



*Associated Industries of Florida*

# VOTING RECORDS

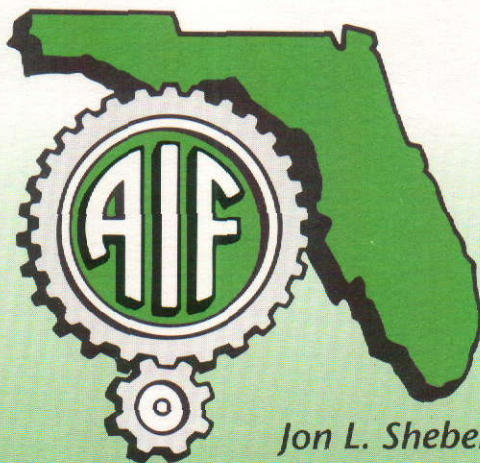
*On Key Business Issues*

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1995 Regular Session  
of the Florida Legislature

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June 1995



*Jon L. Shebel, President & CEO*



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July 1995

## VOTING RECORDS ARE THE KEY

The voting records contained in this booklet are of the utmost importance to your business. These records reflect how each member of the 1995 Florida Legislature voted on key issues affecting industry thus far this year.

While these are not all of the issues debated in the Legislature, they are those that had the greatest impact on the business community — either in a fiscal or a regulatory manner. Each issue required a legislator's deliberate vote, either for or against a positive economic climate.

During a campaign it matters very little what a candidate professes he or she will do regarding a particular issue if his or her voting record cannot support that stand. Your company, its employees and its stockholders have a stake in the legislative process. We hope this information will give you the insight needed to draw your own conclusions as to whether your legislators' voting patterns have been in the best interest of your business. We urge you to become involved in the electoral process by supporting those candidates who have supported you — and industry as a whole.

The AIF voting records are complete. In addition to votes on final passage for each business bill, we have also included committee and amendment votes. In many cases these votes are more crucial than votes on final passage. An amendment can completely alter the character of a bill. A committee vote can stall a bill or send it speeding toward final passage. AIF only tallies those votes on which we had a public position. These positions will be defined in the accompanying vote keys.

All votes taken in each chamber are tallied in the respective sections of this booklet. For example, a vote taken in the Senate on a House bill is included in the Senate section.

The votes contained in the booklet are the actual votes cast, as reported in official state records. We do not include changed or paired votes. Please remember that these votes have not been corrected by the Legislature at this time. It is still possible for official corrections to be made. These will be available in the bound Senate and House Journals in October of this year; changes will not be made to this publication. AIF records positions of members of the Legislature at the time the vote is recorded.

Sincerely,

Jon L. Shebel  
President & Chief Executive Officer



# TABLE OF CONTENTS

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## Introduction

## How to Read Voting Records

## 1995 Florida Senate Ranking and Record on Issues

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Environmental .....	3.1
Health Care .....	4.1
Labor .....	5.1
Legal and Judicial .....	6.1
Taxation .....	7.1
Workers' Compensation .....	8.1

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## 1995 Florida House Ranking and Record on Issues

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Environmental .....	11.1
Health Care .....	12.1
Labor .....	13.1
Legal and Judicial .....	14.1
Taxation .....	15.1
Workers' Compensation .....	16.1

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# HOW TO READ *VOTING RECORDS*

The *Voting Records* are divided by House and Senate and then divided in each chamber by topic (i.e. Health Care, Environmental, etc.). The section on each topic begins with a key that summarizes the content and action on each selected bill. The bills are assigned issue numbers and are numbered consecutively (1, 2, 3, etc.). Each vote on an issue (bill) is identified by a lower case letter in alphabetical order. See the following example.

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**SB 2832 Leadership  
Fund Restrictions by  
Sen. George  
Kirkpatrick (D-  
Gainesville)**

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This bill prohibits a person, political committee, or committee of continuous existence from making a contribution to a leadership fund through or in the name of another person. It likewise prohibits a candidate from accepting leadership funds. AIF supported the bill as a means of preventing abuses in the legislative process.

A "yea" vote is a vote for the AIF position.

- Record 6a: On April 24, 1995, the Senate Executive Business, Ethics & Elections Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 2832 died in the Senate Rules and Calendar Committee.

Following the keys in each section will be a chart that shows the voting tallies for each action on each selected issue. The first row will identify the issue and issue number (1-a, 1-b, etc.). The columns record how each senator or representative voted on the action. The letter "F" signifies that the legislator voted for the AIF position; an "A" indicates that the legislator voted against the AIF position. The last column gives the percentage of pro-business votes recorded by each legislator on that topic during the 1995 Regular and Special Sessions.

The first part of *Voting Records* carries the entire report of the Senate, beginning with the overall ranking for each senator on all issues selected by AIF, followed by the section reports. The second half gives the entire report on the House of Representatives.



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**THE FLORIDA SENATE**  
**1995 REGULAR SESSION**  
**RANKING AND RECORD ON ISSUES**

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**THE FLORIDA SENATE**

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**E N V I R O N M E N T A L**

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# Senate - By Rank - 1995

RANK	SENATOR	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	Childers	19	0	100
1	Diaz-Balart	13	0	100
1	Harris	18	0	100
1	Horne	17	0	100
1	Jennings	22	0	100
1	Johnson	13	0	100
1	Kurth	17	0	100
1	McKay	21	0	100
1	Rossin	15	0	100
1	Scott	6	0	100
1	Thomas	22	0	100
12	Bankhead	22	1	96
12	Burt	23	1	96
14	Casas	18	1	95
14	Dantzler	19	1	95
14	Williams	19	1	95
17	Dyer	17	1	94
17	Gutman	16	1	94
17	Kirkpatrick	15	1	94
20	Bronson	13	1	93
21	Ostalkiewicz	11	1	92
22	Dudley	29	3	91



## Senate - By Rank - 1995

RANK	SENATOR	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
23	<i>Harden</i>	19	2	90
23	Turner	9	1	90
25	<i>Grant</i>	25	3	89
26	<i>Beard</i>	15	2	88
26	<i>Brown-Waite</i>	14	2	88
26	<i>Sullivan</i>	14	2	88
29	Meadows	18	3	86
30	<i>Crist</i>	17	3	85
30	Hargrett	17	3	85
30	<i>Latvala</i>	11	2	85
30	<i>Myers</i>	17	3	85
34	Wexler	15	3	83
35	Jenne	14	3	82
35	Jones	18	4	82
37	Silver	14	4	78
37	Weinstein	18	5	78
39	Forman	10	3	77
40	Holzendorf	10	5	67
TOTAL		660	66	91

Democrats in roman; Republicans in italic



## Senate - By Alphabetical - 1995

RANK	SENATOR	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
12	<i>Bankhead</i>	22	1	96
26	<i>Beard</i>	15	2	88
20	<i>Bronson</i>	13	1	93
26	<i>Brown-Waite</i>	14	2	88
12	<i>Burt</i>	23	1	96
14	<i>Casas</i>	18	1	95
1	<i>Childers</i>	19	0	100
30	<i>Crist</i>	17	3	85
14	<i>Dantzler</i>	19	1	95
1	<i>Diaz-Balart</i>	13	0	100
22	<i>Dudley</i>	29	3	91
17	<i>Dyer</i>	17	1	94
39	<i>Forman</i>	10	3	77
25	<i>Grant</i>	25	3	89
17	<i>Gutman</i>	16	1	94
23	<i>Harden</i>	19	2	90
30	<i>Hargrett</i>	17	3	85
1	<i>Harris</i>	18	0	100
40	<i>Holzendorf</i>	10	5	67
1	<i>Horne</i>	17	0	100
35	<i>Jenne</i>	14	3	82
1	<i>Jennings</i>	22	0	100



## Senate - By Alphabetical - 1995

RANK	SENATOR	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	Johnson	13	0	100
35	Jones	18	4	82
17	Kirkpatrick	15	1	94
1	Kurth	17	0	100
30	<i>Latvala</i>	11	2	85
1	<i>McKay</i>	21	0	100
29	Meadows	18	3	86
30	<i>Myers</i>	17	3	85
21	<i>Ostalkiewicz</i>	11	1	92
1	Rossin	15	0	100
1	<i>Scott</i>	6	0	100
37	Silver	14	4	78
26	<i>Sullivan</i>	14	2	88
1	Thomas	22	0	100
23	Turner	9	1	90
37	Weinstein	18	5	78
34	Wexler	15	3	83
14	Williams	19	1	95
TOTAL		660	66	91

Democrats in roman; *Republicans in italic*



# 1995 SENATE VOTING KEYS

## ENVIRONMENTAL

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**SB 152 Florida Jobs  
Siting Act by Sen.  
Locke Burt (R-  
Ormond Beach)**

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In 1992, the Florida Legislature passed the Florida Jobs Siting Act which provides for a streamlined environmental permitting process for high wage employers. The bill was intended to expedite permit grants for desirable employers. However, as written, the Florida Jobs Siting Act is too complicated and the thresholds for its use are too high for any employers to take advantage of its provisions. For example, the Florida Jobs Siting Act only allows employers with 500 or more employees to take advantage of its provisions. As a result, not a single employer has attempted to obtain and expedited permit through the Florida Jobs Siting Act.

This bill amends the act to make it applicable to a wider variety of industries and to lower the thresholds for eligibility.

Associated Industries supports this bill because it makes the Jobs Siting Act available to a wider range of employers. A "yea" vote is a vote for the AIF position.

- Record 1a: On February 7, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 1b: On March 8, 1995, the Senate Community Affairs Committee passed the bill by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 1c: On May 2, 1995, the Senate passed the bill as amended by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- On May 5, 1995, the House passed the amended bill by a vote of 114 yeas to 0 nays.
- Record 1d: On May 6, 1995, the Senate concurred in the House amendments and passed the amended bill by a vote of 38 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

SB 152 was ordered engrossed and enrolled.



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**CS/CS/SB 536**  
**Reform of the**  
**Administrative**  
**Procedure Act by**  
**Sen. Charles**  
**Williams (D-Live**  
**Oak)**

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The Constitution of Florida creates three branches of government to provide checks and balances on each other. The problem with the Florida Administrative Procedure Act (APA) is that it forces the private sector to be the check and balance on the executive branch, with no risk or repercussion to the agency for overstepping its delegated legislative authority. This balance is achieved at a tremendous cost to the private sector.

The judicial branch should balance the executive branch. The legislative branch makes policy, the executive branch implements policy and the judicial branch interprets and enforces legislative intent. The problem of overzealous agencies will not be solved until the private sector is no longer the balancer.

Merely reducing the number of rules promulgated does not resolve the problem of overzealous agencies. In fact, it is vitally important that government adhere to strict rules when determining the rights of citizens. Thus, rulemaking is essential. It is necessary that a mechanism be put in the APA which restricts the agencies to go beyond the authority benevolently granted to them by the Legislature. The private sector desperately needs agencies to tell it what lawmakers demand of the private sector.

Historically, case law has dictated that interpretive rules adopted by the APA rulemaking procedure "should be accorded a most weighty presumption of validity," placing a nearly impossible burden to meet on the petitioner challenging a proposed or adopted rule.

CS/CS/SB 536 and HB 2543 find the most direct route to APA reform is to shift the burden of proving a rule is a valid exercise of delegated legislative authority from the private citizen to the agency. The bill provides that a rule does not carry any presumption of validity and the agency must prove by competent substantial evidence that the rule is a valid delegation of legislation authority and is not arbitrary or capricious. Once courts and hearing officers begin enforcing this provision, agencies will have to carefully craft their rules to be sure they can prove the rule's validity.

To further guarantee that agencies only enforce the power lawmakers give them, if the agency fails to prove that a rule is invalid, attorney's fees shall be awarded against the agency unless the agency demonstrates that its actions were substantially or reasonably justified at the time the action was taken. This gives the agency a financial stake in the outcome and will serve as a check on unbridled agency discretion.

The bill also provides for a negotiated rulemaking by agencies and for consideration of the impact of adoption of rules on small businesses, small counties and small cities. Agencies may be required to prepare statements of estimated regulatory costs, which includes additional operating costs and the costs of monitoring and reporting to affected persons. Rules may be held invalid for failure to comply with issuance of a statement of estimated regulatory costs when required.



The bill also provides for expedited review and repeal provisions to help reduce regulations on the private sector. The bill also includes a Florida Administrative Law Review Council which is required to report to the Legislature and Governor by January 2, 1997, recommending comprehensive revisions to the APA.

The provisions of SB 1390 by Sen. John Ostalkiewicz (R-Orlando) were incorporated in CS/CS/SB 536 requiring that agencies review all rules and designate those for which a violation would be a minor violation. For those minor violations, the first response of an agency charged with enforcement is a "notice of noncompliance" with no fine or other penalty. The notice must specify how compliance may be achieved and set forth a reasonable time for compliance.

CS/CS/SB 536 was amended to include a modified version of the controversial three year DOT pilot project to suspend all rules and follow "guidelines." The linking of these two concepts ensures that legislative oversight regarding policies to be executed by agencies will be strengthened while engaging in a pilot project allowing an executive agency to operate pursuant to guidelines only.

A "yea" vote is a vote for the AIF position.

