

VOTING RECORDS

ON
KEY BUSINESS ISSUES
1987 & 1988 SESSIONS
OF
THE FLORIDA LEGISLATURE



PREPARED BY

Associated Industries of Florida



LEGISLATIVE LETTER

Associated Industries of Florida

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July 22, 1988

"VOTING RECORDS" ARE THE "KEY"

The voting records contained herein show how the members of the Florida Legislature voted on major issues of interest to the general business community in Florida during the 1987 and 1988 Regular and Special Sessions of the Legislature. These certainly are not the only major issues of interest to the business community, but they are the ones where it is felt a definite philosophical vote was necessary. As will be noted, there are votes listed on amendments, and in committees in addition to votes on final passage of bills. In many cases, the votes on amendments, and in committees are much more significant than votes on final passage but are seldom reported to the business community and the public. This report attempts to fill that void. The 1988 votes on final passage of bills, and 1987 votes on final passage of bills from Special Session "B" and "D," have not been corrected at this time. Please be advised that it is possible for corrections to be made in these votes. The corrected final votes will be available in the House and Senate Bound Journals in October 1988. Since these Bound Journals will be unavailable prior to the Primary Elections, Associated Industries of Florida is basing the 1988 voting records on final passage of bills from the regular 1988 House and Senate Journals. If there are any changes in the Bound Journals, Associated Industries will notify you after October 1988. The 1987 votes on final passage of bills were taken from the 1987 House and Senate Bound Journals.

No one vote should sway your opinion of your legislators. However, after reviewing this booklet, it is hoped you will draw your own conclusions as to whether or not your legislators' "votes" on major business issues have been in the best interest of your business and the entire business community.

PICK YOUR CANDIDATES AND "GET INVOLVED"

It matters little what a legislator says during a campaign for office unless his "voting record" supports his rhetoric. Your company, its employees, and the stockholders have a big stake in the legislative process. The "votes" of your legislators should be one of the principal bases upon which "support" or "opposition" of a candidate for election is determined.

Your Association cannot tell you which legislators you should "support" or "oppose" — BUT, AIF FEELS COMPELLED IN THE BEST INTEREST OF YOUR COMPANY TO URGE YOU TO BECOME INVOLVED IN THE ELECTIVE PROCESS BY SUPPORTING THOSE CANDIDATES WHO, BY THEIR VOTING RECORDS, HAVE SHOWN THAT THEY SUPPORT THE FREE ENTERPRISE SYSTEM. IF YOU FAIL TO STAND UP FOR YOUR COMPANY'S INTERESTS AT ELECTION TIME, THEN HALF OF THE BATTLE HAS BEEN LOST BEFORE THE FIRST VOTE IS CAST BY THE LEGISLATURE.

This year, 120 members of the Florida House of Representatives and 20 members of the Florida Senate will be running for election. PLEASE CONSIDER THE VOTING RECORDS OF THE CANDIDATES BEFORE BECOMING INVOLVED IN THE ELECTIVE PROCESS — THEN, "BECOME INVOLVED" BY SUPPORTING THE CANDIDATES WHO BEST REPRESENT YOUR INTERESTS.

Sincerely,

Jon L. Shebel
President
Associated Industries of Florida

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We Stand Up For Business!

