D)	10	2	83%
1	Ross (R)	14	0	100%	49	Sansom (R)	11	1	92%	102	Holloway (D)	14	3	82%
1	Smith (D)	11	0	100%	49	Sorensen (R)	11	1	92%	103	Justice (D)	8	2	80%
1	Stansel (D)	13	0	100%	49	Spratt (R)	11	1	92%	103	Peterman (D)	8	2	80%
1	Sullivan (R)	17	0	100%	49	Vana (D)	12	1	92%	103	Rich (D)	12	3	80%
1	Zapata (R)	12	0	100%	66	Arza (R)	10	1	91%	103	Seiler (D)	8	2	80%
27	Bogdanoff (R)	22	1	96%	66	Barreiro (R)	10	1	91%	107	Cusack (D)	11	3	79%
28	Brown (R)	19	1	95%	66	Kottkamp (R)	10	1	91%	108	Kendrick (D)	7	2	78%
29	Baxley (R)	15	1	94%	66	Kyle (R)	10	1	91%	108	Ryan (D)	14	4	78%
29	Brummer (R)	15	1	94%	66	Troutman (R)	10	1	91%	110	Bendross-Mindingall (D)	10	3	77%
29	Farkas (R)	16	1	94%	71	Bense (R)	9	1	90%	110	Roberson (D)	10	3	77%
29	Fields (D)	15	1	94%	71	Bilirakis (R)	9	1	90%	112	Slosberg (D)	9	3	75%
29	Mahon (R)	15	1	94%	71	Bullard (D)	9	1	90%	112	Wiles (D)	6	2	75%
29	Negron (R)	15	1	94%	71	Cantens (R)	9	1	90%	114	Bucher (D)	8	3	73%
29	Richardson (D)	15	1	94%	71	Cretul (R)	9	1	90%	114	Jennings (D)	11	4	73%
29	Stargel (R)	15	1	94%	71	Harrell (R)	9	1	90%	116	Brutus (D)	6	3	67%
37	Benson (R)	14	1	93%	71	Ritter (D)	18	2	90%	116	Gelber (D)	8	4	67%
37	Brandenburg (D)	13	1	93%	78	Anderson (R)	8	1	89%	116	Kosmas (D)	10	5	67%
37	Clarke (R)	14	1	93%	78	Davis, M. (R)	8	1	89%	116	Sobel (D)	8	4	67%
37	Detert (R)	13	1	93%	78	Goodlette (R)	8	1	89%	120	Gottlieb (D)	6	4	60%

Total Votes With AIF/Business = 91%



2004 FLORIDA LEGISLATURE VOTING RECORDS

On Key Business Issues – Alphabetically

Voting Records is compiled using actual votes cast as reported in official state records. It does not include changed or paired votes. Some votes may be corrected by the Legislature at a later date, but those changes will not be reflected in *Voting Records*, which relies on the positions of members of the Legislature at the time the votes are recorded. Each vote cast is measured equally, with no added points to certain bills.

F L O R I D A S E N A T E									
Name/Party	Rank	For	Against	w/AIF	Name/Party	Rank	For	Against	w/AIF
Alexander (R)	29	16	3	84%	Jones (R)	24	18	3	86%
Argenziano (R)	8	18	2	90%	King (R)	1	10	0	100%
Aronberg (D)	19	20	3	87%	Klein (D)	13	16	2	89%
Atwater (R)	19	20	3	87%	Lawson (D)	19	20	3	87%
Bennett (R)	2	19	1	95%	Lee (R)	31	15	3	83%
Bullard (D)	33	14	3	82%	Lynn (R)	15	14	2	88%
Campbell (D)	37	20	5	80%	Margolis (D)	8	26	3	90%
Carlton (R)	26	17	3	85%	Miller (D)	19	20	3	87%
Clary (R)	4	17	1	94%	Peaden (R)	33	23	5	82%
Constantine (R)	8	19	2	90%	Posey (R)	7	29	3	91%
Cowin (R)	19	20	3	87%	Pruitt (R)	5	14	1	93%
Crist (R)	15	14	2	88%	Saunders (R)	8	19	2	90%
Dawson (D)	24	18	3	86%	Sebesta (R)	6	12	1	92%
Diaz de la Portilla (R)	38	18	5	78%	Siplin (D)	13	16	2	89%
Dockery (R)	36	21	5	81%	Smith (D)	8	19	2	90%
Fasano (R)	15	21	3	88%	Villalobos (R)	33	18	4	82%
Garcia (R)	2	19	1	95%	Wasserman Schultz (D)	29	16	3	84%
Geller (D)	31	19	4	83%	Webster (R)	26	17	3	85%
Haridopolos (R)	39	12	4	75%	Wilson (D)	26	17	3	85%
Hill (D)	40	11	6	65%	Wise (R)	15	15	2	88%