- Record 2a: On February 22, 1995, the Senate Governmental Reform and Oversight Committee passed the bill as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On March 9, 1995, the Senate Rules and Calendar Committee passed the bill as a committee substitute to the committee substitute by a vote of 13 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On March 16, 1995, the Senate passed the bill by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 4, 1995, the House passed the amended bill by a vote of 110 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

- Record 2d: On May 5, 1995, the Senate refused to concur in the House amendments and passed the bill, with amendments made to the House amendments, by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 5, 1995, the House concurred in the House amendments as amended and passed the bill by a vote of 117 yeas - 0 nays. A "yea" vote is a vote for the AIF position.

CS/CS/SB 536 was ordered enrolled.



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**CS/SB 740 Risk  
Analysis Legislation  
by Sen. Robert  
Harden (R-Fort  
Walton Beach)**

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As more and more economic resources are devoted to environmental protection, regulation and enforcement, it has become apparent that these economic resources, both public and private, are not unlimited and that choices must necessarily be made to prioritize the use of our economic resources in the environmental arena.

One such prioritization is a utilization of the a risk analysis requirement for state agencies prior to the adoption of proposed rules. A "risk analysis" may include a best estimate of the risk to health and safety of the individual person addressed by the rule and the effect of the risk on human health and environment.

The bill creates a risk based priority council made up of eight members which shall submit a report by October 1, 1996 to the Governor, the Legislature and to agencies recommending guidelines for agencies to use in conducting risk analysis.

The bill amends the APA rulemaking section to provide that effective October 1, 1995, the DEP shall prepare risk impact statements for rules proposed for ERC approval. Further, as of October 1, 1996, the Department of Agriculture and Consumer Services shall prepare risk analysis for proposed rules that establish standards or criteria based on impact to or effects upon human health. The bill specifically provides that no new cause of action for challenging a rule is created.

This legislation represents an important acknowledgment by the Florida Legislature that economic resources for environmental protection are not unlimited and must be prioritized to make the best use of our resources.

A "yea" vote is a vote for the AIF position.

- Record 3a: On March 29, 1995, the Senate Governmental Reform and Oversight Committee passed the bill as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 20, 1995, the Senate Rules and Calendar Committee passed the bill as amended by a vote of 13 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

CS/SB 740 died on the Senate Calendar, however the risk analysis bill was amended onto CS/HB 855 on the Senate Floor and CS/HB 855 passed both the House and Senate.

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**CS/HB 855**  
**Legislative Review of**  
**the ERC by Rep.**  
**Josephus Eggelation**  
**(D-Lauderdale**  
**Lakes)**

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The Environmental Regulatory Commission (ERC) is created as part of the Department of Environmental Protection (DEP) pursuant to section 20.255 F.S. and is to be composed of seven citizens of the state appointed by the Governor, subject to Senate confirmation. Membership shall be representative of, but not limited to, interested groups including agriculture, real estate, environmentalists, the construction industry and lay citizens.

Pursuant to section 403.804 F.S., the ERC exercises the exclusive standard setting authority of the Department except in limited areas.

The ERC was originated to be a standard setting commission and a "check" on the agency. Historically, the ERC has made findings based on scientific data and information.

The ERC has in recent years gone beyond its role as a check on the agency and as the standard setting mechanism and has set its own policy, becoming a voice for environmental extremists. The ERC proceeded beyond standard setting into the environmental advocacy arena, even to the point of lobbying the Legislature on positions contrary to that of the DEP Secretary.

As the ERC has moved farther away from its stated statutory mission into policy adoption, the Legislature has addressed the membership and purpose of the ERC.

CS/HB 855 and CS/SB 1028 include requirements that members of the ERC shall be representative of the development industry, local government, the environmental community, industry, lay citizens and members of the scientific and technical community. The bill provides that some members should have substantial expertise in the areas of fate and transport of water, pollutants, toxicology, epidemiology, geology, biology, environmental sciences or engineering.

The bill provides that the ERC is prohibited from establishing DEP policies, priorities, plans or directives and vests rulemaking responsibility with the Secretary of the DEP.

A "yea" vote is a vote for the AIF position.

On March 27, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the amended bill by a vote of 9 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On March 30, 1995, the House Natural Resources Committee passed the bill as a committee substitute by a vote of 20 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1995, the House passed the amended bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

■ Record 4a: On May 5, 1995 the Senate withdrew the bill from all substantive committees and substituted HB 855 for SB 1028 and passed the bill as



amended by a vote of 33 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

Risk Analysis, HB 399 & SB 740, were amended onto HB 855.

On May 5, 1995, the House concurred in the Senate amendments and passed the bill by a vote of 114 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 855 was ordered engrossed and enrolled.

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**CS/HB 863 The Real  
Property Condition  
Disclosure by Rep.  
Dean Saunders (D-  
Lakeland)**

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CS/HB 863 created the Real Property Condition Disclosure Act which provided for required written statements from a property owner to a prospective buyer regarding the condition of the property. AIF originally had no position on this bill. However, the bill was used as a vehicle to become the Bert J. Harris, Jr. Private Property Rights Protection Act. No provisions of the Real Property Condition Disclosure Act remain on the bill and CS/HB 863 now consists of the Bert J. Harris, Jr. Private Property Rights Protection Act and the Florida Land Use and Environmental Dispute Resolution Act, formally HB 1335 by Rep. Dean Saunders.

The Bert J. Harris, Jr. Private Property Rights Protection Act provides a cause of action for relief or compensation when a new law, rule or regulation, as applied, unfairly effects real property in a manner which may not rise to the level of a taking under the State Constitution or the United States Constitution. The bill provides a procedure for a claim against the governmental entity, including a determination by the Circuit Court as to whether the real property has been unfairly burdened by the governmental entity. The amount of compensation to be awarded is determined by a jury. Prevailing party attorney's fees may be awarded by the judge.

The law does not apply to laws, rules or regulations adopted on or before the date of adjournment *sine die* of the 1995 Legislative Session.

The Florida Land Use and Environmental Dispute Resolution Act, HB 1335 by Rep. Dean Saunders was amended onto CS/HB 863 to create a private property rights legislative train.

The bill now conceptually incorporates the procedures established by the Governors Private Property Rights Study Commission to, and includes an informal, nonjudicial procedure in which a property owner may seek review of a development order which is unreasonable or which unfairly burdens the use of the real property. The bill emphasizes a mediation-like proceeding using a special master as a facilitator in an effort to reach a mutually acceptable solution between the parties through an adjustment of the project, an adjustment of the regulation, or of both.

A "yea" vote is a vote for the AIF position.

On March 22, 1995, the House Real Property & Family Law Subcommittee of the House Judiciary Committee passed the bill as a proposed committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 22, 1995, the House Judiciary Committee passed the bill as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 2, 1995, the House passed the amended bill by a vote of 111 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 5a: On May 3, 1995, the Senate substituted CS/HB 863 for CS/SB 1326 and passed the bill by a vote of 38 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

CS/HB 863 was ordered enrolled.

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**CS/CS/SB 968 State  
Constitution/Eminent  
Domain by Sen.  
Charles Williams (D-  
Live Oak)**

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The 1994 ballot initiative regarding private property rights received tremendous grass-roots support and polled at approval rates as high as 80%. The constitutional amendment required the government to fully compensate property owners whenever governmental action, pursuant to police power, damages the value of an owner's property. In October 1994, the Florida Supreme Court denied the property rights amendment a place on the ballot, citing violations of the single subject rule and ballot title and summary defects.

With the continued insistence by governmental agencies to strangle business and property owners through increased regulation and red tape, widespread support for a private property rights initiative continues to swell. Recognizing this trend, Sen. Charles Williams proposed SJR 968. This resolution would amend the Florida Constitution to require that a governmental entity pay full compensation for regulation/action that results in a "significant reduction" of the property's fair market value. Prior resort to administrative remedies would not be required and the amount to be awarded would be determined by a jury.

AIF supports placing a private property rights constitutional amendment on the ballot.

A "yea" vote is a vote for the AIF position.

- Record 6a: On March 16, 1995, the Senate Judiciary Committee passed the bill as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6b: On April 20, 1995, the Senate Rules and Calendar Committee passed the bill as a committee substitute to the committee substitute by a vote of 12 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

CS/CS/SB 968 died on the Senate Calendar.



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**CS/SB 1028**  
**Legislative Review**  
**of the ERC by Sen.**  
**Locke Burt (R-**  
**Ormond Beach)**

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The Environmental Regulatory Commission (ERC) is created as part of the Department of Environmental Protection (DEP) pursuant to section 20.255 F.S. and is composed of seven citizens of the state appointed by the Governor, subject to Senate confirmation. Membership shall be representative of, but not limited to, interested groups including agriculture, real estate, environmentalists, the construction industry and lay citizens.

Pursuant to section 403.804 F.S., the ERC exercises the exclusive standard setting authority of the Department except in limited areas.

The ERC was originated to be a standard setting commission and a "check" on the agency. Historically, the ERC has made findings based on scientific data and information.

The ERC has in recent years gone beyond its role as a check on the agency and as the standard setting mechanism and has set its own policy, becoming a voice for environmental extremists. The ERC proceeded beyond standard setting into the environmental advocacy arena, even to the point of lobbying the Legislature on positions contrary to that of the DEP Secretary.

As the ERC has moved farther away from its stated statutory mission into policy adoption, the Legislature has addressed the membership and purpose of the ERC.

CS/HB 855 and CS/SB 1028 include requirements that members of the ERC shall be representative of the development industry, local government, the environmental community, industry, lay citizens and members of the scientific and technical community. The bill provides that some members should have substantial expertise in the areas of fate and transport of water, pollutants, toxicology, epidemiology, geology, biology, environmental sciences or engineering.

The bill provides that the ERC is prohibited from establishing DEP policies, priorities, plans or directives and vests rulemaking responsibility with the Secretary of the DEP.

A "yea" vote is a vote for the AIF position.

- Record 7a: On March 30, 1995, the Senate Natural Resources Committee passed the bill as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 7b: On April 20, 1995, the Senate Rules & Calendar Committee passed the bill as amended by a vote of 17 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/SB 1028 was laid on the table, CS/HB 855 was substituted for it on the Senate Floor; refer to CS/HB 855.

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**CS/SB 1326 Private  
Property Rights by  
Sen. John McKay (R-  
Bradenton)**

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This bill prohibits the state, or any public body of the state, from permanently or temporarily depriving or devaluing any lawful use of private property without paying full compensation. A cause of action is created for property owners to petition for full compensation if a state governmental action diminishes the fair market value of a portion of the owner's property. No compensation is payable to a property owner for governmental restriction of public nuisance. Under the bill, the property owner is entitled to attorney's fees costs and interest on the amount of the compensation rewarded.

This bill is the statutory companion to the Joint Resolution for a constitutional amendment on property rights.

A "yea" vote is a vote for the AIF position.

- Record 8a: On March 22, 1995, the Senate Judiciary Committee passed the bill as a committee substitute by a vote of 6 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

The bill was withdrawn from further substantive committees and placed on the calendar. On May 3, 1995, CS/SB 1326 was laid on the table and substituted for CS/HB 863. See CS/HB 863.

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**SB 1390 Regulation  
of Professions/  
Violations by Sen.  
John Ostalkiewicz (R-  
Orlando)**

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SB 1390 requires that agencies review all rules and designate those for which a violation would be a minor violation. For those minor violations, the first response by an agency charged with enforcement is a "notice of noncompliance" with no other penalty. The bill prohibits a governmental entity from penalizing a person for violating regulations for which he or she had no knowledge. The notice provided by the agency must specify how compliance may be achieved and set forth a reasonable time for compliance.

The provisions of SB 1390 were incorporated in CS/CS/SB 536 which passed the House and the Senate. SB 1390 also passed both the House and the Senate.

A "yea" vote is a vote for the AIF position.

- Record 9a: On April 11, 1995, the Senate Governmental Reform & Oversight Committee passed the bill as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 9b: On May 5, 1995, the Senate passed the amended bill by a vote of 35 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On May 5, 1995, the House passed the bill by a vote of 113 yeas to 1 nays. A "yea" vote is a vote for the AIF position.



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**SB 2500 Board of  
Regents Public  
Corporation by Sen.  
George Kirkpatrick  
(D-Gainesville)**

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In the Senate Higher Education Committee, this bill was amended to address the negative checkoff by the Florida Public Interest Research Group (FPIRG). This amendment, offered by Sen. Charles Bronson (R-Indian Harbour Beach), will change the manner in which FPIRG raises money on state college campuses in Florida. The amendment will not allow any public university or community college to collect from any student any fees, dues, or other monetary payment or contribution for any group, club, business or other organization not affiliated with the college or not providing a service to the college.

Currently, FPIRG enjoys special status as a collector of student activity fees from all students who register for classes at some state universities. FPIRG is allowed to collect money from students, unless students check a box stating that they do not wish to pay the money. Even if students check that box, they must pay the money first, then wait in a line and request a refund and then wait for the refund to arrive in the mail. This amendment would change that very unfair situation.

AIF supports the amendment; thus, AIF supports the bill containing the amendment. A "yea" vote is a vote for the AIF position.

- Record 10a: On April 24, 1995, the Senate Higher Education Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 2500 died on the Senate Calendar.