"SENATE VOTING STATISTICS"
1987 & 1988 Regular & Special Sessions

of
THE FLORIDA LEGISLATURE

SENATOR	ISSUE	CS/SS 187 - Workers' Compensation/Health Care Providers - Senate Commerce Committee - 1987	CS/SS 187 - Workers' Compensation/Health Care Providers - Senate Floor - 1987	SS 499 - Labor Violence - Senate Commerce Committee - 1987	CS/SS 640 - Unemployment Compensation/Employee Leasing Companies - Senate Floor - 1987	CS/SS 644 - Administrative Procedures Act - Senate Governmental Operations Committee - 1987	CS/SS 648 - Administrative Procedures Act - Senate Floor - 1987	CS/SS 771 - Sales Tax on Services - Senate Floor - 1987	CS/SS 821 - Workers' Compensation/Health Care - Senate Floor - 1987	CS/SS 844 - Settlement Offers - Senate Judiciary-Civil Committee - 1987	CS/SS 1044, 943 & 654 - Directors and Officers Liability - Senate Floor - 1987	CS/SS 1192 - Solid Waste Management - Senate Finance, Taxation & Claims Committee - 1988	CS/SS 476 - Child Health Assurance Act - Senate Floor - 1988	SS 91 - Uniform Trade Secrets Act - Senate Floor - 1988	CS/SS 849 & 1351 - Local Occupational License Tax Increase - Senate Economic Community & Consumer Affairs Committee - 1988	CS/SS 849 & 1351 - Local Occupational License Tax Increase - Senate Finance, Taxation & Claims Committee - 1988	CS/SS 849 & 1351 - Local Occupational License Tax Increase - Senate Floor - 1988	CS/SS 1234 - Workers' Compensation/Custodial Care - Senate Commerce Committee - 1988	CS/SS 1234 - Workers' Compensation/Custodial Care - Senate Floor - 1988	CS/SS 839 - Mandated Benefits/Mammograms - Senate Commerce Committee - 1988	CS/SS 839 - Mandated Benefits/Mammograms - Senate Floor - 1988	CS/SS 246 - Corporate Tax/Child Care - Finance, Taxation & Claims Committee - 1988	CS/SS 246 - Corporate Tax/Child Care - Senate Floor - 1988	CS/SS 1246 - Workers' Compensation/Streetcar Decision - Senate Floor - 1988	TOTAL +	TOTAL -	% WITH AIF
Barron			+				+	+	+				+												8	1	89
Beard			+		+		+	+	+		+			+									+	+	10	2	83
Brown					+	+	+	+	+		+												+	+	9	4	69
Childers, D.			+		+		+	+	+		+												+	+	11	1	92
Childers, W. D.			+		+		+	+	+		+												+	+	11	4	73
Crawford					+		+	+	+			+													6	2	75
Crenshaw		+	+	+	+		+	-	+		+	+	+				+	+	+				+	+	14	6	70
Deratany		+	+	+	+		+	+	+		+	+	+				+	+	+				+	+	14	5	74
Dudley			+		+		+		+	+	+	+	+				+	+	+				+	+	12	4	75
Frank			+		+		+	-	+	+	-	+	+				+	+	+				+	+	9	6	60
Girardeau			+		+		+	-	+				+				+	+	+				+	+	8	5	62
Gordon		+	+	-	+		+	+	+		+												+	+	8	5	62
Grant			+		+		+	+	+	+	+		+				+	+	+				+	+	11	3	79
Grizzle			+		+		+	+	+		+		+				+	+	+				+	+	9	3	75
Hair		+	+	-	+			+	+		+		+				+	+	+				+	+	10	5	67
Hill			+		+		+	+	+		+		+				+	+	+				+	+	9	2	82
Hollingsworth			+		+		+	+	+		+		+				+	+	+				+	+	9	3	75
Jenne					+	+	+	-	+	+	+		+				+	+	+				+	+	10	4	71
Jennings		+	+	+		+	+	+	+		+						+	+	+				+	+	12	3	80
Johnson			+		+	+	+	-	+		+	+	+				+	+	+				+	+	12	5	71
Kirkpatrick			+		+		+	+	+		+		+				+	+	+				+	+	8	2	80
Kiser					+	+	+	+	+		+	+	+				+	+	+				+	+	11	3	79
Langley		+	+	+	+		+	-	+	+	+		+				+	+	+				+	+	12	4	75
Lehtinen			+				+	-	+		+		+				+	+	+				+	+	7	4	64
Malchon			+		+		+	+	+		+	+	+				+	+	+				+	+	11	4	73
Margolis			+		+	+	+	+	+		+		+				+	+	+				+	+	9	5	64
McPherson			+		+	+	+	+	+		+		+				+	+	+				+	+	10	3	77
Meek			+		+		+	+	+		+		+				+	+	+				+	+	10	4	71
Myers			+		+		+	-	+		+		+				+	+	+				+	+	8	3	73
Peterson			+		+		+	+	+		+		+				+	+	+				+	+	9	3	75
Plummer						+	+	-	+		+	+	+				+	+	+				+	+	9	5	64
Ros-Lehtinen					+		+	-	+		+		+				+	+	+				+	+	8	5	62
Scott		+		+	+		+	+	+		+		+				+	+	+				+	+	10	4	71
Stuart			+		+		+	-	+		+	+	+				+	+	+				+	+	10	5	67
Thomas		+	+	-	+		+	+	+		+		+				+	+	+				+	+	11	4	73
Thurman			+		+		+	-	+		+		+				+	+	+				+	+	7	6	54
Vogt						+	+		+		+		+				+	+	+				+	+	4	0	100
Weinstein			+		+		+	-	+	-	+	+	+				+	+	+				+	+	11	6	65
Weinstock			+		+		+	+	+		+		+				+	+	+				+	+	9	4	69
Woodson			+		+		+	-	+		+	+	+				+	+	+				+	+	11	5	69
ISSUE # (See key on p. 2-3)		1	1	2	3	4	4	5	6	7	8	9	10	11	12	12	12	13	13	14	14	15	15	16			