Total Votes With AIF/Business = 86%

H O U S E O F R E P R E S E N T A T I V E S

Name/Party	Rank	For	Against	w/AIF	Name/Party	Rank	For	Against	w/AIF	Name/Party	Rank	For	Against	w/AIF
Adams (R)	86	7	1	88%	Fields (D)	29	15	1	94%	Murman (R)	37	13	1	93%
Allen (R)	1	12	0	100%	Fiorentino (R)	86	7	1	88%	Murzín (R)	1	16	0	100%
Altman (R)	49	11	1	92%	Galvano (R)	1	13	0	100%	Needelman (R)	86	7	1	88%
Ambler (R)	1	14	0	100%	Gannon (D)	1	11	0	100%	Negron (R)	29	15	1	94%
Anderson (R)	78	8	1	89%	Garcia (R)	1	11	0	100%	Patterson (R)	1	16	0	100%
Antone (D)	1	8	0	100%	Gardiner (R)	37	13	1	93%	Paul (R)	78	8	1	89%
Arza (R)	66	10	1	91%	Gelber (D)	116	8	4	67%	Peterman (D)	103	8	2	80%
Attkisson (R)	1	12	0	100%	Gibson, A. (D)	86	14	2	88%	Pickens (R)	1	8	0	100%
Ausley (D)	97	13	2	87%	Gibson, H. (R)	86	7	1	88%	Planas (R)	78	8	1	89%
Baker (R)	49	12	1	92%	Goodlette (R)	78	8	1	89%	Poppell (R)	49	11	1	92%
Barreiro (R)	66	10	1	91%	Gottlieb (D)	120	6	4	60%	Prieguez (R)	78	8	1	89%
Baxley (R)	29	15	1	94%	Green (R)	37	13	1	93%	Quinones (R)	98	11	2	85%
Bean (R)	49	12	1	92%	Greenstein (D)	98	11	2	85%	Reagan (R)	1	11	0	100%
Bendross-Mindingall (D)	110	10	3	77%	Harper (D)	49	12	1	92%	Rich (D)	103	12	3	80%
Bense (R)	71	9	1	90%	Harrell (R)	71	9	1	90%	Richardson (D)	29	15	1	94%
Benson (R)	37	14	1	93%	Harrington (R)	78	8	1	89%	Ritter (D)	71	18	2	90%
Berfield (R)	49	11	1	92%	Hasner (R)	1	14	0	100%	Rivera (R)	78	8	1	89%
Bilirakis (R)	71	9	1	90%	Henriquez (D)	37	14	1	93%	Robaina (R)	1	12	0	100%
Bogdanoff (R)	27	22	1	96%	Holloway (D)	102	14	3	82%	Roberson (D)	110	10	3	77%
Bowen (R)	1	13	0	100%	Homan (R)	49	11	1	92%	Ross (R)	1	14	0	100%
Brandenburg (D)	37	13	1	93%	Jennings (D)	114	11	4	73%	Rubio (R)	49	11	1	92%
Brown (R)	28	19	1	95%	Johnson (R)	1	13	0	100%	Russell (R)	49	12	1	92%
Brummer (R)	29	15	1	94%	Jordan (R)	86	7	1	88%	Ryan (D)	108	14	4	78%
Brutus (D)	116	6	3	67%	Joyner (D)	98	11	2	85%	Sansom (R)	49	11	1	92%
Bucher (D)	114	8	3	73%	Justice (D)	103	8	2	80%	Seiler (D)	103	8	2	80%
Bullard (D)	71	9	1	90%	Kallinger (R)	37	14	1	93%	Simmons (R)	37	13	1	93%
Byrd (R)	86	7	1	88%	Kendrick (D)	108	7	2	78%	Slosberg (D)	112	9	3	75%
Cantens (R)	71	9	1	90%	Kilmer (R)	49	11	1	92%	Smith (D)	1	11	0	100%
Carroll (R)	49	12	1	92%	Kosmas (D)	116	10	5	67%	Sobel (D)	116	8	4	67%
Clarke (R)	37	14	1	93%	Kottkamp (R)	66	10	1	91%	Sorensen (R)	49	11	1	92%
Cretul (R)	71	9	1	90%	Kravitz (R)	37	14	1	93%	Spratt (R)	49	11	1	92%
Culp (R)	86	7	1	88%	Kyle (R)	66	10	1	91%	Stansel (D)	1	13	0	100%
Cusack (D)	107	11	3	79%	Littlefield (R)	1	16	0	100%	Stargel (R)	29	15	1	94%
Davis, D. (R)	49	11	1	92%	Llorente (R)	1	11	0	100%	Sullivan (R)	1	17	0	100%
Davis, M. (R)	78	8	1	89%	Machek (D)	86	7	1	88%	Troutman (R)	66	10	1	91%
Dean (R)	49	11	1	92%	Mahon (R)	29	15	1	94%	Vana (D)	49	12	1	92%
Detert (R)	37	13	1	93%	Mayfield (R)	1	16	0	100%	Waters (R)	37	13	1	93%
Domino (R)	1	15	0	100%	McInvale (D)	1	10	0	100%	Wiles (D)	112	6	2	75%
Evers (R)	86	7	1	88%	Meadows (D)	86	7	1	88%	Wishner (D)	101	10	2	83%
Farkas (R)	29	16	1	94%	Mealor (R)	1	17	0	100%	Zapata (R)	1	12	0	100%

Total Votes With AIF/Business = 91%



Jon L. Shebel

President & CEO of Associated Industries of Florida and affiliated corporations ... more than 35 years as a lobbyist for AIF ... directs AIF's legislative efforts based on AIF Board of Directors' positions ... graduated from The Citadel and attended Stetson University College of Law.

Issues: General Issues

The Bills | *Voting Records* was compiled floor votes cast on each of the

TAXATION

CS/CS/HB 237 - Sales Tax Relief by the House Appropriations Committee, the House Finance and Tax Committee and Rep. Bev Kilmer (R-Marianna)

This legislation creates the "Florida Sales Tax Relief Act" which provides sales tax relief on clothing and other accessories of \$50 or less during the last week of July 2004. In addition, the bill provides sales tax relief on school supplies of \$10 per item or less during that same period of time. Furthermore, no sales and use tax will be collected on books during the entire month of May 2005. HB 237's Senate counterpart, SB 244, was substituted for the House version during the last week of session.