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**CS/SB 2912 Florida  
Real Property  
Protection Act by  
Sen. Rick Dantzler  
(D-Winter Haven)**

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This bill prohibits the state, or any public body of the state, from permanently or temporarily depriving or devaluing any lawful use of private property without paying full compensation. A cause of action is created for property owners to petition for full compensation if a state governmental action diminishes the fair market value of a portion of the owner's property. No compensation is payable to a property owner for governmental restriction of public nuisance. Under the bill, the property owner is entitled to attorney's fees costs and interest on the amount of the compensation rewarded.

This bill is the statutory companion to the Joint Resolution for a constitutional amendment on property rights.

A "yea" vote is a vote for the AIF position.

- Record 11a: On April 19, 1995, the Senate Judiciary Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 11b: On April 24, 1995, the Senate Community Affairs Committee passed the bill as a committee substitute by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/SB 2912 died on the Senate Calendar; refer to CS/HB 863.

## Senate Average on Environmental Issues = 97%

	1a - Florida Jobs Siting Act	1b - Florida Jobs Siting Act	1c - Florida Jobs Siting Act	1d - Florida Jobs Siting Act	2a - Administrative Rules	2b - Administrative Rules	2c - Administrative Rules	2d - Administrative Rules	3a - Human Health & the Environment	3b - Human Health & the Environment	4a - Members / Env. Reg. Commission	5a - Real Prop. Cond. Disclosure Act	6a - SJR / State Const. / Emin. Domain	6b - SJR / State Const. / Emin. Domain	7a - Educ. Requir. for Env. Reg. Com.	7b - Educ. Requir. for Env. Reg. Com.	8a - Private Prop. Rights Act of Florida	9a - Reg. of Professions / Violations	9b - Reg. of Professions / Violations	10a - Board of Regents / Pub. Corp.	11a - FL. Real Property Protection Act	11b - FL. Real Property Protection Act	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>			F	F	F	F	F	F			F	F	F	F	F	F	F	F	F		F		13	0	100
<i>Beard</i>	F		F	F		F		F			F	F							F				8	0	100
<i>Bronson</i>			F	F			F	F			F	F			F				F	F	F		9	0	100
<i>Brown-Waite</i>			F	F			F	F			F	F			F				F				8	0	100
<i>Burt</i>	F		F	F		F	F	F	F		F	F		F	F	F			F				14	0	100
<i>Casas</i>	F		F	F			F	F		F	F	F						F	F				10	0	100
<i>Childers</i>			F	F			F	F		F	F	F		F		F			F				10	0	100
<i>Crist</i>			F	F			F	F		F	F	F		F		F			F				11	0	100
<i>Dantzler</i>			F	F		F	F	F			F	F		A		F			F			F	10	1	91
<i>Diaz-Balart</i>	F		F	F			F	F			F	F							F				8	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Florida Jobs Siting Act	1b - Florida Jobs Siting Act	1c - Florida Jobs Siting Act	1d - Florida Jobs Siting Act	2a - Administrative Rules	2b - Administrative Rules	2c - Administrative Rules	2d - Administrative Rules	3a - Human Health & the Environment	3b - Human Health & the Environment	4a - Members / Env. Reg. Commission	5a - Real Prop. Cond. Disclosure Act	6a - SJR / State Const. / Emin. Domain	6b - SJR / State Const. / Emin. Domain	7a - Educ. Requirt. for Env. Reg. Com.	7b - Educ. Requirt. for Env. Reg. Com.	8a - Private Prop. Rights Act of Florida	9a - Reg. of Professions / Violations	9b - Reg. of Professions / Violations	10a - Board of Regents / Pub. Corp.	11a - FL. Real Property Protection Act	11b - FL. Real Property Protection Act	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Dudley	F		F	F	F	F	F		F	F		F	F	F		F	F	F	F		F		16	0	100
Dyer			F	F	F		F	F	F		F	F			F			F	F	F			12	0	100
Forman			F	F			F	F			A	A							F				5	2	71
Grant			F	F		F	F	F		F	F	F	F	F		F	F		F				13	0	100
Gulman			F	F			F	F				F							F				6	0	100
Harden		F	F	F	F		F	F	F		F	F			F			F	F			F	13	0	100
Hargrett	F		F	A		F	F	F		F	F	F		F	F				F				11	1	92
Harris			F	F	F		F	F	F		F	F						F		F			10	0	100
Holzendorf			F		F		F	F			A	A							A				5	2	71
Horne			F	F			F	F			F	F	F				F		F		F		10	0	100
Jenne			F	F			F	F		A	A	F	F	A		F			F				8	2	80

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	1b - Florida Jobs Siting Act	1c - Florida Jobs Siting Act	1d - Florida Jobs Siting Act	2a - Administrative Rules	2b - Administrative Rules	2c - Administrative Rules	2d - Administrative Rules	3a - Human Health & the Environment	3b - Human Health & the Environment	4a - Members / Env. Reg. Commission	5a - Real Prop. Cond. Disclosure Act	6a - SJR / State Const. / Emin. Domain	6b - SJR / State Const. / Emin. Domain	7a - Educ. Requir. for Env. Reg. Com.	7b - Educ. Requir. for Env. Reg. Com.	8a - Private Prop. Rights Act of Florida	9a - Reg. of Professions / Violations	9b - Reg. of Professions / Violations	10a - Board of Regents / Pub. Corp.	11a - FL. Real Property Protection Act	11b - FL. Real Property Protection Act	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jennings	F		F	F	F	F	F		F	F		F	F	F		F		F	F				13	0	100
Johnson			F	F			F	F			F	F							F				7	0	100
Jones			F	F	F		F	F	F		F	F	F				A	F	F		F		12	1	92
Kirkpatrick		F	F	F		F	F	F			F	F							F	F			10	0	100
Kurth		F	F	F			F	F			F	F							F			F	9	0	100
Latvala			F	F			F	F			F	F			F								7	0	100
McKay	F		F	F			F	F		F	F	F	F	F		F			F				11	0	100
Meadows	F	F	F	F		F	F	F		F	A	F		A		F			F	F		F	12	2	86
Myers		F	F	F			F	F		F	F	F		F		F			F			F	12	0	100
Ostalciewicz			F	F			F	F			F	F							F				7	0	100
Rossin			F	F			F	F			F	F			F				F				8	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	1b - Florida Jobs Siting Act	1c - Florida Jobs Siting Act	1d - Florida Jobs Siting Act	2a - Administrative Rules	2b - Administrative Rules	2c - Administrative Rules	2d - Administrative Rules	3a - Human Health & the Environment	3b - Human Health & the Environment	4a - Members / Env. Reg. Commission	5a - Real Prop. Cond. Disclosure Act	6a - SJR / State Const. / Emin. Domain	6b - SJR / State Const. / Emin. Domain	7a - Educ. Requir. for Env. Reg. Com.	7b - Educ. Requir. for Env. Reg. Com.	8a - Private Prop. Rights Act of Florida	9a - Reg. of Professions / Violations	9b - Reg. of Professions / Violations	10a - Board of Regents / Pub. Corp.	11a - FL. Real Property Protection Act	11b - FL. Real Property Protection Act	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Scott				F			F				F												3	0	100
Silver			F	F		F	F	F		A	F	F				F							9	1	90
Sullivan		F	F	F			F	F		F	F	F		A		F				F			10	1	91
Thomas			F	F			F	F		F	F	F		F		F							10	0	100
Turner				F			F	F			A	F											5	1	83
Weinstein	F		F	F	F		F	F	F		F	F	F				F						12	0	100
Wexler			F	F			F	F	F		F	F	F				F				F		11	0	100
Williams			F	F		F	F	F		F	F	F		F	F								12	0	100
<b>TOTAL</b>																							390	14	97

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic



**THE FLORIDA SENATE**

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**HEALTH CARE**

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## HEALTH CARE

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**CS/SB 64 Health  
Insurance/  
Preexisting  
Conditions by Sen.  
Howard Forman (D-  
Hollywood)**

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This bill creates a State COBRA Law.

Reforms in Florida's health care system in 1992 and 1993 were geared to provide access to health insurance for many who have been without access. This bill continues that effort by providing a method for former employees and their dependents to purchase insurance after leaving their employment.

The bill allows Florida employees who work for companies with fewer than 20 employees to elect continued coverage under the employer provided group health plan in the event of termination of coverage. The bill establishes the Florida Health Insurance Portability Act, requiring group health plans issued in the state to allow each qualified beneficiary, who would lose coverage under the group plan because of specified events, to elect to continue coverage under the group policy at 110% of the group rate.

The continuation of coverage provision benefits employees and dependents of small companies with fewer than 20 employees because without this legislation they would lose their health coverage or would be unable to obtain affordable coverage after termination of their employment.

A "yea" vote is a vote for the AIF position.

- Record 1a: On March 21, 1995, the Senate Banking & Insurance Committee passed the bill as amended by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 18, 1995, the Senate Health Care Committee passed the bill as a committee substitute by a vote of 5 yeas to 0 nays. The committee substitute combines this bill with SB 454. A "yea" vote is a vote for the AIF position.

CS/SB 64 died on the Senate Calendar.

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**SB 454 Florida  
Health Insurance  
Coverage  
Continuation Act by  
Sen. Patsy Kurth (D-  
Palm Bay)**

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This bill creates a State COBRA Law.

Reforms in Florida's health care system in 1992 and 1993 were geared to provide access to health insurance for many who have been without access. This bill continues that effort by providing a method for former employees and their dependents to purchase insurance after leaving their employment.

The bill allows Florida employees who work for companies with fewer than 20 employees to elect continued coverage under the employer provided group health plan in the event of termination of coverage. The bill establishes the Florida Health Insurance Portability Act, requiring group health plans issued in

the state to allow each qualified beneficiary, who would lose coverage under the group plan because of specified events, to elect to continue coverage under the group policy at 110% of the group rate.

The continuation of coverage provision benefits employees and dependents of small companies with fewer than 20 employees because without this legislation they would lose their health coverage or would be unable to obtain affordable coverage after termination of their employment.

A "yea" vote is a vote for the AIF position.

- Record 2a: On April 3, 1995, the Senate Banking & Insurance Committee passed the bill by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 454 was laid on the table; refer to CS/SB 64. CS/SB 64 died on the Senate Calendar.

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**SB 588 Reviser's  
Bill/Conform  
Judicial Decisions  
by Sen. Toni  
Jennings (R-  
Orlando)**

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This bill repeals s. 287.088, F.S. (the state contractor health insurance mandate) to conform to a judicial decision preempting this provision. Section 287.088, F.S., mandated that any employer who obtains a state contract must purchase health care insurance for all of its employees and all the employees of the subcontractors who work on the state contract. AIF opposes this provision because it is a mandate that employers purchase health care insurance.

In 1994, a Federal district court held that this section was preempted by the federal ERISA law.

This bill repeals this preempted section of law and removes it from the Florida Statutes.

A "yea" vote is a vote for the AIF position.

- Record 3a: On February 21, 1995, the Senate Rules & Calendar Committee passed the bill by a vote of 17 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On March 29, 1995, the Senate passed the bill by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 17, 1995, the House substituted SB 588 for HB 2657 and passed SB 588 by a vote of 107 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 26, 1995, SB 588 became law without the Governor's signature and became Chapter Law 95-140.

This is an "any willing provider" health care bill.



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**SB 828 Health Care  
Providers by Sen.  
William "Doc" Myers  
(R-Stuart)**

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This bill requires that any health care plan offered by an accountable health partnership inside a community health purchasing alliance, a health maintenance organization, managed care organization, or pre-paid health plan permit any health care provider to participate as a service provider under the plan, if the provider excepts the same reimbursement rates provided to other providers offering the same service under the plan. This is "any willing provider" legislation. AIF opposes "any willing provider" legislation.

The concept of managed care is undermined by allowing all health care providers access as a participant in any plan. It removes the ability of plan managers to effectively manage the quality and cost of services provided with their plan. It is estimated that health care costs for employers will rise by as much as 30% as a result of this type of unrestricted access.

This bill goes further than any previous any willing provider bill because it also contains direct access language. The bill provides that any health plan may not contain a provision that will require or coerce a subscriber to use any provider other than one he or she selects. This means that all types of insurance including indemnity insurance would be striped of the ability to refer patients to certain types of providers or providers who maintain certain levels of quality. While this bill is an excellent piece of legislation for health care providers, it would be a disaster to employers who purchase health care insurance. It would basically strip them of the choice of managed care insurance and leave employers with a single choice of a single type of insurance. Without managed care, the market is left with only indemnity insurance. AIF opposes this bill. A "nay" vote is a vote for the AIF position.

- Record 4a: On April 25, 1995, the Senate Health Care Committee passed the bill as amended by a vote of 4 yeas to 3 nays. A "nay" vote is a vote for the AIF position.

SB 828 died in the Senate Ways and Means Committee.

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**CS/SB 914 Direct  
Access to Health  
Care Providers by  
Sen. William "Doc"  
Myers (R-Stuart)**

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This bill requires HMOs and insures which issue exclusive provider contracts, to allow their insureds to obtain services directly from a Board Certified Optometrist, Ophthalmologist or Dermatologist without first obtaining a referral from another physician or case manager.