+ Vote **FOR** position of AIF
- Vote **AGAINST** position of AIF

SENATE AVERAGE = 72%

KEY TO SENATE VOTES

- #1 **CS/SB 167 — WORKERS' COMPENSATION/HEALTH CARE PROVIDERS** by Senator Richard Langley (R-Clermont) established a penalty to be imposed upon insurance carriers who improperly deauthorize a health care provider who has been furnished by the employer under the workers' compensation law. A fine of \$100 would be imposed on a carrier upon a finding by the division or a deputy commissioner that a carrier deauthorized the health care provider furnished by the employer, without the employer's agreement, or upon a determination that the deauthorization was not in the best interest of the injured employee. The Senate Commerce Committee passed the bill on 4/27/87 by a vote of 8-0. A "yea" vote is a vote for the AIF position. The bill passed on the Senate Floor on 5/29/87 by a vote of 32-0. A "yea" vote is a vote for the AIF position.
- #2 **SB 699 — LABOR VIOLENCE** by Senator Ros-Lehtinen (R-Miami) called for the creation of section 447.18, F.S., to express the public policy in Florida relating to job-site violence arising out of a labor or employment dispute. The legislation is designed to prohibit violence by members of labor organizations against business entities. Business entities confronted by such violence and destruction of property would be granted the right to obtain injunctive relief and damages. The Senate Commerce Committee passed the bill on 4/30/87 by a vote of 5-3. A "yea" vote is a vote for the AIF position.
- #3 **CS/SB 600 — UNEMPLOYMENT COMPENSATION/EMPLOYEE LEASING COMPANIES** by Senator Carrie Meek (D-Miami) provided that workers supplied by an employee leasing company were no longer joint employees of the leasing company and client company. Such workers were employees of the employee leasing company. Other language in the bill included increasing the maximum weekly benefit amount from \$175 to \$200; expanding coverage of agricultural workers by limiting the number of employees and payroll amount necessary before an agricultural employer could make unemployment compensation tax contributions to the state; and extending the agricultural (H-2) worker exemption from unemployment compensation coverage until 1993, tracking federal legislation. The Senate passed CS/SB 600 on the Floor on 5/29/87 by a vote of 35-0. A "yea" vote is a vote in favor of the AIF position.
- #4 **CS/SB 608 — ADMINISTRATIVE PROCEDURES ACT** by Senator W. D. Childers (D-Pensacola) was an attempt to resolve the problem of rules which are not based on specific statutory authority but rather are predicated on interpretations of legislative intent. Too many laws have been completely twisted around by agency rules which were supposed to apply the laws. This bill makes agency rules follow more closely the statutes which authorize them. The Senate Governmental Operations Committee passed the bill on 4/14/87 by a vote of 6-0. A "yea" vote is a vote in favor of the AIF position. On 4/28/87, the bill passed the full Senate by a vote of 38-0. A "yea" vote is a vote in favor of the AIF position.
- #5 **CS/SB 777 — SALES TAX ON SERVICES** by Senator Tim Deratany (R-Indian Harbour Beach) and others is the infamous legislation that revised Florida's sales tax base to enable the state to keep pace with growth and infrastructure. AIF supported the sales tax on services except for advertising, pyramiding, and a few other areas, which we were assured would be amended out of the bill before the Legislature adjourned. A conference committee was appointed, and their report passed on the Senate Floor on 4/23/87 by a vote of 24-14. A "yea" vote is a vote for the AIF position.
- #6 **CS/SB 821 — WORKERS' COMPENSATION/HEALTH CARE** by Senator Toni Jennings (R-Orlando) clarified several provisions of the workers' compensation law pursuant to agreement by labor and management. One important feature of the bill was the redefinition of "health care provider" to exclude certified registered nurse anesthetists. Another important feature was the change in the definition of "wages" to specifically limit those items which will be included as wages in determining an employee's average weekly wage. The bill specified that when an injured employee receives a full or partial lump-sum advance for a permanent and total disability, the weekly compensation rate shall be reduced by the lump-sum advances. The bill imposed a limitation on the types of injuries to the nervous system coverable under temporary total disability. Lump-sum settlements were permitted three months after the date of maximum medical improvement rather than the six months that was current law. The bill passed on the Floor of the Senate on 6/01/87 by a vote of 36-0. A "yea" vote is a vote for the AIF position.
- #7 **CS/SB 866 — SETTLEMENT OFFERS** by Senator Fred Dudley (R-Cape Coral) and the Senate Judiciary-Civil Committee dealt with offers of settlement in civil cases. Under the bill, any party may serve upon an adverse party a written offer to settle a claim for money, property or relief and enter into a stipulation dismissing the claim or allowing judgment. The Senate Judiciary-Civil Committee passed the bill on 5/04/87 by a vote of 5-1. A "yea" vote is a vote for the AIF position.
- #8 **CS/SB's 1096, 963 & 654 — DIRECTORS & OFFICERS LIABILITY** by Senate Commerce Committee and Senators Toni Jennings (R-Orlando), Karen Thurman (D-Inverness), and Larry Plummer (D-Miami) addressed the crisis in the availability of directors and officers liability insurance. Because of the lack of availability and extreme cost of such insurance, many for-profit and not-for-profit corporations were experiencing difficulties in maintaining or recruiting competent and qualified officers and directors. The bill passed on the Floor of the Senate as amended by the House on 5/28/87 by a vote of 35-1. A "yea" vote is a vote for the AIF position.

- #9 **CS/CS/SB 1192 — SOLID WASTE MANAGEMENT** by Senator George Kirkpatrick (D-Gainesville) and others created effective methods of dealing with Florida's garbage — disposing of it, recycling it, and paying for it. One important amendment in the bill dealt with a sales tax credit for machinery and equipment integral to recycling. The exemption will be granted if the machinery and equipment is expressly designed to utilize secondary recyclable materials in manufacturing, processing, compounding or producing for sale items of tangible personal property; and the machinery is directly utilized to increase the consumption by the taxpayer at a single location of Florida source secondary recyclable materials by not less than 10%. Where the taxpayer is a corporation, this requirement shall apply to all members of the affiliated group to which it belongs. This amendment, offered by Senator Bob Crawford (D-Winter Haven) in the 5/17/88 meeting of the Senate Finance, Taxation & Claims Committee, passed by a vote of 11-0. A "yea" vote is a vote for the AIF position.
- #10 **CS/HB 470 — CHILD HEALTH ASSURANCE ACT** by Representative Art Simon (D-Miami) extended this expensive mandated insurance benefit for three more years. Originally scheduled to sunset October 1, 1989, the Legislature extended the sunset date until October 1, 1992, the date all other mandated coverages are scheduled to come under legislative review. The Child Health Assurance Act requires that individual and group, blanket, or franchise health insurance policies and health care services plan contracts provide coverage for child health supervision through the age of 16 years, increasing employers' premiums by more than 2%. The bill passed the Senate by a vote of 36-0. A "yea" vote is a vote against the AIF position.
- #11 **HB 91 — UNIFORM TRADE SECRETS ACT** by Representative Charles Canady (D-Lakeland) is intended to standardize state laws on misappropriation of trade secrets. Many of the laws of the various states are presently in conflict creating difficulties for multistate businesses and industries. This bill, passed by both Houses, will help make trade secret laws uniform among the states which adopt the act. The Senate passed the bill on 6/01/88 by a vote of 35-0. A "yea" vote is a vote for the AIF position.
- #12 **CS/SB's 849 & 1351 — LOCAL OCCUPATIONAL LICENSE TAX INCREASE** by Senator Tim Deratany (R-Indian Harbour Beach) sought to authorize a 50% increase in local occupational license taxes to pay for county economic development programs. The funds raised from this source would be turned over to a county agency or an organization designated by the county to operate the county's economic development program. The bill passed the Senate Economic, Community & Consumer Affairs Committee on 5/05/88 by a vote of 6-0. A "yea" vote was a vote against the AIF position. On 5/10/88, the Senate Finance, Taxation & Claims Committee passed the bill by a vote of 11-0. A "yea" vote was a vote against the AIF position. On 5/26/88, the bill passed on the Senate Floor by a vote of 31-2. A "nay" vote was a vote for the AIF position.
- #13 **CS/SB 1236 — WORKERS' COMPENSATION/CUSTODIAL CARE** by Senator Wayne Hollingsworth (D-Lake City) provided that if a family member providing nonprofessional attendant or custodial care to an injured worker is not employed, the per hour value for that service shall be that of the federal minimum wage. However, if the family member is employed and elects to leave that employment to provide attendant or custodial care, the per hourly value of that care shall be at the per hourly value of their former employment, not to exceed the per hourly value of such care available in the community at large. AIF strongly advocated the bill's passage as a way to reduce workers' compensation system costs. The bill passed the Senate Commerce Committee on 4/27/88 by a vote of 6-0. A "yea" vote is a vote for the AIF position. On 6/01/88, the bill was heard on the Senate Floor, and identical HB 1329 was substituted and passed by a vote of 27-5. A "yea" vote is a vote for the AIF position.
- #14 **CS/SB 820 — MANDATED BENEFIT/MAMMOGRAMS** by Senator Gwen Margolis (D-North Miami Beach) requires all individual and group, blanket or franchise accident or health insurance policies providing coverage for mastectomies to provide coverage for mammograms for screening and diagnostic purposes. The Senate Commerce Committee passed the bill on 5/23/88 by a vote of 9-0. A "yea" vote is a vote against the AIF position. On 6/01/88, identical CS/HB 421 was substituted for CS/SB 820 and passed by a vote of 35-0. A "yea" vote is a vote against the AIF position.
- #15 **CS/SB 286 — CORPORATE TAX/CHILD CARE** by Senator Peter Weinstein (D-Tamarac) called for a matching grant program to be administered by the Department of Health & Rehabilitative Services for employers contributing to the cost of child care for their Florida employees' dependents. Instead of providing for a corporate tax credit, the employer could apply for a grant for an amount up to 50% of what was expended towards these costs. No private employer could receive more than \$100,000 in annual matching grants. The Senate Finance, Taxation & Claims Committee passed the bill on 5/04/88 by a vote of 11-0. A "yea" vote is a vote for the AIF position. CS/SB 286 passed on the Senate Floor on 5/31/88 by a vote of 33-0. A "yea" vote is a vote for the AIF position.
- #16 **CS/HB 1288 — WORKERS' COMPENSATION/"STREETER" DECISION** by the Commerce Committee and Representative Ron Silver (D-North Miami Beach) is the response to the Streeter decision of the Florida Supreme Court. Their decision in this case expanded the definition of "co-employee" for purposes of the co-employee liability provision of the workers' compensation law to include corporate officers, directors, managers, and supervisors. This bill will provide that the same immunities extended to an employer under the workers' compensation law also apply to sole proprietors, partners, and supervisors who act in a managerial or policy making capacity and where their managerial or policy making actions do not constitute a violation of the law, whether or not actual charges are filed, for which there is a penalty of at least 60 days imprisonment. CS/HB 1288 constitutes a reasonable approach to the immunity question since it will not immunize conduct which might otherwise be considered a first degree misdemeanor or felony. Such conduct should not be protected and will not when the bill becomes law on October 1, 1988. The Senate passed CS/HB 1288 on the Floor on 5/30/88 by a vote of 39-0. A "yea" vote is a vote for the AIF position.