AIF strongly supports increasing business activity by allowing Floridians to purchase certain clothing, accessories, and school supplies without having to pay sales tax.

CS/CS/HB 237 signed by officers, signed by Governor and assigned Chapter Number 2004-74; Companion bill: SB 244 laid on table

CS/SB 598 - Relating to Tax Rebates and Credits by the Senate Commerce, Economic Opportunities, and Consumer Services Committee and Sen. Rod Smith (D-Gainesville)

SB 598 authorizes a tax refund program for businesses that employ 50 or fewer employees. Subject to legislative appropriation, a tax refund of \$1,000 is offered for each employee who is covered by the employer's health benefit plan. The tax refund amount is equal to \$1,500 if the business is located in an enterprise zone or a rural area of critical economic concern. The bill also authorizes a corporate income tax credit program under which a business may receive a tax credit equal to 100 percent of the value of an eligible contribution made to a public

school or to a specific program within a public school. The total amount of credits that may be granted under the program annually is \$88 million.

AIF supports legislation which encourages business to create jobs and provide health insurance benefits for their employees.

CS/SB 598 died in the Senate Finance and Tax Committee; Companion bill: HB 1221 died in House Insurance Committee

CS/CS/HB 791 - Intangible Personal Property Tax by the House Appropriations Committee, the House Finance and Tax Committee and Rep. Randy Johnson (R-Winter Garden)

Under current law, the annual intangible tax on the value of stocks, bonds, notes, governmental leaseholds, and interests in partnerships registered with the SEC is imposed at a rate of 1 mill. There is an exemption from the annual tax of \$250,000 for each natural person or business and \$500,000 for each natural person and spouse. This bill repeals the annual tax on intangible property over the next 3 years. A reduced tax would be imposed beginning January 1, 2005, a further reduced tax would be imposed beginning January 1, 2006, and the tax would be eliminated on January 1, 2007. The estimated fiscal impact on state revenues is \$96.8 million for FY 2004-2005 and double for FY 2005-2006.

AIF supports legislation that increases economic activity by decreasing taxes for individuals and business on investments.

CS/CS/HB 791 died on House Calendar

 Bill supported by AIF;  Bill opposed by AIF

Unless otherwise noted, AIF took the same position on the bills listed in the summary at the end of each write-up as it did on the bill in the write-up.

using committee and following bills.

👍 **CS/HB 873 - Sales Tax Exemption for Machinery and Equipment by the House Commerce Committee and Rep. Matt Meadows (D-Lauderhill)**

HB 873 provides a full, rather than partial, sales tax exemption for industrial machinery and equipment purchased for the exclusive use in expanding spaceport activities or use in expanding manufacturing ac-

tivities where machinery will be used to increase productivity by at least 10 percent. The bill removes the current \$50,000 threshold for business to claim the exemption. According to Enterprise Florida Inc., the 1999 estimated fiscal impact of the elimination of the \$50,000 sales and use tax payment threshold for expanding business was \$6 million.

AIF supports the repeal of the \$50,000 per calendar year sales tax threshold. Taxes imposed on machinery and equipment used to manufacture goods within the state place an unfair tariff on Florida manufactured goods, and repeal of this threshold would increase the ability of Florida manufacturers to compete with their counterparts in other Southeastern states.

CS/HB 873 died in the House Finance and Tax Committee; Companion bill: SB 2540 died in the Senate Finance and Tax Committee

👍 **CS/HB 1217 - Taxation and Regulation of Governmentally Provided Communications by the House Business Regulation Committee and Rep. Frank Attkisson (R-Kissimmee)**

This bill provides for a comprehensive legislative study that addresses the appropriate level of state regulation for local governments that wish to compete with private providers of communications services. The bill's purpose is to prevent a loss of state revenue by assuring that neither public utilities nor governmental utilities enjoy an unfair competitive advantage in the marketplace as a result of an uneven application of various taxes and fees. Therefore, the bill waives certain tax exemptions that may provide an advantage to governmental utilities over private sector utilities in the utility marketplace. The bill establishes the Government-Owned Communications Services Study Commission. There is an indeterminate fiscal impact on local and state government.

AIF supports the position of private enterprise competing with governmental utilities on a level playing field.

CS/HB 1217 died in the House State Administration Committee



Barney T. Bishop III

President & CEO, The Windsor Group ... former aide to state Treasurer Bill Gunter ... former executive director of the Florida Democratic Party ... more than 24 years of experience in legislative and political affairs ... areas of expertise include appropriations, criminal justice, and behavioral health care issues ... B.S. in political & judicial communication from Emerson College in Boston.

Issues: Appropriations, Elections, Employment, General Government, Regulated Industries, Taxation




Mary Ann Stiles, Esq.

General counsel of Associated Industries of Florida ... managing partner in the law firm of Stiles, Taylor, & Grace, P.A. ... more than 31 years of legislative and lobbying expertise before the Legislature and other branches of government ... graduate of Hillsborough Community College, Florida State University, and Antioch Law School.

Issues: Workers' Compensation Reform

 **CS/SB 2092 - Financial Protection for Elderly Act by the Senate Judiciary Committee and Sen. Alex Villalobos (R-Miami)**

SB 2092 would have created the Financial Protection for the Elderly Act. The bill enacts a statute providing a person qualifying as "elderly" with a course of action against a financial institution that is seeking to exploit them. The elderly person is eligible to receive up to \$1 million in civil damages. The bill specifically defines "elderly" and "exploit." The bill provides certain responsibilities of the Attorney General and the Department of Elderly Affairs with handling such matters.