Exclusive Provider Organizations (EPO) and Health Maintenance Organizations (HMO) establish networks of health care providers to provide treatment and services to subscribers who buy health insurance from those organizations. Generally, the subscriber must use providers that are within the network established by the EPO or HMO. If a provider is not available or a specialty provider is called for, a subscriber must comply with contract or policy procedures and obtain a referral.

This bill requires that a subscriber can directly access the service of an Optometrist, Dermatologist or Ophthalmologist and shall not be required to obtain a referral from a network primary care physician or case manager.

A fundamental principle of managed care requires the patient to coordinate his or her treatment through the primary care physician who is responsible for overseeing all health care. This ensures that only the highest quality, most effective care is provided and eliminates over medication and over utilization. By eroding the critical link between patient and primary care physicians, this direct access provision will jeopardize the future of managed care in Florida. This bill also interferes with the free market because it is a government mandate. AIF opposes this bill.

A "nay" vote is a vote for the AIF position.

- Record 5a: On April 11, 1995, the Senate Health Care Committee passed the bill as a committee substitute by a vote of 6 yeas to 2 nays. A "nay" vote is a vote for the AIF position.

CS/SB 914 died on the Senate Calendar.

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**SB 1416 Hospital  
Access/  
Subcontractor/State  
Jobs by Sen. John  
McKay (R-  
Bradenton)**

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This bill is a health insurance reform package. It repeals the amendments to the Medicaid Third Party Liability Act that were secretly passed during the 1994 Legislative Session in CS/CS/SB 2110. These amendments take away all of a company's defenses when the state chooses to sue them to recover Medicaid costs incurred by a third party. The bill also creates the Florida Health Insurance Coverage Continuation Act (a state COBRA) which provides continued health insurance coverage for employees of small companies and their dependents. The bill also repeals the State Contractor Health Insurance Mandate that was passed in 1993. This provision mandates that any person who receives a contract with the state must pay for health insurance coverage for all of their employees and all employees of all subcontractors.

AIF supports this bill because it removes provisions that are contained in Florida law that are extremely harmful to business. In addition, it creates the COBRA Act which will help bring access to health insurance for employees of small companies.

A "yea" vote is a vote for the AIF position.

- Record 6a: On March 29, 1995, the Senate Banking & Insurance Committee passed the bill by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 1416 died in the Senate Ways and Means Committee.

## Senate Average on Health Care Issues = 90%

	1a - Health Insurance / Preexisting Conditions	1b - Health Insurance / Preexisting Conditions	2a - FL. Health Ins. Coverage Continuation Act	3a - Reviser's Bill / Conform Judicial Decision	3b - Reviser's Bill / Conform Judicial Decision	4a - Health Care Provider / CHPA Districts	5a - Direct Access to Health Care Providers	6a - Hospital Access/ Subcontractor / State Jobs	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>		F		F	F		A		3	1	75
<i>Beard</i>				F	F				2	0	100
<i>Bronson</i>					F				1	0	100
<i>Brown-Waite</i>		F			F	A	A		2	2	50
<i>Burt</i>				F	F				2	0	100
<i>Casas</i>				F	F				2	0	100
<i>Childers</i>	F		F	F	F			F	5	0	100
<i>Crist</i>				F		A	A		1	2	33
<i>Dantzler</i>				F	F				2	0	100
<i>Diaz-Balart</i>					F				1	0	100
<i>Dudley</i>	F		F	F	F			F	5	0	100
<i>Dyer</i>					F				1	0	100
<i>Forman</i>		F			F	F	F		4	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Health Insurance / Preexisting Conditions	1b - Health Insurance / Preexisting Conditions	2a - FL Health Ins. Coverage Continuation Act	3a - Reviser's Bill / Conform Judicial Decision	3b - Reviser's Bill / Conform Judicial Decision	4a - Health Care Provider / CHPA Districts	5a - Direct Access to Health Care Providers	6a - Hospital Access/ Subcontractor / State Jobs	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Grant</i>	F		F	F	F			F	5	0	100
<i>Gutman</i>	F		F		F	F	A		4	1	80
<i>Harden</i>					F				1	0	100
<i>Hargrett</i>				F	F				2	0	100
<i>Harris</i>	F		F		F			F	4	0	100
<i>Holzendorf</i>	F				F			F	3	0	100
<i>Horne</i>					F				1	0	100
<i>Jenne</i>	F		F		F			F	4	0	100
<i>Jennings</i>	F		F	F	F			F	5	0	100
<i>Johnson</i>					F				1	0	100
<i>Jones</i>					F				1	0	100
<i>Kirkpatrick</i>				F	F				2	0	100
<i>Kurth</i>		F			F	F	F		4	0	100
<i>Latvala</i>					F				1	0	100
<i>McKay</i>				F	F			F	3	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Insurance / Preexisting Conditions	1b - Health Insurance / Preexisting Conditions	2a - FL. Health Ins. Coverage Continuation Act	3a - Reviser's Bill / Conform Judicial Decision	3b - Reviser's Bill / Conform Judicial Decision	4a - Health Care Provider / CHPA Districts	5a - Direct Access to Health Care Providers	6a - Hospital Access/ Subcontractor / State Jobs	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Meadows				F					1	0	100
Myers		F		F		A	A		2	2	50
Ostalkiewicz				F					1	0	100
Rossin	F		F	F				F	4	0	100
Scott											
Silver				F	F	A	A		2	2	50
Sullivan				F	F				2	0	100
Thomas	F		F	F	F			F	5	0	100
Turner											
Weinstein					F				1	0	100
Wexler					F				1	0	100
Williams	F		F	F	F				4	0	100
<b>TOTAL</b>									<b>95</b>	<b>10</b>	<b>90</b>

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

# **THE FLORIDA SENATE**

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## **L A B O R**

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# LABOR

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**SB 2270**  
**Unemployment**  
**Compensation:**  
**Voluntary**  
**Unemployment**  
**Compensation**  
**Contributions by**  
**Sen. Rick Dantzler**  
**(D-Winter Haven)**

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This bill would have given employers the option of making voluntary unemployment compensation contributions in lieu of a tax rate increase. Currently, employers are assigned an unemployment compensation tax rate based, in part, on unemployment benefits charged to an employer's account because of the past layoffs. Under the bill, employers could make a lump sum payment, limited to \$2,000 in any twelve month period, to help offset a tax rate increase.

An amendment was adopted to combine the provisions of HB 2315 with the voluntary contribution provisions of SB 2270. Along with the above described voluntary contribution provision, the amendment includes:

- Establishing a statutory definition for "independent contractor";
- Changing the method of benefits calculation from "weeks worked" to "high quarter;"
- Increasing the employer's tax rate appeal period from 15 to 20 days; and
- Authorizing an additional three year extension for the Florida Training Investment Program (TIP) for dislocated workers.

A "yea" vote is a vote for the AIF position.

- Record 1a: On April 24, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill as amended by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 2270 died on the Senate Calendar.

## Senate Average on Labor Issues = 100%

	1a - Unemployment Compensation / Benefits	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>				
<i>Beard</i>	F	1	0	100
<i>Bronson</i>				
<i>Brown-Waite</i>				
<i>Burt</i>	F	1	0	100
<i>Casas</i>				
<i>Childers</i>				
<i>Crist</i>				
<i>Dantzler</i>	F	1	0	100
<i>Diaz-Balart</i>				
<i>Dudley</i>	F	1	0	100
<i>Dyer</i>				
<i>Forman</i>				
<i>Grant</i>	F	1	0	100
<i>Gutman</i>	F	1	0	100
<i>Harden</i>				
<i>Hargrett</i>				

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation / Benefits	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Harris</i>				
Holzendorf				
<i>Horne</i>				
Jenne				
<i>Jennings</i>				
Johnson				
Jones				
Kirkpatrick				
Kurth				
<i>Latvala</i>				
<i>McKay</i>	F	1	0	100
Meadows	F	1	0	100
<i>Myers</i>				
<i>Ostalkiewicz</i>				
Rossin				
<i>Scott</i>				
Silver				
<i>Sullivan</i>				
Thomas	F	1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation / Benefits	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Turner				
Weinstein	F	1	0	100
Wexler				
Williams				
<b>TOTAL</b>		<b>10</b>	<b>0</b>	<b>100</b>

**F** - Vote for position of AIF; **A** - Vote against position of AIF

Democrats in roman; Republicans in italic



**THE FLORIDA SENATE**

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**LEGAL  
& JUDICIAL**

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## LEGAL & JUDICIAL

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**SB 42 Medicaid  
Provider Fraud by  
Sen. George  
Kirkpatrick (D-  
Gainesville)**

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SB 42 repeals amendments to Florida's Medicaid Third Party Liability Act that were secretly passed during the 1994 Legislative Session.

This bill restores defenses to a product manufacturer or retailer when the state chooses to sue to recover Medicaid costs. Without this repealer, businesses have absolutely no defense when the state chooses to sue them for Medicaid costs.

A "yea" vote is a vote for the AIF position.

■ Record 1a: On March 28, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill as amended by a vote of 11 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

■ Record 1b: On May 1, 1995, the Senate passed the amended bill by a vote of 32 yeas to 7 nays. A "yea" vote is a vote for the AIF position.

On May 5, 1995, the House passed the bill by a vote of 102 yeas to 13 nays. A "yea" vote is a vote for the AIF position.

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**SB 644 Comparative  
Fault by Sen. Peter  
Weinstein (D-  
Tamarac)**

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This bill is supported by the Academy of Florida Trial Lawyers. They claim it is an attempt to "fix" the Florida Supreme Court's decision of *Fabre v. Marin*, 623 So. 2d 1182 (FL 1993). AIF supports the Supreme Court's decision and believes the trial lawyer's bill is an attempt to return to a form of Joint and Several Liability which AIF opposes. Thus, AIF is opposed to this bill.

The *Fabre* decision held that a jury must consider the fault of all parties involved in an accident when deciding how much money damages a defendant in the lawsuit should pay. Consider the case of a tourist who drives a rented automobile and causes an accident. The tourist leaves the country, the injured plaintiff sues the rental car company because he cannot find the tourist. Under *Fabre*, the jury can consider the fault of the driver when deciding how much money the rental car company should pay for its role in an accident. This is a fair and just result. Unless the jury can consider the driver's fault, the rental car company pays for that driver's fault.

The trial lawyer's bill limits the jury to determining the fault of "parties presently to the suit." Since many people cannot be parties to the suit when a judgement is returned (the least of which is a settling party) this is a return to Joint and Several Liability. It causes one defendant to pay for the fault of another

person who caused the damage simply because that other person is not a "present party to the suit."

A "nay" vote is a vote for the AIF position.

- Record 2a: On March 22, 1995, the Senate Judiciary Committee passed the bill as amended by a vote of 4 yeas to 3 nays. A "nay" vote is a vote for the AIF position.

SB 644 died on the Senate Calendar.

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**SB 708 Limitations  
on Punitive  
Damages by Senate  
Judiciary Committee**

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In 1986, the Florida Legislature passed the Tort Reform and Insurance Act of 1986. This Act was in response to a liability insurance crisis caused by soaring litigation and unprecedented jury awards for damages.

A portion of this rewrite changed Florida's law of punitive damages. One provision required that 35 percent of a punitive damage award be sent to the state rather than the claimant. This was done in order to encourage settlements. Settlements can be structured so that none of the money paid in settlement will be used for punitive damages. In addition, the law does not allow attorneys to collect fees on the portion of punitive damages that is sent to the state. This is a disincentive for attorneys to escalate awards for punitive damages.

This law has worked extremely well during its ten years of existence. However, the Legislature repealed that portion of the law effective July 1, 1995, unless reenacted by the Legislature. This bill reenacts these provisions.

A "yea" vote is a vote for the AIF position.

- Record 3a: On March 9, 1995, the Senate Judiciary Committee passed the bill by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 708 died on the Senate Calendar.

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**CS/SB 784  
Constitutional  
Amendment  
Approval by Sen.  
Charles Bronson (R-  
Indian Harbour  
Beach)**

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This bill, filed as a joint resolution, raises the number of voters needed to ratify proposed constitutional amendments to two-thirds of the electors voting in a general election rather than the simple majority required under present law.

AIF supported the bill as a means of ensuring greater participation by the electorate in amending the document embodying the fundamental principles of Florida government. From the perspective of the business community, enactment would provide greater stability to the state's many businesses that are wary of having the most basic rules by which they operate changed out from under them.

A "yea" vote is a vote for the AIF position.

- Record 4a: On April 24, 1995, the Senate Executive Business, Ethics & Elections Committee passed the bill as a committee substitute by a vote of 5 yeas to 2 nays. The committee substitute combined the bill with a similar bill by Sen. Locke Burt (R-Ormond Beach), and also included language offered as an amendment by Sen. Jack Latvala (R-Palm Harbor) to reduce the supermajority requirement from two-thirds of the electors voting to three-fifths. A "yea" vote is a vote for the AIF position.

CS/SB 784 died in the Senate Rules and Calendar Committee.