Ranking of the Florida Senate by Percentage of Votes
FOR the Position of Associated Industries of Florida
During 1987-1988 Regular & Special Sessions
(Highest to Lowest)

RANK	SENATOR	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	Vogt	4	0	100
2	Childers, D.	11	1	92
3	Barron	8	1	89
4	Beard	10	2	83
5	Hill	9	2	82
6	Jennings	12	3	80
6	Kirkpatrick	8	2	80
8	Grant	11	3	79
8	Kiser	11	3	79
10	McPherson	10	3	77
11	Crawford	6	2	75
12	Dudley	12	4	75
12	Grizzle	9	3	75
12	Hollingsworth	9	3	75
12	Langley	12	4	75
12	Peterson	9	3	75
17	Deratany	14	5	74
18	Childers, W. D.	11	4	73
18	Malchon	11	4	73
18	Myers	8	3	73
18	Thomas	11	4	73
22	Jenne	10	4	71
22	Johnson	12	5	71
22	Meek	10	4	71
22	Scott	10	4	71
26	Crenshaw	14	6	70
27	Brown	9	4	69
27	Weinstock	9	4	69
27	Woodson	11	5	69
30	Hair	10	5	67
30	Stuart	10	5	67
32	Weinstein	11	6	65
33	Lehtinen	7	4	64
33	Margolis	9	5	64
33	Plummer	9	5	64
36	Girardeau	8	5	62
36	Gordon	8	5	62
36	Ros-Lehtinen	8	5	62
36	Frank	9	6	62
40	Thurman	7	6	54

SENATE AVERAGE = 72%

Note: Rankings are based on overall position within each house, with all members with the same percentage of votes with AIF receiving the same ranking.

"HOUSE VOTING STATISTICS"
1987 & 1988 Regular & Special Sessions
of
THE FLORIDA LEGISLATURE

REPRESENTATIVE	ISSUE																				TOTAL +	TOTAL -	% WITH AIF	
Abrams	+																				6	6	50	
Arnold	+		-	+	+																11	5	69	
Ascherl	+																				10	5	67	
Bainter		-	+																		7	4	64	
Banjanin			+																		8	4	67	
Bankhead		-																			12	3	80	
Bass	+		+	+	+																10	2	83	
Bell	+				+								+								10	4	71	
Bloom	+				+		+														7	5	58	
Bronson	+			+	+	+							+								12	3	80	
Brown	+			+	+	+															9	4	69	
Burke	+				+																10	4	71	
Burnsed	+	+	+	+	+									+					+		10	1	91	
Canady	+	+		+	+														+		9	3	75	
Carlton	+				+																7	2	78	
Carpenter	+		+	+	+									+							10	2	83	
Casas	-	+	+	+	+																10	3	77	
Clark			+	+	+																8	6	57	
Clements	+	-	+			+															9	2	82	
Cosgrove	+			+																	9	3	75	
Crady	+		+	+	+	+							+								13	3	81	
Crotty	+	+	+	+																	13	1	93	
Dantzler	+	+			+								+								12	2	86	
Davis	+			+		+															6	5	55	
Deutsch	+	-	+	+		+															8	4	67	
Diaz-Balart	-	+	+	+		+															9	3	75	
Drage	+			+	+	+															10	3	77	
Dunbar	+	+		+		+								+							12	3	80	
Figg	+			+	+								+								8	8	50	
Frankel	+	-		+		+															6	7	46	
Friedman	+	-		+		+								+							7	6	54	
Frishe	+	+	+	+	+								+	+							14	1	93	
Garcia	-	+	+	+	+	+								+							10	2	83	
Gardner	+	-	-	+	+																7	5	58	
Glickman	+	-	+	+																	8	4	67	
ISSUE # (See key on p. 9-11)	1	2	3	4	5	5	6	7	8	9	10	11	12	13	14	15	16	16	17	18	19	20		