AIF is always in favor of providing the maximum protection by law for Florida's elderly population, however, AIF opposes this legislation at this time because of its overly broad language which encourages speculative lawsuits against financial institutions that do business with the elderly.

CS/SB 2092 died in the Senate Appropriations Subcommittee on Criminal Justice; Companion bill: HB 1287 died in the House Future of Florida's Families Committee

 **CS/SB 1072 - Streamlined Sales and Use Tax by the Senate Commerce, Economic Opportunities and Consumer Services Committee and Sen. Skip Campbell (D-Tamarac)**

This bill adopts definitions and procedures to streamline Florida's sales tax system as it relates to e-commerce. Thirty-nine states and the District of Columbia have already adopted such legislation. This legislation will put Florida businesses on a level-playing field with out-of-state companies who are selling products to Floridas resident via the internet, mail order, etc. by requiring these entities to collect and remit Florida sales tax to the Department of Revenue. Currently, Florida businesses are losing customers to these businesses because consumers are not being assessed sales tax on e-commerce purchases. Although Florida law requires consumers to pay such taxes, it is not currently enforced, and few are aware that they are required to pay, or that there is a penalty for not paying sales tax at the time of purchase.



AIF supports implementation of the statutory mechanisms needed to allow Florida to enter into the Streamlined Sales and Use Tax Agreement with other states. If a uniform national collection system is developed, Florida could equalize the treatment of all retail and e-commerce vendors regarding the assessment and collection of state sales tax.

CS/SB 1072 died in House Messages; Companion bill: HB 1355 died in the House Commerce Committee

 **CS/HB 735 - Relating to Tax/Substitute Communications by the House Business Regulation Committee and Rep. John Stargel (R-Lakeland)**

This bill would repeal a sales tax on substitute communication systems that could cost businesses billions of dollars in the state of Florida. This tax, which originally passed in 1985, has not been enforced. The Department of Revenue (DOR) has begun efforts to implement it, which would effectively result in the imposition of a new tax on virtually every business and many households in the state. According to Florida Statutes, a substitute communications system is a stand alone system providing its own exclusive communications service rather than having those services provided through a third party communications service dealer. These taxable services are not for hire, resale, or provided to any third party. Examples include: two-way radios, two or more computers networked together in an office or household

 Bill supported by AIF;  Bill opposed by AIF



Chris Verlander
Senior vice president – corporate development of Associated Industries of Florida ... more than 24 years of expertise in insurance lobbying activities ... former president (1994-1997) and vice chairman (1997-1999) of American Heritage Life Insurance Company ... B.S. from Georgia Tech and M.B.A. from the University of Florida.
Issues: General Issues



environment, an intercom system, and PDAs if administered through a company rather than a third party service provider. Less than \$1 million in revenue is currently collected from this tax. DOR has always found the tax difficult to administer, so it was not enforced, and very few taxpayers paid it. No other state in the country has such a tax and it would harm the state's businesses' ability to compete.

AIF supports legislation to permanently repeal this "new" tax which would harm the ability of businesses in Florida to compete.

CS/HB 735 died in the House Appropriations Committee

👍 CS/SB 2302 - Relating to Tax/Substitute Communications by the Senate Finance and Taxation Committee and Sen. Mike Haridopolos (R-Melbourne)

In its original form the bill outlined an outright repeal on the collection of an outdated, un-enforced tax on substitute communication systems such as computer networking systems, two-way radios and intercom systems. The Department of Revenue (DOR) started the rule making process last summer to implement collection which would effectively result in the imposition of a "new" tax on virtually ev-

ery business and many households in the state. However, since DOR has so many problems trying to write a rule, they decided to wait on direction from the legislature on how to proceed. SB 2302 became one of four items in a budget compromise between the Senate and House in the last days of the session. The bill was amended to include a House measure which would create a moratorium on any telecommunication rate increases by the Public Service Commission (PSC) for a period of one year or until May 10, 2005.

AIF supports legislation to permanently repeal this "new" tax which would harm the ability of businesses in Florida to compete.

CS/SB 2302 died on the Senate Calendar

BUSINESS REGULATION

👍 CS/HB 1573 - Street Lighting by the House Judiciary Committee and Rep. Dwight Stansel (D-Wellborn)

This piece of legislation limits the civil liability for public and private utilities that provide street lights and was filed to reject the December, 2003 Florida Supreme Court opinion in Clay Electric v. Johnson that overturned almost 100 years of law and made utility companies liable for every accident related to every street light in Florida. HB 1573 would have granted immunity from civil liability for public and private utilities concerning the operability of its street lights. It was argued that utilities cannot at all times reasonably be responsible for the functioning of the some 1.2 million street lights in this state. With the failure of this legislation, it is possible that utilities, especially smaller rural utilities, will stop providing the public service of maintaining street lights. In fact, the dissenting Supreme Court opinion concludes: "Moreover, the Court's holding will produce the opposite effect of the one intended: our streets will not become safer. Rather, municipalities and utilities will ponder carefully before installing any new streetlights, especially in rural areas (where they are most needed) as it will only increase their potential liability."