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**SB 2526 Uniform  
Contribution Among  
Tortfeasors by Sen.  
Daryl Jones (D-  
Miami)**

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This bill provides that a release or covenant not to sue or not to enforce a judgment would reduce the judgment against other joint tortfeasors only to the extent that such other tortfeasors are jointly and severally liable for such damage. Joint tortfeasors are jointly and severally liable for economic damages. Also, any amount stipulated by the release or the covenant as damages for several liability (non-economic damages), or any consideration paid on account of the several liability of a tort-feasor does not reduce the several liability of other tortfeasors for their percentage of fault as apportioned to them pursuant to Florida's comparative fault statute.

This bill bifurcates the benefit of a settlement. A remaining defendant would only receive a set-off against their economic damages when there was a previous settlement in the case.

This bill overturns decades of American jurisprudence which holds that a plaintiff should only recover the amount of money that the jury renders as a verdict. If this bill passed, a plaintiff could receive a windfall and collect more money than the jury verdict. This is because the money a settling party paid would not be subtracted entirely from the verdict. Only the portion representing economic damages would be subtracted. AIF opposes this bill.

A "nay" vote is a vote for the AIF position.

- Record 5a: On April 12, 1995, the Senate Judiciary Committee passed the amended bill by a vote of 4 yeas to 3 nays. A "nay" vote is a vote for the AIF position.

SB 2526 died in the Senate Commerce & Economic Opportunities Committee.



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**SB 2832 Leadership  
Fund Restrictions by  
Sen. George  
Kirkpatrick (D-  
Gainesville)**

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This bill prohibits a person, political committee, or committee of continuous existence from making a contribution to a leadership fund through or in the name of another person. It likewise prohibits a candidate from accepting leadership funds. AIF supported the bill as a means of preventing abuses in the legislative process.

A "yea" vote is a vote for the AIF position.

- Record 6a: On April 24, 1995, the Senate Executive Business, Ethics & Elections Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 2832 died in the Senate Rules and Calendar Committee.

# Senate Average on Legal & Judicial Issues = 77%

	1a - Medicaid Provider Fraud	1b - Medicaid Provider Fraud	2a - Comparative Fault	3a - Limitations on Punitive Damages	4a - Constitutional Amendment Approval	5a - Uniform Contribution Among Tortfeasors	6a - Restrictions on Leadership Funds	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>		F	F	F		F		4	0	100
<i>Beard</i>	F	F						2	0	100
<i>Bronson</i>		F						1	0	100
<i>Brown-Waite</i>		F			F		F	3	0	100
<i>Burt</i>	F	F						2	0	100
<i>Casas</i>	F	F						2	0	100
<i>Childers</i>		F			F			2	0	100
<i>Crist</i>		F			A		F	2	1	67
<i>Dantzler</i>	F	F						2	0	100
<i>Diaz-Balart</i>		F						1	0	100
<i>Dudley</i>	F	F	A	F		A		3	2	60
<i>Dyer</i>		F						1	0	100
<i>Forman</i>		A						0	1	0
<i>Grant</i>	A	A	F	F		F		3	2	60
<i>Gutman</i>	F	F						2	0	100
<i>Harden</i>		F			A		F	2	1	67
<i>Hargrett</i>	A	A						0	2	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Medicaid Provider Fraud	1b - Medicaid Provider Fraud	2a - Comparative Fault	3a - Limitations on Punitive Damages	4a - Constitutional Amendment Approval	5a - Uniform Contribution Among Tortfeasors	6a - Restrictions on Leadership Funds	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Harris</i>		F						1	0	100
<i>Holzendorf</i>	F	A						1	1	50
<i>Horne</i>		F	F	F		F		4	0	100
<i>Jenne</i>		A						0	1	0
<i>Jennings</i>	F	F						2	0	100
<i>Johnson</i>		F			F		F	3	0	100
<i>Jones</i>		F	A	F		A		2	2	50
<i>Kirkpatrick</i>		F						1	0	100
<i>Kurth</i>		F						1	0	100
<i>Latvala</i>		F			F			2	0	100
<i>McKay</i>	F	F						2	0	100
<i>Meadows</i>	F	F						2	0	100
<i>Myers</i>		F						1	0	100
<i>Ostalkiewicz</i>		F						1	0	100
<i>Rossin</i>		F						1	0	100
<i>Scott</i>		F						1	0	100
<i>Silver</i>		A						0	1	0
<i>Sullivan</i>		F						1	0	100
<i>Thomas</i>	F	F						2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Medicaid Provider Fraud	1b - Medicaid Provider Fraud	2a - Comparative Fault	3a - Limitations on Punitive Damages	4a - Constitutional Amendment Approval	5a - Uniform Contribution Among Tortfeasors	6a - Restrictions on Leadership Funds	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Turner		F			F		F	3	0	100
Weinstein	A	A	A	F		A		1	4	20
Wexler			A	F		A		1	2	33
Williams		F						1	0	100
<b>TOTAL</b>								<b>66</b>	<b>20</b>	<b>77</b>

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

**THE FLORIDA SENATE**

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**TAXATION**

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# TAXATION

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**CS/SB 2422**  
**Instruments Relating**  
**to Real Property/**  
**Taxes by Sen.**  
**Alberto Gutman (R-**  
**Miami)**

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This bill was drafted by the AIF Tax Committee and contained a wide range of issues that the Committee thought would lead to a friendlier attitude towards the Florida business community and assist in the creation of new jobs for the Florida economy. The bill addressed the following tax exemptions and credits:

- Exempted deeds and other instruments conveyed to a "qualifying corporation" from tax.
- Created a sales tax exemption for pollution control equipment that exceeds federal and state requirements.
- Modified current exemption for new and expanding business.
- Repealed sales tax on energy used in manufacturing over a five-year period.
- Created a sales tax exemption for the transfer of certain corporate assets.
- Created corporate tax credit for certain new high wage jobs.
- Amended the property and payroll factors used in the calculation of corporate income tax to exclude certain research and development activities conducted through Sponsored Research at State Universities.

AIF supported the bill and any later amendments to the bill. A "yea" vote is a vote for the AIF position.

- Record 1a: On April 10, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill as amended by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 27, 1995, the Senate Ways & Means Committee passed the bill as a committee substitute by a vote of 26 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 1c: On May 2, 1995, the Senate passed the bill by a vote of 36 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

CS/SB 2422 died in House Messages.

## Senate Average on Taxation Issues = 95%

	1a - Instruments Relating to Real Prop. / Taxes	1b - Instruments Relating to Real Prop. / Taxes	1c - Instruments Relating to Real Prop. / Taxes	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>		F	F	2	0	100
<i>Beard</i>	F	F	A	2	1	67
<i>Bronson</i>		F	F	2	0	100
<i>Brown-Waite</i>			F	1	0	100
<i>Burt</i>	F	F	F	3	0	100
<i>Casas</i>	F	F	F	3	0	100
<i>Childers</i>			F	1	0	100
<i>Crist</i>		F	F	2	0	100
<i>Dantzler</i>	F	F	F	3	0	100
<i>Diaz-Balart</i>		F	F	2	0	100
<i>Dudley</i>	F	F	F	3	0	100
<i>Dyer</i>		F	F	2	0	100
<i>Forman</i>			F	1	0	100
<i>Grant</i>	F	F	F	3	0	100
<i>Gutman</i>	F	F	F	3	0	100
<i>Harden</i>		F	F	2	0	100
<i>Hargrett</i>	F	F	F	3	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	la - Instruments Relating to Real Prop. / Taxes	lb - Instruments Relating to Real Prop. / Taxes	lc - Instruments Relating to Real Prop. / Taxes	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Harris</i>		F	F	2	0	100
<i>Holzendorf</i>			A	0	1	0
<i>Horne</i>			F	1	0	100
<i>Jenne</i>			F	1	0	100
<i>Jennings</i>		F	F	2	0	100
<i>Johnson</i>			F	1	0	100
<i>Jones</i>		F	F	2	0	100
<i>Kirkpatrick</i>		F	F	2	0	100
<i>Kurth</i>		F	F	2	0	100
<i>Latvala</i>		A	F	1	1	50
<i>McKay</i>	F	F	F	3	0	100
<i>Meadows</i>	F		A	1	1	50
<i>Myers</i>		F	F	2	0	100
<i>Ostalkiewicz</i>		F	F	2	0	100
<i>Rossin</i>			F	1	0	100
<i>Scott</i>			F	1	0	100
<i>Silver</i>		F	F	2	0	100
<i>Sullivan</i>			F	1	0	100
<i>Thomas</i>	F	F	F	3	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Instruments Relating to Real Prop. / Taxes	1b - Instruments Relating to Real Prop. / Taxes	1c - Instruments Relating to Real Prop. / Taxes	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Turner						
Weinstein		F	F	2	0	100
Wexler			F	1	0	100
Williams		F	F	2	0	100
<b>TOTAL</b>				<b>73</b>	<b>4</b>	<b>95</b>

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; *Republicans in italic*

**THE FLORIDA SENATE**

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**WORKERS'**  
**COMPENSATION**

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# WORKERS' COMPENSATION

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**HB 67**  
**Communicable**  
**Disease**  
**Presumption by Rep.**  
**Fred Lippman (D-**  
**Hollywood)**

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This bill establishes a presumption of compensability for firefighters, paramedics, emergency medical technicians, law enforcement officers, and correctional officers who contract AIDS, meningitis, hepatitis, and tuberculosis. The inclusion of the presumption in the law undermines the integrity of the workers' compensation and retirement systems and places employers and insurers in the impossible position of having to prove that an employee contracted one of the listed diseases as a result of a specific, nonwork-related exposure or event before they can deny a claim against either their workers' compensation or retirement plans.

The bill makes the workers' compensation system the "deep-pocket" for employees who contract one on the listed diseases, even though their likelihood of exposure to any of the diseases may be as great off the job as it is on the job.

AIF and local governments opposed the bill because its enactment would leave both the workers' compensation system and the Florida Retirement System saddled with the payment of medical and indemnity benefits to employees whose disability is not necessarily causally related to their employment.

A "nay" vote is a vote for the AIF position.

On February 21, 1995, the House Governmental Operations Subcommittee on Public Sector Employment passed the bill as amended by a vote of 3 yeas to 1 nay. A "nay" vote is a vote for the AIF position.

On March 22, 1995, the House Governmental Operations Committee passed the bill as a committee substitute by a vote of 7 yeas to 6 nays. An amendment by Representative Charles Sembler (R-Vero Beach) deleting AIDS from the list of covered diseases was adopted. The amendment, however, did not represent a significant enough improvement in the bill for AIF to withdraw its opposition. A "nay" vote is a vote for the AIF position.

On April 12, 1995, the House Appropriations Committee passed the bill by a vote of 32 yeas to 3 nays. A "nay" vote is a vote for the AIF position.

On May 2, 1995, the bill was amended on the House floor by Representatives Allen Boyd (D-Monticello) and Fred Lippman (D-Hollywood) to include insurer friendly language freezing the current assessment rates of the Special Disability Trust Fund. The bill passed the House by a vote of 87 yeas to 29 nays. The amendment mitigated some of the damage done to insurers in the previous year when the Special Disability Trust Fund retroactively raised its assessment rates several points. AIF, therefore, reversed its position on the bill after the adoption of the amendment and worked to pass the bill in the Senate. However,

a "nay" vote in the House is a vote for the AIF position.

- Record 1a: On May 5, 1995, the Senate substituted HB 67 for SB 702 and passed the bill by a vote of 25 yeas to 10 nays. A "yea" vote is a vote for the AIF position.

CS/HB 67 was ordered engrossed and enrolled.

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**SB 702**  
**Communicable**  
**Disease Presumption**  
**by Sen. Robert**  
**Wexler (D-Boca**  
**Raton)**

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This bill establishes a presumption of compensability for firefighters, paramedics, emergency medical technicians, law enforcement officers, and correctional officers who contract AIDS, meningitis, hepatitis, and tuberculosis. The inclusion of the presumption in the law undermines the integrity of the workers' compensation and retirement systems and places employers and insurers in the impossible position of having to prove that an employee contracted one of the listed diseases as a result of a specific, nonwork-related exposure or event before they can deny a claim against either their workers' compensation or retirement plans.

The bill makes the workers' compensation system the "deep-pocket" for employees who contract one on the listed diseases, even though their likelihood of exposure to any of the diseases may be as great off the job as it is on the job.

AIF and local governments opposed the bill because its enactment would leave both the workers' compensation system and the Florida Retirement System saddled with the payment of medical and indemnity benefits to employees whose disability is not necessarily causally related to their employment.

A "nay" vote is a vote for the AIF position.

- Record 2a: On April 18, 1995, the Senate Committee on Governmental Reform & Oversight passed the bill by a vote of 8 yeas to 1 nay. An amendment by the bill's sponsor deleted AIDS from the list of covered diseases and further conformed the bill to its House companion. The amendment, however, did not represent a significant enough improvement in the bill for AIF to withdraw its opposition. A "nay" vote is a vote for the AIF position.

SB 702 was laid on the table on May 5, 1995, when CS/HB 67 was substituted for it on the Senate Floor; refer to CS/HB 67.