+ Vote **FOR** position of AIF
- Vote **AGAINST** position of AIF

HOUSE AVERAGE = 72%

"HOUSE VOTING STATISTICS"

1987 & 1988 Regular & Special Sessions

of

THE FLORIDA LEGISLATURE

REPRESENTATIVE	ISSUE	CS/SSB 777 - Sales Tax on Services - House Floor - 1987	CS/SSB 519 - Sales Tax on Services/Reform - House Floor - 1987	CS/SSB 519 & 8D - Sales Tax on Services/Reform - House Floor - 1987	HB 206 - Non-Compete Clauses - House Floor - 1987	HB 359 - Corporate Takeovers - House Commerce Committee - 1987	HB 358 - Corporate Takeovers - House Floor - 1987	CS/SSB 476 - Advertising by Contractors - House Regulatory Reform Committee - 1987	HB 787 - Workers' Compensation/Allen Worker Death Benefits - House Commerce Committee - 1987	HB 1317 - Commercial Self-Insurance/"Golden Handcuffs" - House Floor - 1987	CS/SSB 1350 - SWIM Act - House Floor - 1987	SB 140 - Unemployment Compensation/"Lockout" Amendment - House Floor - 1986	HB 1317 - Beverage Containers/Refunds - House Natural Resources Committee - 1986	HB 81 - Labor Practices/Whistle Blowers - House Commerce Committee - 1986	CS/SSB 1388 - Workers' Compensation/"Streeter" Decision - House Floor - 1986	HB 781 - Employee Drug Testing - House Commerce Subcommittee - 1986	HB 651 - Employment Discrimination - House Judiciary Committee - 1986	CS/SSB 239 - Clean Indoor Air Act - House Health Care Committee - 1988	CS/SSB 239 - Clean Indoor Air Act - House Finance & Taxation Committee - 1988	CS/SSB 476 - Child Health Insurance Act - House Floor - 1988	CS/SSB 449 & 1351 - Local Occupational License Tax Increase - House Floor - 1988	HB 91 - Uniform Trade Secrets Act - House Floor - 1988	CS/SSB 1487 - Solid Waste Management - House Finance & Taxation Committee Amendment	TOTAL +	TOTAL -	% WITH AIF
Gonzalez-Quevedo		+	+		+	+	+		+	+	+			+	+					-	+			11	1	92
Goode		+	-	+	+		+				+				+						+	+		8	2	80
Gordon		+	-	-	+		+				+				+						+	+		7	6	54
Grindle		+	-	-	+		+	+		+	+				+						+	+		11	3	79
Guber		+	-	-	+		+			+	+				+						+	+		6	5	55
Gustafson		+	-	-	+		+			+	+				+						+	+		6	5	55
Gutman		-	+	+	+		+			+	+	+	+		+						+	+		10	2	83
Hanson		+	+	-	+		+			+	+	+			+						+	+		10	2	83
Harden		-	+	+	+		+			+	+	+			+						+	+		8	2	80
Hargrett		+	-	-	+		+			+	+	+			+						+	+		7	5	58
Harris		+	-	+	+		+	+		+	+	+			+						+	+		11	2	85
Hawkins		+		-	+					+	+	+			+						+	+		7	3	70
Healey		-	-	-	+		+			+	+	-	-		+						+	+		6	7	46
Hill		-	+	-	+					+	+	+	+		+			+	+		+	+		11	3	79
Hodges		+	-	-	+		+			+	+	+	+		+						+	+		10	3	77
Holland		+	+	-	+		+			+	+	+	+		+						+	+		12	2	86
Holzendorf															+						+	+		2	1	67
Ireland		-	+	-	+		+			+	+	+			+		-				+	+		8	5	62
Irvine		-	+	-	+		+			+	+	+			+						+	+		9	3	75
Jamerson		+	-	+	+		+			+	+	-			+						+	+		8	4	67
Jennings		-	+	-	+		+			+	+	+			+						+	+		9	3	75
Johnson, Bo		+	-	+	+	+	+			+	+	-		+	+	-					+	+		10	5	67
Johnson, R.		+	-	+	+	+	+		+	+	+			+	+						+	+		11	2	85
Jones, C. F.		+	+	+	+					+	+	+			+						+	+		10	2	83
Jones, D.		+	+	+	+	+	+			+	+	+			+			-			+	+		12	2	86
Kelly			-	-	+			+		+	+	-			+						+	+		7	3	70
King		-	+	-	+		+			+	+	+			+						+	+		8	4	67
Langton		+	-	+	+		+			+	+	-			+				+		+	+	-	10	4	71
Lawson		+	-	+	+		+			+	+	+	+		+						+	+		11	3	79
Lewis		-	+	-	+	+	+		+	+	+	+		+	+		-				+	+		13	3	81
Liberti		+	-	+	+		+			+	+	-							+		+	+		9	4	69
Lippman		+	-	-	+			+		+	+				+			-			+	+		7	5	58
Locke		-	+	-	+					+	-	+			+						+	+		7	4	64
Logan			-	+	+					+	+	-	+		+						+	+		7	4	64
Lombard		-	+	-	+		+			+	+	+			+						+	+		8	3	73
Long		+	-	-	+		+			+	+	+			+						+	+		7	4	64
ISSUE # (See key on p. 9-11)		1	2	3	4	5	5	6	7	8	9	10	11	12	13	14	15	16	16	17	18	19	20			