Robert P. Asztalos

Partner with the lobbying firm of Buigas, Asztalos & Associates and Director of Governmental Affairs for Delta Health Group ... more than 16 years of experience as lobbyist on the state and national level ... Former Director of Legislative Affairs for the Florida Health Care Association and Senior Congressional Affairs Representative for the American Health Care Association in Washington, D.C. ... Master's degree in Legislative Affairs and a Bachelor's degree in Political Science from George Washington University.

Issues: Health Care, Medical Malpractice

AIF supports legislation that would limit the expansion of frivolous lawsuits against public and private utility companies who cannot possibly be made responsible for the millions of street lights currently in the state of Florida.

CS/HB 1573 passed the House, but died in the Senate Comprehensive Planning Committee; Companion bill: SB 2226 died in Senate Judiciary Committee

👍 HB 1829 - Regulation of Telecommunications Companies by the House Committee on State Administration and Rep. Holly Benson (R-Pensacola)

This bill would have repealed the 2003 Tele-Competition Innovation and Infrastructure Enhancement Act. The effect of this legislation would have stifled competition in the telecommunications industry and halted any additional telecommunications infrastructure in this State.

AIF opposes any measure that would arbitrarily freeze rates for the telecommunication industry.

HB 1829 died in the Senate Communications and Public Utilities Committee

HEALTH CARE

👍 CS/CS/CS/HB 1629 - Relating to Affordable Health Care by the House Health Care Committee, the House Insurance Committee, the House Appropriations Committee and Rep. Frank Farkas (R-St. Petersburg)

HB 1629 enacts many of the recommendations of the Governor's Task Force on Access to Affordable Health Insurance and the House Select Committee on Affordable Health Care which were established to develop policy that would make health insurance more affordable to Floridians. The bill expands employment based coverage by establishing purchasing pools for small employers with 2 to 25 employees, establishes a state funded health insurance pool for select individuals who are uninsurable or eligible for coverage as a result of HIPAA requirements, expands state-wide the current pilot health flex plan to allow consumers to purchase limited benefit plans, and provides consumers with



greater health care data such as procedure prices and performance information via a new consumer friendly website to be created by AHCA.

AIF supports legislation that allows employers to provide or expand access to high-quality, affordable health benefits for their employees without additional government intrusion or expensive mandates. Programs such as Health Flex provide a way to address the health care needs of Florida's working poor.

CS/CS/CS/HB 1629 passed both the House and Senate and was ordered enrolled; Companion bill: SB 2910 Laid on the Table.

👍 CS/CS/HB 701 - Health Care Consumers Right to Know Act by the House Health Care Committee, the House Insurance Committee and Rep. Donna Clarke (R-Sarasota)

This legislation requires the State of Florida to make the price and performance data (average length of stay, readmission rates, mortality rates, and infection rates) it already collects on Florida's hospitals and outpatient facilities available to the



Doug Bailey
Senior Political Officer of Associated Industries of Florida ... Executive Vice President & COO, The Windsor Group, a governmental relations consulting firm ... areas of expertise include appropriations, criminal justice, and behavioral health care issues and campaigns and elections ... B.S. in political science from Western Carolina University, M.P.A. from The Askeew School of Public Policy and Administration at Florida State University.
Issues: Appropriations, Ethics & Elections, Constitutional Amendments, Veterans' Affairs



public on the internet. Currently, hospitals and surgical centers are only required to submit discharge data on a quarterly basis to the Agency for Health Care Administration (AHCA). In addition, the bill also protects consumers from unfair facility charges for non-emergency care and gives consumers the ability to audit their health care bills and patient records. The bill was amended and retains a patient's right to get an estimate from health care facilities prior to using the facility and provides for price comparison for health care facilities. The bill would have required that AHCA maintain a website for 100 conditions and procedures that is more user friendly. AHCA would also be required to conduct an annual study on improving the web site annually.

AIF supports legislation that would allow the citizens of Florida to make better informed choices about where they get their care and how their health care dollars are spent. Increasing consumer access to pricing and performance data should drive competition between health care providers thereby reducing the cost of health care for employers and their employees.

CS/CS/HB 701 died on the House Calendar; Companion bill: CS/SB 2022 died on the Senate Calendar

Bill supported by AIF; Bill opposed by AIF

CIVIL JUSTICE

CS/HB 573 - Relating to Premises Liability by the House Judiciary Committee and Rep. Jeff Kottkamp (R-Cape Coral)

This bill was designed to give employers some guidance in defending negligence suits arising from criminal acts that occur on their premises. Currently, business owners are sued civilly as joint defendants with the criminal perpetrator, but due to joint and several liability, the business owner is frequently totally responsible for the judgment since the criminals often do not pay any portion of the judgments. The bill as written would have applied only to retail businesses with 150 or more parking spaces. This bill would have allowed both parties to present evidence at summary judgment or at trial demonstrating that certain safety measures were or were not taken by the business owner. The use of such information is currently not possible at the summary judgment level. AIF will continue to work with Chairman Kottkamp in the upcoming months to continue work on this important piece of legislation in order to obtain additional employer protections.

AIF supports establishing comparative fault and affirmative defenses to protect business owners against paying for all of the damages arising from crimes committed on the premises. Employers should only pay for the



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 Principal shareholder of Ronald L. Book, P.A.
 ... former special counsel in Cabinet and legislative affairs for Gov. Bob Graham ... and formerly worked for Florida House of Representatives ...
 32 years of experience in government and legislative activities ... areas of expertise include legislative and governmental affairs with an emphasis on sports, health care, appropriations, insurance, and taxation ... graduate of the University of Florida, Florida International University and Tulane Law School.
Issues:
 Appropriations, Business Regulation, Economic Development, Education, Employment, General Government



damages they cause, while criminals should be responsible for paying the damages that they cause.