# Senate Average on Workers' Compensation Issues = 59%

	1a - Firefighters, EMT's - Injured on Duty	2a - Public Service Employees / Disability	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Bankhead</i>					
<i>Beard</i>	A		0	1	0
<i>Bronson</i>	A		0	1	0
<i>Brown-Waite</i>					
<i>Burt</i>	F	A	1	1	50
<i>Casas</i>	F	A	1	1	50
<i>Childers</i>	F		1	0	100
<i>Crist</i>	F		1	0	100
<i>Dantzler</i>	F		1	0	100
<i>Diaz-Balart</i>	F		1	0	100
<i>Dudley</i>	F	A	1	1	50
<i>Dyer</i>	F	A	1	1	50
<i>Forman</i>					
<i>Grant</i>	A		0	1	0
<i>Gutman</i>					
<i>Harden</i>	A	F	1	1	50
<i>Hargrett</i>	F		1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	2a - Public Service Employees / Disability	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Harris</i>	F		1	0	100
<i>Holzendorf</i>	F	A	1	1	50
<i>Horne</i>	F		1	0	100
<i>Jenne</i>	F		1	0	100
<i>Jennings</i>					
<i>Johnson</i>	F		1	0	100
<i>Jones</i>	F	A	1	1	50
<i>Kirkpatrick</i>	A		0	1	0
<i>Kurth</i>	F		1	0	100
<i>Latvala</i>	A		0	1	0
<i>McKay</i>	F		1	0	100
<i>Meadows</i>	F		1	0	100
<i>Myers</i>	A		0	1	0
<i>Ostalkiewicz</i>	A		0	1	0
<i>Rossin</i>	F		1	0	100
<i>Scott</i>	F		1	0	100
<i>Silver</i>	F		1	0	100
<i>Sullivan</i>	A		0	1	0
<i>Thomas</i>	F		1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	2a - Public Service Employees / Disability	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Turner	F		1	0	100
Weinstein	F	A	1	1	50
Wexler	F	A	1	1	50
Williams	A		0	1	0
<b>TOTAL</b>			<b>26</b>	<b>18</b>	<b>59</b>

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; *Republicans in italic*



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**THE FLORIDA HOUSE**  
**OF REPRESENTATIVES**  
**1995 REGULAR SESSION**  
**RANKING AND RECORD ON ISSUES**

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## House – By Rank – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	<i>Andrews</i>	12	0	100
1	<i>Arnold</i>	19	0	100
1	<i>Ascherl</i>	13	0	100
1	<i>Burroughs</i>	19	0	100
1	<i>Culp</i>	17	0	100
1	<i>Melvin</i>	29	0	100
1	<i>Minton</i>	19	0	100
1	<i>Pose</i>	15	0	100
1	<i>Upchurch</i>	12	0	100
10	<i>Wallace, Rob</i>	27	1	96
11	<i>Brooks</i>	19	1	95
11	<i>Harris</i>	21	1	95
11	<i>Livingston</i>	19	1	95
14	<i>Constantine</i>	15	1	94
14	<i>Fasano</i>	15	1	94
14	<i>Lynn</i>	17	1	94
17	<i>Ball</i>	13	1	93
17	<i>Barreiro</i>	14	1	93
17	<i>Bitner</i>	28	2	93
17	<i>Fuller</i>	13	1	93
17	<i>Horan</i>	13	1	93
17	<i>Sanderson</i>	27	2	93

## House – By Rank – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
23	<i>Bainter</i>	12	1	92
23	Boyd	12	1	92
23	Clemons	24	2	92
23	Hafner	24	2	92
23	<i>Littlefield</i>	12	1	92
23	Smith	12	1	92
23	Tobin	12	1	92
23	Turnbull	11	1	92
23	<i>Webster</i>	11	1	92
23	<i>Ziebarth</i>	11	1	92
33	Greene	10	1	91
33	<i>Johnson</i>	20	2	91
33	<i>King</i>	21	2	91
36	Brennan	9	1	90
36	<i>Thrasher</i>	18	2	90
38	<i>Albright</i>	8	1	89
38	<i>Arnall</i>	24	3	89
38	Mackey	25	3	89
38	Meek	16	2	89
38	Peaden	17	2	89
38	<i>Pruitt</i>	16	2	89
38	Saunders, Dean	16	2	89

## House – By Rank – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
38	<i>Starks</i>	17	2	89
38	Trammell	16	2	89
38	<i>Warner</i>	25	3	89
48	<i>Carlton</i>	14	2	88
48	<i>Lacasa</i>	14	2	88
48	<i>Laurent</i>	15	2	88
48	Mackenzie	15	2	88
48	Martinez	14	2	88
48	Ritchie	15	2	88
48	<i>Wise</i>	14	2	88
55	Bush	13	2	87
55	<i>Futch</i>	13	2	87
55	Logan	13	2	87
55	<i>Maygarden</i>	20	3	87
55	Sindler	13	2	87
60	Bullard	6	1	86
60	<i>Couch</i>	12	2	86
60	<i>Crow</i>	19	3	86
60	<i>Merchant</i>	25	4	86
60	Reddick	12	2	86
60	<i>Trovillion</i>	12	2	86
66	Betancourt	17	3	85

## House – By Rank – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
66	Bloom	11	2	85
66	<i>Morrone</i>	11	2	85
69	<i>Flanagan</i>	16	3	84
69	<i>Safley</i>	16	3	84
71	Cosgrove	19	4	83
71	<i>Crist</i>	10	2	83
71	Healey	15	3	83
71	Heyman	10	2	83
75	<i>Garcia</i>	18	4	82
75	Wallace, Peter	9	2	82
77	Davis	13	3	81
77	<i>Gay</i>	13	3	81
77	<i>Jones</i>	17	4	81
77	Kelly	22	5	81
77	Lawson	22	5	81
77	<i>Rodriguez-Chomat</i>	13	3	81
77	<i>Stabins</i>	17	4	81
77	Stafford	13	3	81
85	Eggelleton	20	5	80
85	Goode	16	4	80
85	<i>Morse</i>	12	3	80
85	Prewitt	12	3	80



RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
85	Rayson	12	3	80
90	Casey	11	3	79
90	Dennis	11	3	79
90	Feren	11	3	79
90	Klein	22	6	79
90	Peeples	22	6	79
90	Sembler	15	4	79
90	Tedder	15	4	79
90	Valdes	11	3	79
98	Edwards	18	5	78
98	Geller	18	5	78
98	Jacobs	14	4	78
98	Roberts-Burke	21	6	78
102	Wasserman Schultz	16	5	76
103	Frankel	15	5	75
103	Rojas	9	3	75
105	Chestnut	14	5	74
105	Dawson	17	6	74
107	Bradley	22	8	73
107	Crady	11	4	73
107	Diaz-de la Portilla	8	3	73
107	Villalobos	19	7	73

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
111	Lippman	18	7	72
112	*Bronson	5	2	71
112	Hill	12	5	71
112	<i>Saunders, Burt</i>	15	6	71
115	<i>Ogles</i>	16	7	70
116	Brown	17	8	68
117	Miller	12	6	67
118	<i>Sublette</i>	13	7	65
119	Graber	15	10	60
120	Spivey	12	9	57
TOTAL		1863	339	85

\* Rep. Bronson was unable to participate on a number of key votes due to illness.

Democrats in roman; *Republicans in italic*

## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
38	<i>Albright</i>	8	1	89
1	<i>Andrews</i>	12	0	100
38	<i>Arnall</i>	24	3	89
1	Arnold	19	0	100
1	Ascherl	13	0	100
23	<i>Bainter</i>	12	1	92
17	<i>Ball</i>	13	1	93
17	<i>Barreiro</i>	14	1	93
66	Betancourt	17	3	85
17	<i>Bitner</i>	28	2	93
66	Bloom	11	2	85
23	Boyd	12	1	92
107	Bradley	22	8	73
36	Brennan	9	1	90
112	*Bronson	5	2	71
11	<i>Brooks</i>	19	1	95
116	Brown	17	8	68
60	Bullard	6	1	86
1	<i>Burroughs</i>	19	0	100
55	Bush	13	2	87
48	<i>Carlton</i>	14	2	88
90	<i>Casey</i>	11	3	79

## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
105	Chestnut	14	5	74
23	Clemons	24	2	92
14	<i>Constantine</i>	15	1	94
71	Cosgrove	19	4	83
60	<i>Couch</i>	12	2	86
107	Crady	11	4	73
71	<i>Crist</i>	10	2	83
60	<i>Crow</i>	19	3	86
1	<i>Culp</i>	17	0	100
77	Davis	13	3	81
105	Dawson	17	6	74
90	Dennis	11	3	79
107	<i>Diaz-de la Portilla</i>	8	3	73
98	Edwards	18	5	78
85	Eggelletion	20	5	80
14	<i>Fasano</i>	15	1	94
90	Feren	11	3	79
69	<i>Flanagan</i>	16	3	84
103	Frankel	15	5	75
17	<i>Fuller</i>	13	1	93
55	<i>Futch</i>	13	2	87
75	<i>Garcia</i>	18	4	82

## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
77	Gay	13	3	81
98	Geller	18	5	78
85	Goode	16	4	80
119	Graber	15	10	60
33	Greene	10	1	91
23	Hafner	24	2	92
11	Harris	21	1	95
71	Healey	15	3	83
71	Heyman	10	2	83
112	Hill	12	5	71
17	Horan	13	1	93
98	Jacobs	14	4	78
33	Johnson	20	2	91
77	Jones	17	4	81
77	Kelly	22	5	81
33	King	21	2	91
90	Klein	22	6	79
48	Lacasa	14	2	88
48	Laurent	15	2	88
77	Lawson	22	5	81
111	Lippman	18	7	72
23	Littlefield	12	1	92

## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
11	<i>Livingston</i>	19	1	95
55	<i>Logan</i>	13	2	87
14	<i>Lynn</i>	17	1	94
48	<i>Mackenzie</i>	15	2	88
38	<i>Mackey</i>	25	3	89
48	<i>Martinez</i>	14	2	88
55	<i>Maygarden</i>	20	3	87
38	<i>Meek</i>	16	2	89
1	<i>Melvin</i>	29	0	100
60	<i>Merchant</i>	25	4	86
117	<i>Miller</i>	12	6	67
1	<i>Minton</i>	19	0	100
66	<i>Morrone</i>	11	2	85
85	<i>Morse</i>	12	3	80
115	<i>Ogles</i>	16	7	70
38	<i>Peaden</i>	17	2	89
90	<i>Peeples</i>	22	6	79
1	<i>Posey</i>	15	0	100
85	<i>Prewitt</i>	12	3	80
38	<i>Pruitt</i>	16	2	89
85	<i>Rayson</i>	12	3	80
60	<i>Reddick</i>	12	2	86



## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
48	Ritchie	15	2	88
98	Roberts-Burke	21	6	78
77	Rodriguez-Chomat	13	3	81
103	Rojas	9	3	75
69	Safley	16	3	84
17	Sanderson	27	2	93
112	Saunders, Burt	15	6	71
38	Saunders, Dean	16	2	89
90	Sembler	15	4	79
55	Sindler	13	2	87
23	Smith	12	1	92
120	Spivey	12	9	57
77	Stabins	17	4	81
77	Stafford	13	3	81
38	Starks	17	2	89
118	Sublette	13	7	65
90	Tedder	15	4	79
36	Thrasher	18	2	90
23	Tobin	12	1	92
38	Trammell	16	2	89
60	Trovillion	12	2	86
23	Turnbull	11	1	92

## House – By Alphabetical – 1995

RANK	REPRESENTATIVE	Total # Votes FOR Position of AIF	Total # Votes AGAINST Position of AIF	% of Votes with AIF
1	Upchurch	12	0	100
90	<i>Valdes</i>	11	3	79
107	<i>Villalobos</i>	19	7	73
75	Wallace, Peter	9	2	82
10	<i>Wallace, Rob</i>	27	1	96
38	<i>Warner</i>	25	3	89
102	Wasserman-Schultz	16	5	76
23	<i>Webster</i>	11	1	92
48	<i>Wise</i>	14	2	88
23	<i>Ziebarth</i>	11	1	92
TOTAL		1863	339	85

\* Rep. Bronson was unable to participate on a number of key votes due to illness.

Democrats in roman; *Republicans in italic*

**THE FLORIDA HOUSE**

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**E N V I R O N M E N T A L**

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## ENVIRONMENTAL

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**SB 152 Florida Jobs  
Siting Act by Sen.  
Locke Burt (R-  
Ormond Beach)**

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In 1992, the Florida Legislature passed the Florida Jobs Siting Act which provides for a streamlined environmental permitting process for high wage employers. The bill was intended to expedite permit grants for desirable employers. However, as written, the Florida Jobs Siting Act is too complicated and the thresholds for its use are too high for any employers to take advantage of its provisions. For example, the Florida Jobs Siting Act only allows employers with 500 or more employees to take advantage of its provisions. As a result, not a single employer has attempted to obtain and expedited permit through the Florida Jobs Siting Act.

This bill amends the act to make it applicable to a wider variety of industries and to lower the thresholds for eligibility.

Associated Industries supports this bill because it makes the Jobs Siting Act available to a wider range of employers. A "yea" vote is a vote for the AIF position.

On February 7, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 8, 1995, the Senate Community Affairs Committee passed the bill by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 2, 1995, the Senate passed the amended bill by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

■ Record 1a: On May 6, 1995, the House took up the Senate companion bill, SB 152 and passed the amended bill by a vote of 114 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

SB 152 was ordered enrolled.