+ Vote **FOR** position of AIF
 - Vote **AGAINST** position of AIF

HOUSE AVERAGE = 72%

THE FLORIDA LEGISLATURE

[illegible]

- 7 -

"HOUSE VOTING STATISTICS"
1987 & 1988 Regular & Special Sessions
of
THE FLORIDA LEGISLATURE

REPRESENTATIVE	ISSUE																				TOTAL +	TOTAL -	% WITH AIF																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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+ Vote **FOR** position of AIF
- Vote **AGAINST** position of AIF

HOUSE AVERAGE = 72%

KEY TO HOUSE VOTES

- #1 **CS/SB 777 — SALES TAX ON SERVICES** by Senator Tim Deratany (R-Indian Harbour Beach) and others is the infamous legislation that revised Florida's sales tax base to enable the state to keep pace with growth and infrastructure. AIF supported the sales tax on services except for advertising, pyramiding, and a few other areas, which we were assured would be amended out of the bill before the Legislature adjourned. A conference committee was appointed and their report passed the House on 4/23/87 by a vote of 83-31. A "yea" vote is a vote for the AIF position.
- #2 **CS/CS/SB 5-B — SALES TAX ON SERVICES/REFORM** by Senator Tim Deratany (R-Indian Harbour Beach) was the Legislature's attempt to revise the sales tax on services by keeping the controversial tax, but letting voters decide its fate in a referendum. The referendum would have given voters an opportunity to decide if they wanted a tax on professional services or, did they prefer a half-cent increase in the current 5 percent sales tax on goods such as refrigerators and cars. Most advertising services would not have been affected by the tax under this bill. The bill passed on the House Floor on 10/08/87 by a vote of 63-50. A "nay" vote was a vote for the AIF position.
- #3 **CS/CS/SB 5D & 6D — SALES TAX ON SERVICES/REPEAL** by Senators Tim Deratany (R-Indian Harbour Beach) and Bob Crawford (D-Winter Haven) repealed CS/SB 777, the Sales Tax on Services. The House passed the bill on the Floor on 12/09/87 by a vote of 75-42. A "nay" vote is a vote for the AIF position.
- #4 **HB 206 — NON-COMPETE CLAUSES** by Representatives Dixie Sansom (R-Satellite Beach) and Bud Gardner (D-Titusville) expanded the exceptions to the statutory prohibitions against contracts in restraint of trade to include "independent contractors" among those who, as part of an employment contract, may agree to refrain from engaging in a similar business or soliciting the employer's former customers. Employers in the private sector could expect relief from this bill in the form of lower commercial liability insurance costs, especially those businesses with significant liability exposure. The bill passed the full House on 5/04/87 by a vote of 114-0. A "yea" vote is a vote for the AIF position.
- #5 **HB 358 — CORPORATE TAKEOVERS** by Representative Robert Trammell (D-Marianna) was designed to protect shareholders of corporations from unfriendly takeovers of those corporations. This bill applied to corporations with 300 or more shareholders and required that transactions between affiliated corporations, shareholders, and affiliates be approved by the affirmative vote of two-thirds of the voting shares other than the shares beneficially owned by interested shareholders. The bill passed the House Commerce Committee on 4/30/87 by a vote of 18-0. A "yea" vote is a vote for the AIF position. On 6/02/87, the House passed the bill as amended by the Senate, by a vote of 95-0. A "yea" vote is a vote for the AIF position.
- #6 **CS/HB 476 — ADVERTISING BY CONTRACTORS** by Representative Bud Gardner (D-Titusville) was introduced to prohibit any person from advertising himself as available to engage in the business or to act in the capacity of a contractor without being duly registered or certified. Once the bill passed, it was hoped that the number of incidents of unlicensed contracting (898 complaints in 1985-86) would drop dramatically. The bill passed the House Committee on Regulatory Reform by a vote of 18-0. A "yea" vote is a vote for the AIF position.
- #7 **HB 787 — WORKERS' COMPENSATION/ALIEN WORKER DEATH BENEFITS** by Representative Mike Friedman (D-North Bay Village) called for raising the maximum compensation for death available under the WC law to the dependents of an alien worker from \$1,000.00 to \$100,000.00. Most of these dependents live in countries other than the United States where the costs and standard of living are significantly lower. A compromise was reached at the \$50,000.00 level in recognition of the disparity in living costs. The House Commerce Committee passed the bill on 4/30/87 by a vote of 15-0. A "yea" vote is a vote for the AIF position.
- #8 **HB 1317 — COMMERCIAL SELF INSURANCE/"GOLDEN HANDCUFFS"** by the Committee on Insurance and Representative Art Simon (D-Miami) required commercial self-insurance funds which write workers' compensation and employer's liability insurances to comply with the same rating laws that govern insurance companies. At AIF's request, Representative Simon successfully amended the bill to release the "golden handcuffs" on Florida employers. The effect of the Simon amendment was to place all workers' compensation providers on an even playing field by requiring group self-insurers regulated by the Department of Labor to pay dividends to members who are not in the fund at the time the dividend is paid. Since dividends are not paid until more than a year after the fund year ends, participating employers and the independent agents feel trapped into renewing premiums. Releasing the "golden handcuffs" would provide the best competitive environment for employers and give them freedom of choice. The House passed HB 1317 with the Simon amendment on 5/29/87 by a vote of 105-0. A "yea" vote is a vote for the AIF position.
- #9 **CS/HB 1350 — SURFACE WATER IMPROVEMENT & MANAGEMENT ACT** by the Committees on Appropriations, Natural Resources, Representative Sid Martin (D-Hawthorne) and others called for cleaning up Florida's lakes, rivers, and coastal areas. The bill, known as the SWIM bill, went to conference committee, where several problems were ironed out, such as which water management districts would be permitted to assess an ad valorem tax for land acquisition and capital projects, and coastal construction rules. The state's 5 water management districts were allowed to decide how they would spend the cleanup money designated in the bill. The House finally approved the conference committee compromise version of the SWIM legislation on 6/04/87 by a vote of 114-2. A "yea" vote is a vote for the AIF position.