CS/HB 573 died in the Senate Judiciary Committee

ECONOMIC DEVELOPMENT

👍 CS/CS/CS/SB 1174 - Developments of Regional Impact by the Senate Governmental Oversight and Productivity Committee, the Senate Natural Resources Committee, the Senate Comprehensive Planning Committee and Sen. Mike Bennett (R-Bradenton)

The DRI program is a vehicle that provides state and regional review of local land use decisions regarding large developments that because of their character, magnitude, or location, would have a substantial effect on the “health, safety, or welfare” of the citizens of one or more counties. Originally this bill was intended to cut down on the amount of red tape involved in this costly and time consuming process (applications can take over a year to approve and costs to developers can exceed tens of thousands of dollars). Senator Bennett brought together the business community, government, and the environ-

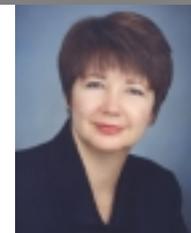
mental community in order to produce a piece of legislation that would address the concerns of all entities involved. Unfortunately, all sides were not able to agree on a final product and the bill was significantly altered. As amended, the bill would have created a study commission consisting of appointees by the Governor, Senate President, and House Speaker which would produce a report by January, 1, 2006 on growth management and the DRI process.

AIF supports legislation that cuts red tape, streamlines the permitting process, and keeps the cost reasonable for developments that bring responsible growth, infrastructure, and the goods and services that come with it.

CS/CS/CS/SB 1174 died in the House Rules Committee

👍 CS/SB 2554 - Smart Growth Management Commission by the Senate Governmental Oversight and Productivity Committee and Sen. Steven Geller (D-Hallandale Beach)

CS/SB 2554 creates a study commission which will consist of appointees by the Governor, Speaker of the House and the President of the Senate as well as the secretaries of the Department of Transporta-



Keyna Cory

President, Public Affairs Consultants, a public affairs and governmental relations consulting firm ... more than 19 years of experience representing a variety of clients, from small entrepreneurs to Fortune 500 companies, before the Florida Legislature ... majored in political science at the University of Florida.

Issues: Environment, Finance, Natural Resources, Taxation, Transportation



Tamela Ivey Perdue, Esq.

Shareholder with the law firm of Stiles, Taylor & Grace, P.A. ... more than 3 years experience representing insurers and the business community on workers' compensation issues ...

established legal practice specializing in workers' compensation defense ... formerly worked in the Florida Senate Majority Office, Rules Committee and Committee on Ethics and Elections ... B.S. from Lee University and J.D. from Stetson University.

Issues: Workers' Compensation Reform, Tort, Civil Justice

NATURAL RESOURCES

CS/CS/CS/CS/SB 1316 - Relating to Alternative Energy by the Senate Appropriations Committee, the Senate Governmental Oversight and Productivity Committee, the Senate Natural Resources Committee, the Senate Communication and Public Utility Committee and Sen. Mike Bennett (R-Bradenton)

This legislation creates the Florida Alternative Energy Technology Center, Inc., "The Center," as a not-for-profit corporation. "Alternative energy technology" is defined to include, but is not limited to: hydrogen fuel, fuel cells, landfill gas, solar thermal energy, ocean energy, and energy conservation programs. The Center is to be the principal alternative energy technology organization for the state and is to provide leadership for research and development on the production and improvement of alternative energy technology in Florida. The Center will be governed by a board of directors with representation from Enterprise Florida; the State Energy Office; the university system; utility companies, including public, municipal and rural electric cooperatives; and business.

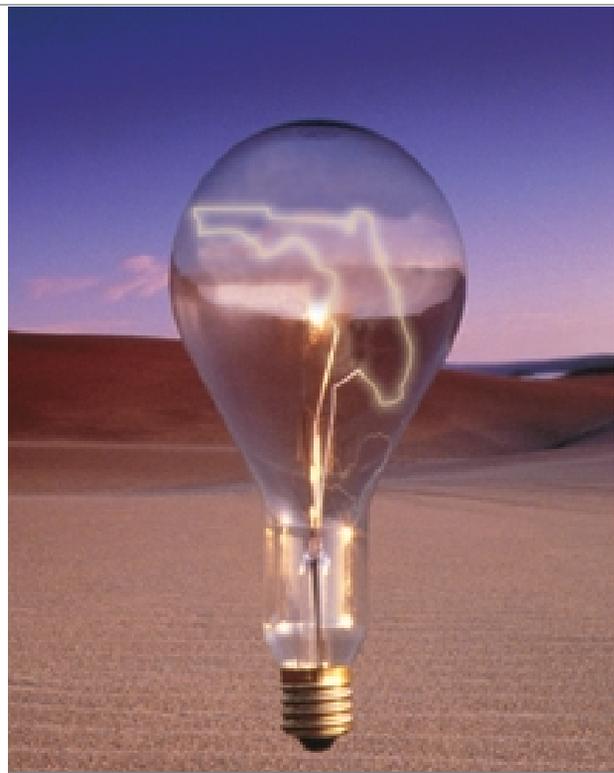
AIF supports efforts to develop alternative energy technologies that will eventually help lower fuel prices for all employers and citizens in Florida. Florida should be a leader in this field.