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**CS/HB 207 Florida  
Jobs Siting Act by  
Rep. Evelyn Lynn (R-  
Ormond Beach)**

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In 1992, the Florida Legislature passed the Florida Jobs Siting Act. It provides a streamlined environmental permitting process for high wage employers. The bill was intended to expedite permitting for desirable employers. However, as written, the Florida Jobs Siting Act is too complicated and the thresholds for its use are too high for employers to take advantage of its provisions. For example, the Florida Jobs Siting Act only applies to employers with 500 or more employees. As a result, not a single employer has attempted to obtain an expedited permit through the Florida Jobs Siting Act.

This bill amends the act to make it applicable to a wider variety of industries and to lower the thresholds for eligibility.

Associated Industries supports this bill. It makes the Jobs Siting Act available to a wider range of employers. A "yea" vote is a vote for the AIF position.

- Record 2a: On March 14, 1995, the House International Trade & Economic Development Subcommittee of the House Commerce Committee passed the bill by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On March 16, 1995, the House Commerce Committee passed the bill as amended by a vote of 19 yeas to 5 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On April 10, 1995, the House General Government Subcommittee of the House Finance & Taxation Committee passed the bill as amended by a vote of 14 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 2d: On April 11, 1995, the House Finance & Taxation Committee passed the bill as a committee substitute by a vote of 30 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2e: On May 2, 1995, the House Appropriations Committee passed the bill as amended by a vote of 25 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

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**CS/HB 399 Risk  
Analysis Legislation  
by Rep. Josephus  
Eggelletion (D-  
Lauderdale Lakes)**

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As more and more economic resources are devoted to environmental protection, regulation and enforcement, it has become apparent that these economic resources, both public and private, are not unlimited and that choices must necessarily be made to prioritize the use of our economic resources in the environmental arena.

One such prioritization is a utilization of the risk analysis requirement for state agencies prior to the adoption of proposed rules. A "risk analysis" may include a best estimate of the risk to health and safety of the individual person addressed by the rule and the effect of the risk on human health and environment.

The bill creates a risk based priority council made up of eight members which shall submit a report by October 1, 1996 to the Governor, the Legislature, and to agencies recommending guidelines for agencies to use in conducting risk analysis.

The bill amends the APA rulemaking section to provide that effective October 1, 1995, the DEP shall prepare risk impact statements for rules proposed for ERC approval. Further, as of October 1, 1996, the Department of Agriculture and Consumer Services shall prepare risk analysis for proposed rules that establish standards or criteria based on impact to or effects upon human health. The

bill specifically provides that no new cause of action for challenging a rule is created.

This legislation represents an important acknowledgment by the Florida Legislature that economic resources for environmental protection are not unlimited and must be prioritized to make the best use of our resources.

A "yea" vote is a vote for the AIF position.

- Record 3a: On March 22, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the bill as amended by a vote of 8 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 3b: On March 30, 1995, the House Natural Resources Committee passed the bill as a committee substitute by a vote of 17 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3c: On April 21, 1995, the House Appropriations Committee passed the amended bill by a vote of 31 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3d: On April 27, 1995, the House passed the amended bill by a vote of 112 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 399 died in messages to the Senate, however the risk analysis bill was amended onto CS/HB 855 on the Senate Floor and CS/HB 855 passed both the House and Senate.

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**HB 707**  
**Environmental Self**  
**Audit Privilege by**  
**Rep. Kelley Smith**  
**(D-Palatka)**

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Environmental audits have become important tools used by landowners and regulators to identify contaminated sites so that remediation plans can be tailored to a particular parcel. Landowners rely on these audits to determine the source and site of contamination and to approximate the cost of clean-up. Unfortunately, as a potential for liability has increased, they have become reluctant to undertake audits themselves for fear of being subject to fines and lawsuits associated with the possible contamination of their property when the results of audits are made public. Thus, the current environmental regulatory scheme actually has the effect of discouraging site clean-up because landowners fear the liability that may be attached when they are identified as owners of a contaminated parcel, even though they are in good faith attempting to determine whether contamination is present so that it may be cleaned up.

The privilege of self-analysis is recognized in other areas of the law, such as medical malpractice.

In extending the privilege to environmental self audits, the Legislature would



recognize the public policy importance of allowing individuals or businesses to candidly assess compliance with regulatory and legal requirements without creating evidence that may be used against them in future litigation. The privilege would provide an incentive and a mechanism to gain better compliance with current environmental regulations, but would not allow regulated entities to avoid reporting and clean-up responsibilities as required by law.

The Attorney General teamed up with environmental groups and the trial bar to ensure that environmental self audit, one of the best ideas for environmental reform in Florida, made it out of only one subcommittee before being deemed dead.

A "yea" vote is a vote for the AIF position.

- Record 4a: On March 29, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the bill as amended by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

HB 707 died in the House Natural Resources Committee.

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**HB 709**  
**Environmental Self**  
**Audit Privilege by**  
**Rep. Kelley Smith**  
**(D-Palatka)**

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Environmental audits have become important tools used by landowners and regulators to identify contaminated sites so that remediation plans can be tailored to a particular parcel. Landowners rely on these audits to determine the source and site of contamination and to approximate the cost of clean-up. Unfortunately, as a potential for liability has increased, they have become reluctant to undertake audits themselves for fear of being subject to fines and lawsuits associated with the possible contamination of their property when the results of audits are made public. Thus, the current environmental regulatory scheme actually has the effect of discouraging site clean-up because landowners fear the liability that may be attached when they are identified as owners of a contaminated parcel, even though they are in good faith attempting to determine whether contamination is present so that it may be cleaned up.

The privilege of self-analysis is recognized in other areas of the law, such as medical malpractice.

In extending the privilege to environmental self audits, the Legislature would recognize the public policy importance of allowing individuals or businesses to candidly assess compliance with regulatory and legal requirements without creating evidence that may be used against them in future litigation. The privilege would provide an incentive and a mechanism to gain better compliance with current environmental regulations, but would not allow regulated entities to avoid reporting and clean-up responsibilities as required by law.

The Attorney General teamed up with environmental groups and the trial

bar to ensure that environmental self audit, one of the best ideas for environmental reform in Florida, made it out of only one subcommittee before being deemed dead.

A "yea" vote is a vote for the AIF position.

- Record 5a: On March 29, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the bill by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.
- Record 5b: On April 27, 1995, the House Appropriations Committee passed the bill as amended by a vote of 28 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

HB 709 died on the House Calendar.

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**CS/HB 855**  
**Legislative Review of**  
**the ERC by Rep.**  
**Josephus Eggelletion**  
**(D-Lauderdale**  
**Lakes)**

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The Environmental Regulatory Commission (ERC) is created as part of the Department of Environmental Protection (DEP) pursuant to section 20.255 F.S. and is to be composed of seven citizens of the state appointed by the Governor, subject to Senate confirmation. Membership shall be representative of, but not limited to, interested groups including agriculture, real estate, environmentalists, the construction industry and lay citizens.

Pursuant to section 403.804 F.S., the ERC exercises the exclusive standard setting authority of the Department except in limited areas.

The ERC was originated to be a standard setting commission and a "check" on the agency. Historically, the ERC has made findings based on scientific data and information.

The ERC has in recent years gone beyond its role as a check on the agency and as the standard setting mechanism and has set its own policy, becoming a voice for environmental extremists. The ERC proceeded beyond standard setting into the environmental advocacy arena, even to the point of lobbying the Legislature on positions contrary to that of the DEP Secretary.

As the ERC has moved further away from its stated statutory mission into policy adoption, the Legislature has addressed the membership and purpose of the ERC.

CS/HB 855 and CS/SB 1028 include requirements that members of the ERC shall be representative of the development industry, local government, the environmental community, industry, lay citizens and members of the scientific and technical community. The bill provides that some members should have substantial expertise in the areas of fate and transport of water, pollutants, toxicology, epidemiology, geology, biology, environmental sciences or engineering.

The bill provides that the ERC is prohibited from establishing DEP policies, priorities, plans or directives and vests rulemaking responsibility with the Secretary of the DEP.

A "yea" vote is a vote for the AIF position.

- Record 6a: On March 27, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the bill as amended by a vote of 9 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 6b: On March 30, 1995, the House Natural Resources Committee passed the bill as a committee substitute by a vote of 20 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6c: On April 27, 1995, the House passed the amended bill by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 5, 1995, the Senate withdrew the bill from all substantive committees and substituted CS/HB 855 for CS/SB 1028 and passed the bill by a vote of 33 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

Risk Analysis, CS/HB 399 & CS/SB 740, were amended onto CS/HB 855.

- Record 6d: On May 6, 1995, the House concurred in the Senate amendment and passed the bill as amended by a vote of 114 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 855 was ordered engrossed and enrolled.

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**CS/HB 863 The Real  
Property Condition  
Disclosure by Rep.  
Dean Saunders (D-  
Lakeland)**

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CS/HB 863 The Real Property Condition Disclosure by Rep. Dean Saunders (D-Lakeland)

CS/HB 863 created the Real Property Condition Disclosure Act which provided for required written statements from a property owner to a prospective buyer regarding the condition of the property. AIF originally had no position on this bill. However, the bill was used as a vehicle to become the Bert J. Harris, Jr. Private Property Rights Protection Act. No provisions of the Real Property Condition Disclosure Act remain on the bill and CS/HB 863 now consists of the Bert J. Harris, Jr. Private Property Rights Protection Act and the Florida Land Use and Environmental Dispute Resolution Act, formerly HB 1335 by Rep. Dean Saunders.

The Bert J. Harris, Jr. Private Property Rights Protection Act provides a cause of action for relief or compensation when a new law, rule or regulation, as applied, unfairly effects real property in a manner which may not rise to the level of a taking under the State Constitution or the United States Constitution. The bill provides a procedure for a claim against the governmental entity, including a determination by the Circuit Court as to whether the real property has been un-

fairly burdened by the governmental entity. The amount of compensation to be awarded is determined by a jury. Prevailing party attorney's fees may be awarded by the judge.

The law does not apply to laws, rules or regulations adopted on or before the date of adjournment *sine die* of the 1995 Legislative Session.

The Florida Land Use and Environmental Dispute Resolution Act, HB 1335 by Rep. Dean Saunders, was amended onto CS/HB 863 to create a private property rights legislative train.

The bill now incorporates the procedures established by the Governor's Private Property Rights Study Commission II, and includes an informal, nonjudicial procedure in which a property owner may seek review of a development order which is unreasonable or which unfairly burdens the use of real property. The bill emphasizes a mediation-like proceeding using a special master as a facilitator in an effort to reach a mutually acceptable solution between the parties through an adjustment of the project, an adjustment of the regulation, or of both.

A "yea" vote is a vote for the AIF position.

- Record 7a: On March 20, 1995, the House Real Property & Family Law Subcommittee of the House Judiciary Committee passed the bill as a proposed committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 7b: On March 22, 1995, the House Judiciary Committee passed the bill as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 7c: On May 2, 1995, the House amended the bill to include the Florida Land Use and Environmental Dispute Resolution Act and passed the bill by a vote of 111 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 3, 1995, the Senate substituted CS/HB 863 for CS/SB 1326 and passed the bill by a vote of 38 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

CS/HB 863 was ordered enrolled.

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**CS/HB 881**  
**Transportation/Motor**  
**Carrier Compliance by**  
**Rep. Kelley Smith (D-**  
**Palatka)**

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CS/HB 881 was the House Transportation package by Rep. Kelley Smith. AIF originally had no position on CS/HB 881. However, in subcommittee, an amendment was presented giving the DOT the statutory authority to suspend its rules, the provisions of the Administrative Procedure Act, and other laws to allow the DOT to make decisions and see results based on the "fair, just or practical" common sense judgments of its employees.

The proposed amendment to CS/HB 881 would have given the DOT the authority to suspend all applicable rules and laws which interfered with the use of the Department's judgment. Further, the amendment attempted to discourage formal administrative hearings by providing that prevailing party attorney's fees would be awarded for administrative hearings. Under the criteria set forth in the proposal, no legislative standards would exist to determine if an agency employee abused their discretion. Attorney's fees therefore would never be awarded against the agency because a private litigant would never prevail under that standard. Alternative dispute resolution proceedings were mandatory and provided under the proposal.

The amendment also allowed for DOT to employ outside legal counsel for any proceedings and exempted the procurement of legal services from the review under the state procurement of services provision.

It is AIF's position that the proposed DOT amendment is an abrogation of legislative authority over the policies and actions of the Department of Transportation. The proposal would empower the executive branch with virtually unbridled authority over the Department of Transportation with the Legislature retaining only greatly diminished authority over the agency. The suspension was drafted for three years during which time, if the Legislature attempted to rein in the broad authority delegated to the DOT, the Legislature's actions would be subject to the Governor's veto.

As the legislative proposal effectively negates revisions made to the Administrative Procedure Act by Representatives Ken Pruitt (R-Port St. Lucie) and Irlo Bronson (D-Kissimmee), and Sen. Charles Williams (D-Live Oak) which are widely supported by business interests and strips the JAPC of its oversight role as to DOT rules and regulations, AIF opposes the rule suspension amendment to CS/HB 881.

A "nay" vote on the amendment is a vote for the AIF position.