- #10 **SB 160 — UNEMPLOYMENT COMPENSATION** by Senator W. D. Childers (D-Pensacola) was the "clean up" bill that amended the UC law. Most important was the language redefining the term "wages." AIF had supported the bill, but not the attempt by Representative George Crady (D-Yulee) to amend the lockout provision onto the bill on the House Floor. "Lockout" would allow the payment of benefits to workers involved in a lockout, thus eroding a key management bargaining tool. Under a lockout, employers would also be faced with picking up the tab for the excess utilization of benefits by employers if lockouts last for any length of time. The Crady amendment failed by a vote of 49 - 61. A "nay" vote on the amendment is a vote for the position of AIF.
- #11 **HB 1137 — BEVERAGE CONTAINERS/REFUNDS** by Representative Stan Bainter (R-Mt. Dora) was an attempt to convince the Legislature that Florida needed and desired a container deposit program. The House Natural Resources Committee disagreed and the bill failed by a vote of 8-15. A "nay" vote is a vote for the AIF position.
- #12 **HB 81 — LABOR PRACTICES/WHISTLE BLOWERS** by Representative Jack Tobin (D-Margate) as originally introduced, would have made it illegal for an employer to take retaliatory personnel action against an employee who goes to the news media, some governmental agency, or otherwise "goes public" with accusations that the employer is engaging in illegal acts after having called to the employer's attention the violation and having given the employer reasonable time to cease the violation. Amendments proposed by AIF were approved by the House Commerce Committee on 4/18/88. Those amendments provided that an employee is without protection under the act unless he has brought the alleged violation to the attention of management in writing, management has failed to take corrective action, and the employee has complained to an "appropriate governmental agency" in writing, under oath. Experience teaches that requiring accusations to be in writing reduces the number of complaints considerably and mandating that accusations be made under oath reduces the number even further. The Commerce Committee passed the amendments on 4/18/88 by a vote of 20-0. A "yea" vote is a vote for the AIF position.
- #13 **CS/HB 1288 — WORKERS' COMPENSATION/"STREETER" DECISION** by the Commerce Committee and Representative Ron Silver (D-North Miami Beach) is the response to the Streeter decision of the Florida Supreme Court. Their decision in this case expanded the definition of "co-employee" for purposes of the co-employee liability provision of the workers' compensation law to include corporate officers, directors, managers, and supervisors. This bill will provide that the same immunities extended to an employer under the workers' compensation law also apply to sole proprietors, partners, and supervisors who act in a managerial or policy making capacity and where their managerial or policy making actions do not constitute a violation of the law, whether or not actual charges are filed, for which there is a penalty of at least 60 days imprisonment. CS/HB 1288 constitutes a reasonable approach to the immunity question since it will not immunize conduct which might otherwise be considered a first degree misdemeanor or felony. Such conduct should not be protected and will not when the bill becomes law on October 1, 1988. The House passed CS/HB 1288 on the Floor on 5/25/88, by a vote of 112-3. A "yea" vote is a vote for the AIF position.
- #14 **HB 781 — EMPLOYEE DRUG TESTING** by Representative Lois Frankel (D-West Palm Beach) dealt with employee testing for the presence of drugs and alcohol. AIF opposed the bill because of its vagueness and ambiguities, and because it would have placed undue restrictions on the ability of employers to test employees for drugs and alcohol yet would not exclude employers from liability caused by an employee who could not be tested as the bill was originally drafted. The bill passed the Commerce Subcommittee on Labor and Employment Security by a vote of 4-3 on 5/04/88. A "yea" vote is a vote against the position of AIF.
- #15 **HB 651 — EMPLOYMENT DISCRIMINATION** by Representative Steve Press (D-Delray Beach) called for an amendment of the Florida Human Rights Act of 1977. The act generally prohibits discrimination against employees or job applicants on the basis of race, color, religion, sex, national origin, age, handicap or marital status. It applies only to employers with 15 or more employees. Representative Press' bill would have amended the act to extend coverage to any person employing one or more employees. The bill passed the House Judiciary Committee by a vote of 21-4 on 5/04/88. A "nay" vote is a vote for the AIF position.
- #16 **CS/CS/HB 299 — CLEAN INDOOR AIR ACT** by Representative Anne Mackenzie (D-Ft. Lauderdale), as originally introduced, called for employers to provide a work space in a non-smoking area if an employee produced a physician's written statement stating that tobacco smoke is "deleterious to the employee's health." Employers had 30 days to provide suitable work space. The House Health Care Committee passed the bill on 4/21/88 by a vote of 13-1. A "nay" vote is a vote for the AIF position. On 5/17/88, the House Committee on Finance & Taxation amended the bill substantially to eliminate all language except the language regarding the enforcement authority of the Clean Indoor Air Act by the Department of Health and Rehabilitative Services. Final vote on the bill was 19-1. A "yea" vote is a vote for the AIF position.
- #17 **CS/HB 470 — CHILD HEALTH ASSURANCE ACT** by Representative Art Simon (D-Miami) extended this expensive mandated insurance benefit for three more years. Originally scheduled to sunset October 1, 1989, the Legislature extended the sunset date until October 1, 1992, the date all other mandated coverages are scheduled to come under legislative review. The Child Health Assurance Act requires that individual and group, blanket, or franchise health insurance policies and health care services plan contracts provide coverage for child health supervision through the age of 16 years, increasing employers' premiums by more than 2%. The bill passed the House by a vote of 113-1 on 5/24/88. A "nay" vote is a vote for the AIF position.