CS/CS/CS/CS/SB 1316 died on the Senate Calendar

WORKERS' COMPENSATION

CS/SB 1926 – Workers' Compensation Rate Reform by the Senate Banking and Insurance Committee and Sen. Jeff Atwater (R-North Palm Beach)

SB 1926 is the work product of the Joint Select Committee on Workers' Compensation Rate Reform which was chaired by Sen. Atwater and met during the interim, prior to session. This bill will allow the Office of Insurance Regulation (OIR) greater flexibility when approving rate deviations requested by insurers. This



tion; the Department of Community Affairs; the Department of Environmental Protection; the Commissioner of Agriculture, or their designees and the executive directors of Fish and Wildlife Conservation Commission. The appointees must include representatives from the business community (including development and real estate), agriculture, local governments, environmental interests, and citizen organizations. The Commission is required to provide a report to the Governor, Speaker of the House and President of the Senate by January 1, 2006 on growth management and the DRI process. It was amended to change the title from "Smart Growth Study Commission" to "Planning and Development Study Commission."

AIF supports legislation that cuts red tape, streamlines the permitting process, and keeps the cost reasonable for developments that bring responsible growth, infrastructure, and the goods and services that come with it.

CS/SB 2554 died in the Senate Appropriations Subcommittee on Transportation & Economic Development

Bill supported by AIF; Bill opposed by AIF



Jim Rathbun

President of Rathbun & Associates ... more than 15 years of experience representing individuals and entities before the Legislature, state agencies, and the governor and Cabinet ... formerly worked with the Florida House of Representatives and served as staff director of the House Republican Office ... B.S. from Florida State University.
Issues: Agriculture, Business Regulation, Ethics & Elections, General Government



Guy Spearman, Esq.

President, Spearman Management, Inc., government relations consulting firm ... 30 years of experience representing a variety of clients from small to large ... graduate of Auburn University and Florida State University College of Law.
Issues: All Major Issues

should make coverage available to more employers from private workers' compensation carriers. It also provides incentives for carriers to write coverage for policy holders in the Joint Underwriting Association (JUA, or more commonly referred to as an "insurer of last resort") so that those employers have additional options for coverage in the voluntary market. The bill also requires the OIR to submit an annual report to the legislature evaluating competition in the workers' compensation market in Florida.

AIF supported this legislation as it increases flexibility in rate making and expands access to workers' compensation coverage. AIF supports legislation that increases flexibility in rate making and expands access to workers' compensation coverage.

CS/SB 1926 signed by officers, signed by Governor and assigned Chapter Number 2004-82

👍 CS/CS/HB 1251 – Workers' Compensation Joint Underwriting Association Plan by the House Insurance Committee, the House Appropriations Committee and Rep. Kim Berfield (R-Clearwater)

HB 1251 relating to the workers' compensation joint underwriting association (JUA) was the highest workers' compensation priority for AIF. Last year with the passage of the workers' compensation reform bill, SB 50A, the legislature created Subplan D within the JUA to provide coverage for small employers, at an artificially capped rate of 25% above voluntary market premium. Because the JUA was not collecting enough premiums on these policies, primarily written within the construction industry, the JUA projected a current deficit of \$9 million, expected to reach \$36 million by the year's end within this Subplan D. AIF once again took the lead within the Coalition of Business and Insurance Industry in developing a compromise package that provides some relief for the projected deficits in the existing Subplan D of the JUA and revamps the JUA structure to classify policyholders based on the nature of the risk instead of

on the size of the business. The bill provides a transfer of \$10 million from the Workers' Compensation Administration Trust Fund (WCATF) to the JUA for currently existing deficits in the plan. It also provides a funding mechanism whereby the JUA can get approval through the Legislative Budget Commission to set up a contingency reserve fund within the WCATF up to an additional \$15 million for any future deficits, based on the JUA's cash needs. The bill subjects the JUA to two audits to be completed by the Auditor General to review its operations and the actuarial soundness of its claims reserving and administration.

AIF supports the proposals in this legislation which address solutions to the deficit in Subplan D of the WCJUA.

CS/HB 1251 was signed by officers, and approved by the Governor; The Governor vetoed the \$10 million appropriation transfer to the JUA from the WCATF

👎 CS/CS/SB 2270 – Workers' Compensation Joint Underwriting Association Plan by the Senate Banking and Insurance Committee, the Senate Banking and Insurance Committee, the Senate Appropriations Committee and Sen. Charlie Clary (R-Destin)

CS/CS/SB 2270 was similar to CS/HB 1251, the bill relating to reform of the Workers' Compensation Joint Underwriting Association. However, the Senate version had one very significant and important difference. The Senate bill included a provision intending to create a state workers' compensation mutual fund if coverage was not generally available and affordable to small employers by Oct. 1, 2005. To make such a determination, the bill would have established a five-member Workers' Compensation Insurance Market Evaluation Committee with one member appointed by the Governor, two by the President of the Senate and two by the Speaker of the House. The committee

👍 Bill supported by AIF; 👎 Bill opposed by AIF



Gerald Wester
Managing Partner,
Capital City Consulting,
LLC ... former chief
deputy over Florida
Department of
Insurance's regulatory
staff ... more than 28
years of lobbying
experience ... expertise
in insurance, banking,
and health care issues ...
Bachelor's and master's
degrees from Florida
State University.
Issues: Health Care,
Health Maintenance
Organizations,
Insurance, Medical
Malpractice



would meet monthly to study the number of insurers actively writing coverage for small employers, the number of policies issued, the premium volume written, any underwriting restrictions utilized, and the extent to which actual premiums vary from standard rates using deviations and consent to rate mechanisms. If this committee's report led the legislature to conclude coverage was not generally available and affordable to small employers, they intended to create a state mutual fund as a nonprofit entity to benefit small employers with the public mission of customer service, quality loss prevention, timely claims management, active fighting of fraud and compassionate care for injured workers, and in competition with private carriers. Such a fund would be required to rely on in-house claims personnel with initial capitalization from the state. Other states, such as California, have tried to use similar state fund mechanisms

intending to help the workers' compensation market. However, many of those endeavors have led to complete collapse of the workers' compensation market and astronomical premium increases on employers. AIF adamantly opposed this legislation throughout the session. While the other portions of the bill addressed the JUA issues which were meritorious, this state fund element was totally unacceptable regardless of any other good measures the bill could have offered. Fortunately, there was no support for the state fund concept in the House and the JUA bill that passed did not contain any state fund provisions or references.

AIF opposes any workers' compensation legislation that addresses or provides for the creation of a state fund. Creation of a workers' compensation state fund would hurt the market and decrease competition among providers.

CS/CS/SB 2270 laid on table substituted by CS/HB 1251 which was signed by officers, and approved by the Governor; The Governor vetoed the \$10 million appropriation transfer to the JUA from the WCATF

CS/SB 2268 – Workers' Compensation Glitch Bill by the Senate Banking and Insurance Committee

CS/SB 2268 was the product of an interim project completed by staff members of the Senate Banking and Insurance Committee. It identified several areas which the staff has determined to be "unintended consequences" of the workers' compensation reform law passed last year. The majority of the measures in the bill were technical, but several provisions were controversial and constituted significant policy changes. One such issue is the removal of the fraud penalties for intentionally presenting false identity information on an employment application. The bill also extended coverage for mental and nervous injury without an accompanying physical injury in cases of sexual battery or robbery arising out of the course and scope of employment. Both of these topics were the subject of significant debate as they could



Mike Zagorac

Former senior vice president, public affairs for Hill & Knowlton, Inc. ... former vice president of public affairs for the Jack Eckerd Corporation and vice president of the National Association of Chain Drug Stores ... more than 35 years of experience in media and public relations, community affairs, and environmental issues ... Bachelor's degree from Purdue University and M.B.A. degree from American University.
Issues: All Major Issues

increase costs and contribute to increased fraud. Other significant provisions included clarification for the calculation of payment for attendant care services rendered by family members of an injured worker and clarification of the definition of employer to include employee leasing companies and employment agencies for purposes of the workers' compensation law. AIF opposed this legislation because it opened the door for additional changes to the workers' compensation law which just underwent major reforms during last year's special session. Portions of the new law went into effect on October 1, 2003 and the remaining provisions were not effective until January 1, 2004. This law had not been in effect long enough by the time of this session to truly gauge whether any unintended consequences exist or were construed to the detriment of the market. Accordingly, AIF urged the legislature to abandon this search for "glitches" and allow the law ample opportunity to work before making any additional changes.

AIF opposes this legislation because any changes to the workers' compensation statute has the potential to destroy the savings that last year's workers' compensation reform package, SB 50A, has already brought to Florida's employers. AIF will continue to work with legislators to preserve those savings.

SB 2268 died in House messages

CAMPAIGN FINANCE REFORM

👍 CS/HB 1793 - Relating to Campaign Financing by Rep. Lindsay Harrington (R-Punta Gorda)

The combination of HB 1793 and its Senate companion CS/SB 2346 by Sen. Tom Lee (R-Brandon) was the end product of what started out as a sweeping campaign finance proposal, but through the committee process ultimately ended up as a means to make transparent the reporting requirements of political committees. This legislation addresses issue advocacy regulation, sponsorship identification disclaimers and reporting requirements for Committees of Continuous Existence (CCE's). The bill will close the loophole

which allows CCE's to report contributions from their members on otherwise typical campaign finance reporting forms and also creates a definition for "electioneering communications" as paid issue advocacy advertisements affecting candidates or ballot issues that are run proximate to an election.

AIF supports responsible campaign finance legislation which requires identification disclaimers on "electioneering communications."

CS/HB 1793 laid on table; Companion bill: CS/SB 2346 was signed by officers, signed by Governor and Chapter Number 2004-252

CONSTITUTIONAL AMENDMENT REFORM

👍 CS/SB 2392, SB 2394, and CS/SB 2396 - Constitutional Amendment Reform by Sen. Jeff Atwater (R-North Palm Beach)

The legislature proposed a series of joint resolutions to appear before the voters on the November ballot with the goal of reforming the citizen initiative process. All but one failed to advance to the ballot. SB2392 would have required that a revision must be approved by at least three-fifths of electors voting on a measure rather than by simple majority. SB 2396 would have limited the scope of an initiative by requiring an amendment or revision proposed by citizen initiative to alter, amend, or repeal an existing article or amendment to the State Constitution; address a basic or fundamental right of a citizen of this state; or change the basic structure of state government. SB 2394 was the only reform provision to pass the legislature, requiring a sponsor of a constitutional amendment proposed by citizen initiative to file the initiative petition with the Secretary of State by February 1 of the general election year.

AIF supports politically viable initiative reforms aimed at facilitating a more responsible process and at protecting the sanctity and supremacy of the state's Constitution.

CS/SB 2392 died on the House Calendar; SB 2394 ordered enrolled; CS/SB 2396 died on the House Calendar

AIF Voting Records On-Line

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