- #18 CS/SB's 849 & 1351 — LOCAL OCCUPATIONAL LICENSE TAX INCREASE by Senator Tim Deratany (R-Indian Harbour Beach) sought to authorize a 50% increase in local occupational license taxes to pay for county economic development programs. The funds raised from this source would be turned over to a county agency or an organization designated by the county to operate the county's economic development program. The bill was brought up on the House Floor on 6/07/88 and failed by a vote of 43-69. A "yea" vote is a vote against the AIF position.
- #19 HB 91 — UNIFORM TRADE SECRETS ACT by Representative Charles Canady (D-Lakeland) is intended to standardize state laws on misappropriation of trade secrets. Many of the laws of the various states are presently in conflict creating difficulties for multistate businesses and industries. This bill, passed by both Houses, will help make trade secret laws uniform among the states which adopt the act. The House passed the bill on 5/17/88 by a vote of 111-0. A "yea" vote is a vote for the AIF position.
- #20 CS/HB 1487 — SOLID WASTE MANAGEMENT by the Committee on Natural Resources and Representative Sid Martin (D-Hawthorne) was debated by the House Finance and Taxation Committee on 4/25/88. The bill, which was the Legislature's attempt at dealing effectively with Florida's litter, solid waste, and recycling problems, had an amendment included that sought to impose a "produce waste disposal fee" (2 cents for each \$100 of retail sales taxable under Chapter 212, Florida Statutes). There was much opposition to the amendment, which was nothing but a gross receipts tax. Representative Pete Dunbar (R-Dunedin) introduced a substitute amendment recommendee by AIF and designed to delete the gross receipts portion of the proposal. The Dunbar substitute amendment passed by a vote of 15-8. A "yea" vote is a vote for the AIF position.

Ranking of the Florida House of Representatives by
Percentage of Votes FOR the Position of Associated Industries of Florida
During the 1987-1988 Regular & Special Sessions (Highest to Lowest)

RANK	REPRE- SENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	Crotty	13	1	93
1	Frishe	14	1	93
3	Gonzalez-Quevedo	11	1	92
4	Burnsed	10	1	91
4	Webster	10	1	91
6	Woodruff	8	1	89
7	Meffert	13	2	87
8	Dantzler	12	2	86
8	Holland	12	2	86
8	Jones, D.	12	2	86
8	Sansom	12	2	86
8	Souto	12	2	86
13	Harris	11	2	85
13	Johnson, R.	11	2	85
13	Mitchell	11	2	85
13	Rehm	11	2	85
13	Simone	11	2	85
18	Bass	10	2	83
18	Carpenter	10	2	83
18	Garcia	10	2	83
18	Gutman	10	2	83
18	Hanson	10	2	83
18	Jones, F.	10	2	83
18	Sample	10	2	83
18	Shelley	10	2	83
18	Tobiassen	10	2	83
27	Clements	9	2	82
27	McEwan	14	3	82
27	Patchett	9	2	82
27	Renke	14	3	82
27	Sanderson	9	2	82
32	Crady	13	3	81
32	Lewis	13	3	81
32	Trammell	13	3	81
35	Bankhead	12	3	80
35	Bronson	12	3	80
35	Dunbar	12	3	80
35	Goode	8	2	80
35	Harden	8	2	80
35	Wise	4	1	80
41	Grindle	11	3	79
41	Hill	11	3	79
41	Lawson	11	3	79
44	Carlton	7	2	78
45	Casas	10	3	77
45	Drage	10	3	77
45	Hodges	10	3	77
45	Morse	10	3	77
45	Mortham	10	3	77
45	Starks	10	3	77
51	Canady	9	3	75
51	Cosgrove	9	3	75
51	Diaz-Balart	9	3	75
51	Irvine	9	3	75
51	Jennings	9	3	75
51	Messersmith	9	3	75
51	Smith	9	3	75
58	Lombard	8	3	73
58	Mackey	8	3	73
58	Rudd	8	3	73

RANK	REPRE- SENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
58	Stone	8	3	73
58	Thomas	8	3	73
63	Bell	10	4	71
63	Burke	10	4	71
63	Langton	10	4	71
63	Troxler	10	4	71
67	Hawkins	7	3	70
67	Kelly	7	3	70
67	Upchurch	7	3	70
70	Arnold	11	5	69
70	Brown	9	4	69
70	Liberti	9	4	69
70	Nergard	9	4	69
70	Rush	9	4	69
75	Ascherl	10	5	67
75	Banjanin	8	4	67
75	Deutsch	8	4	67
75	Glickman	8	4	67
75	Holzendorf	2	1	67
75	Jamerson	8	4	67
75	Johnson, Bo	10	5	67
75	King	8	4	67
75	Wetherell	6	3	67
84	Bainter	7	4	64
84	Locke	7	4	64
84	Logan	7	4	64
84	Long	7	4	64
84	Mackenzie	9	5	64
84	Martinez	7	4	64
84	Metcalf	8	5	64
84	Mills	7	4	64
84	Reddick	9	5	64
93	Ireland	8	5	62
93	Ostrau	8	5	62
93	Titone	8	5	62
93	Wallace	8	5	62
93	Young	8	5	62
98	Tobin	9	6	60
99	Bloom	7	5	58
99	Gardner	7	5	58
99	Hargrett	7	5	58
99	Lippman	7	5	58
99	Rochlin	7	5	58
104	Clark	8	6	57
104	Peeples	8	6	57
106	Davis	6	5	55
106	Guber	6	5	55
106	Gustafson	6	5	55
106	Reaves	6	5	55
110	Friedman	7	6	54
110	Gordon	7	6	54
112	Abrams	6	6	50
112	Figg	8	8	50
112	Press	7	7	50
112	Saunders	6	6	50
112	Silver	4	4	50
112	Simon	7	7	50
118	Frankel	6	7	46
118	Healey	6	7	46
120	Martin	5	6	45

HOUSE AVERAGE = 72%

NOTE: Rankings are based on overall position within each House, with all members with the same percentage of votes with AIF receiving the same ranking.

Representative Wise was voted into the House on April 5, 1988.

Representative Holzendorf was voted into the House on May 17, 1988.