The substantially modified version of the DOT rules suspension amendment was incorporated into CS/CS/SB 536 and at that time was not opposed by AIF. See CS/CS/SB 536 for the DOT rules suspension provisions.

- Record 8a: On March 14, 1995, the House Road Construction & Highway Safety Subcommittee of the House Transportation Committee passed the bill as amended, including the DOT rules suspension provision, by a vote of 5 yeas to 2 nays. A "nay" vote is a vote for the AIF position.
- Record 8b: On March 15, 1995, the House Transportation Committee passed the bill, including the DOT rules suspension provision, as a committee substitute by a vote of 13 yeas to 1 nay. A "nay" vote is a vote for the AIF position.
- Record 8c: On April 25, 1995, the rules suspension amendment was re-

moved from CS/HB 881 in the House Appropriations Committee by a vote of 32 yeas to 0 nays. A "yea" vote for the amended bill removing the DOT suspension from CS/HB 881 is a vote for the AIF position.

CS/HB 881 died on the House Calendar. CS/SB 510, the Senate version of the transportation package, passed both the House and the Senate. AIF has no position on CS/SB 510.

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**HB 1335**  
**Environmental and**  
**Land Use Dispute by**  
**Rep. Dean Saunders**  
**(D-Lakeland)**

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Rep. Dean Saunders addressed the private property rights issue in HB 1335 creating the Florida Land Use and Environmental Dispute Resolution Act which conceptionally incorporates the procedures established by the Governor's Property Rights Study Commission II. The bill establishes an informal, nonjudicial procedure in which a property owner may seek review of a development order which is unreasonable or which unfairly burdens the use of real property. The bill emphasizes a mediation like proceeding using a special master as facilitator in an effort to reach a mutually acceptable solution between parties through an adjustment of the project, an adjustment of the regulation, or adjustment of both.

A "yea" vote is a vote for the AIF position.

- Record 9a: On March 29, 1995, the House Real Property & Family Law Subcommittee of the House Judiciary Committee passed the bill as a proposed committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

HB 1335 died in the House Judiciary Committee, but was ultimately amended onto CS/HB 863, the Bert J. Harris, Jr. Private Property Rights Protection Act which passed both the House and the Senate.

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**HB 1871**  
**Environmental**  
**Resource Permitting**  
**by Rep. Joe Arnall**  
**(R-Jacksonville)**

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In 1993, the Florida Legislature passed the DEP merger bill and streamlining legislation. This legislation created the Environmental Resource Permit, a single permit process designed to streamline environmental permitting. Pursuant to this streamlining legislation, the DEP and water management districts promulgated proposed rules to implement the environmental resource permit process. The proposed rules, as drafted, were challenged as exceeding the authority delegated to the agency by the Legislature and creating duplicative and excessive regulations instead of streamlining regulations. The rule challenge alleged that the rules were invalid delegations of legislative authority and outside the scope of the statutory authority granted to the DEP and water management districts.

HB 1871 addressed issues regarding legislative intent in implementing streamlining legislation and resolved the issues raised in the rule challenge proceedings.



The issues addressed in HB 1871 were addressed ultimately in an agreement with the DEP and resulted in the dismissal of the rule challenge proceedings. After settlement of the rule challenge proceedings, HB 1871 was no longer pursued.

A "yea" vote is a vote for the AIF position.

- Record 10a: On March 29, 1995, the House Environmental Protection Subcommittee of the House Natural Resources Committee passed the bill by a vote of 6 yeas to 3 nays. A "yea" vote is a vote for the AIF position. HB 1871 died in the House Natural Resources Committee.

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**CS/HB 2029  
Administrative  
Procedures by Rep.  
Lori Edwards (D-  
Auburndale)**

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CS/HB 2029 contained the essence of the AIF Administrative Procedure Act reform measures which would include a requirement that, upon petition being filed which states objections to a proposed or adopted rule, agencies shall have the burden to prove by competent substantial evidence that the rule is a valid exercise of delegated legislative authority. Currently, a challenger must prove that the agency did not have authority to promulgate the rule. This has been exceedingly difficult to do and results in petitioners rarely winning a challenge to agency overreaching. Under this bill, if the agency fails to prove the validity of the rule, the hearing officer shall declare the rule invalid and a judgement for attorney's fees and costs shall be awarded against the agency for costs and reasonable attorney's fees unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust.

The substance of this bill ultimately passed the Legislature as a part of CS/CS/SB 536 by Sen. Charles Williams (D-Live Oak).

A "yea" vote is a vote for the AIF position.

- Record 11a: On March 28, 1995, the House Select Committee on Streamlining Governmental Regulations passed the bill as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 2029 died while pending review of the committee substitute under Rule 8.4.

## House Average on Environmental Issues = 96%

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans./Motor Carrier Compliance	8b - Trans./Motor Carrier Compliance	8c - Trans./Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF		
Albright	F					F										F	F			F								5	0	100	
Andrews	F									F						F	F			F									5	0	100
Arnall	F		F	F						F						F	F			F									8	0	100
Arnold	F								F	F			F			F			F		F			F					8	0	100
Ascherl	F																F			F									3	0	100
Bainter	F									F						F	F			F									5	0	100
Ball	F									F						F	F			F									5	0	100
Barreiro	F				F					F						F	F			F									6	0	100
Betancourt	F		F		F					F						F	F			F									7	0	100
Bitner	F		F							F						F	F	F	F	F									11	0	100
Bloom	F									F						F	F			F									5	1	83

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Boyd	F															F	F				F							4	0	100
Bradley	F	F	A	F	F					F						F	F				F							8	1	89
Brennan	F							F		F					F		F											5	0	100
*Bronson																						A	A				F	1	2	33
Brooks	F			F	F					F						F	F				F							7	0	100
Brown.	F	F	A			A				F			F			F	F				F			F				9	2	82
Bullard										F						F												2	0	100
Burrough's	F						F	F		F	F	F			F	F	F				F				F			12	0	100
Bush	F				F					F						F	F											5	0	100
Carlton	F									F						F	F				F	A	A					5	2	71
Casey	F									F						F	F				F							5	0	100
Chestnut	F					A				F			F			F	F				F							8	1	89
Clemons	F		F	F	F					F						F	F				F							8	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./Risk-Based	3b - Human Health & Env./Risk-Based	3c - Human Health & Env./Risk-Based	3d - Human Health & Env./Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL. Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Constantine	F					F			F				F			F	F				F		F					8	0	100
Cosgrove	F			F	F					F						F	F		F									8	0	100
Couch	F									F						F	F				F							5	0	100
Crady	F									F						F	F				F	A						5	1	83
Crist	F									F						F	F				F							5	0	100
Crow	F							F		F	F	F		F	F	F	F		F		F				F			12	0	100
Culp	F			F	F					F						F	F				F							7	0	100
Davis	F					A			F				F			F	F				F			F				8	1	89
Dawson	F				F					F						F	F				F							6	0	100
Dennis	F									F						F	F				F							5	0	100
Diaz-de la Portilla	F									F						F	F				F							5	0	100
Edwards	F					F			F	F			F			F	F				F			F			F	10	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL. Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelton	F					F	F	F	F	F	F	F	F	F	F	F	F	F			F			F	A		15	1	94
Fasano	F				F					F						F	F				F						6	0	100
Feren										F						F			F		F						4	0	100
Flanagan	F			F	F					F						F	F				F	A					7	1	88
Frankel	F				F					F						F	F				F			F			7	0	100
Fuller	F									F						F	F				F	A					5	1	83
Fulch	F			F	F					F						F	F				F						7	0	100
Garcia	F					F				F		F				F	F				F		F				8	0	100
Gay	F									F						F	F				F						5	0	100
Geller	F				F					F						F			F		F						6	0	100
Goode	F		F							F						F	F				F						6	0	100
Graber	F					F							F			F	F				F						7	0	100
Greene										F						F	F				F						4	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./Risk-Based	3b - Human Health & Env./Risk-Based	3c - Human Health & Env./Risk-Based	3d - Human Health & Env./Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Hafner	F					F	F	F	F	F	F	F	F	F	F	F	F				F			F			16	0	100
Harris	F						F	F	F	F	F	F		F	F	F	F				F			F			13	0	100
Healey	F					F	F		F	F		F	F			F	F				F	A					9	1	90
Heyman	F									F						F	F				F						5	0	100
Hill	F				F					F						F	F				F						6	0	100
Horan	F					F		F		F					F	F	F				F						7	0	100
Jacobs	F			A	F					F						F	F				F						6	1	86
Johnson	F	F								F						F	F				F						6	0	100
Jones	F					F			F	F			F			F	F				F			F			9	0	100
Kelly			F	F	F			F		F					F	F					F						8	0	100
King	F					F	F		F	F	F	F	F	F	F	F	F				F			F			15	0	100
Klein	F	F	F		F					F						F	F				F						8	0	100
Lacasa	F				F					F						F	F				F						6	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Laurent	F				F			F		F					F	F	F	F			F							8	0	100
Lawson	F	F	F			F			F	F		F			F	F	F	F			F							10	0	100
Lippman	F		F		F			F		F					F	F	F	F			F							9	0	100
Littlefield	F									F						F	F	F			F							5	0	100
Livingston	F		F							F						F	F	F										5	0	100
Logan	F				F					F						F	F											5	0	100
Lynn	F			F	F					F						F	F	F			F							7	0	100
Mackenzie	F								F	F		F				F	F	F			F			F				8	0	100
Mackey	F		F			F			F	F		F				F	F	F			F	F	F	F				12	0	100
Martinez	F					F			F	F		F				F	F	F			F			F				9	0	100
Maygarden	F									F						F	F	F			F							6	0	100
Meek	F															F	F	F	F	F	F							8	0	100
Melvin	F	F	F							F						F	F	F	F	F	F							9	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./Risk-Based	3b - Human Health & Env./Risk-Based	3c - Human Health & Env./Risk-Based	3d - Human Health & Env./Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Merchant	F		F			F			F	F		F				F	F				F	A	A	F				10	2	83
Miller		F	A						F	F						F	F											4	1	80
Minton	F			F	F					F						F	F				F						F	8	0	100
Morrone	F									F						F	F				F							5	0	100
Morse	F					F						F				F	F				F		F					7	0	100
Ogles	F		F							F						F	F				F							6	0	100
Peaden	F				F		F	F		F				F	F	F	F				F							10	0	100
Peeples	F		A			F			F	F		F				F	F				F		F					9	1	90
Posey	F									F						F	F				F	F			F			7	0	100
Prewitt	F									F						F	F				F							5	0	100
Pruitt	F					F			F	F			F			F	F				F					F		10	0	100
Rayson	F				F					F						F	F				F							6	0	100
Reddick	F					F			F	F						F	F				F							8	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Ritchie	F							F	F	F			F			F	F			F			F				8	0	100	
Roberts-Burke	F		A			A			F	F			F			F	F	F	F				F	F				10	2	83
Rodriguez-Chomat	F				F					F						F	F			F								6	0	100
Rojas	F					F				F						F	F					A						5	1	83
Safley	F		F					F							F		F				F							6	0	100
Sanderson	F	F	F			F			F	F		F	F			F	F	F	F	F	F		F	F	F			14	0	100
Saunders, Burt	F						F	F		F	A	A		F	F	F	F			F					A			9	3	75
Saunders, Dean	F					F		F	F	F			F		F	F	F			F			F					11	0	100
Sembler	F					F		F	F	F			F		F	F	F			F			F					11	0	100
Sindler	F					F			F	F						F	F			F								8	0	100
Smith	F									F						F	F	F	F	F	F							5	1	83

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./ Risk-Based	3b - Human Health & Env./ Risk-Based	3c - Human Health & Env./ Risk-Based	3d - Human Health & Env./ Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF	
Spivey	F						A	F		F	A	A		A	F	F	F	F			F				A			7	5	58
Stabins	F									F						F	F	F	F		F							8	0	100
Stafford	F									F						F	F	F	F		F							8	0	100
Starks	F			F	F					F						F	F	F								F		8	0	100
Sublette	F								F	F						F	F		F				A	F				8	1	89
Tedder	F			F						F						F	F					A	A					6	2	75
Thrasher	F									F						F	F	F	F									6	0	100
Tobin	F									F						F	F	F										5	0	100
Trammell	F								F	F			F		F	F	F	F	F					F				10	0	100
Trovillion	F									F						F	F				A	A						5	2	71
Turnbull	F									F						F	F	F			F							5	0	100
Upchurch	F									F						F	F	F			F							5	0	100
Valdes	F								F	F						F	F	F	F		F							6	0	100

F - Vote for position of AIF; A - Vote against position of AIF

TOTAL																										869	37	96	
	1a - Florida Jobs Siting Act	2a - Florida Jobs Siting Act	2b - Florida Jobs Siting Act	2c - Florida Jobs Siting Act	2d - Florida Jobs Siting Act	2e - Florida Jobs Siting Act	3a - Human Health & Env./Risk-Based	3b - Human Health & Env./Risk-Based	3c - Human Health & Env./Risk-Based	3d - Human Health & Env./Risk-Based	4a - Environmental Auditing Reports	5a - Public Records / Env. Auditing	5b - Public Records / Env. Auditing	6a - Members / Env. Reg. Commission	6b - Members / Env. Reg. Commission	6c - Members / Env. Reg. Commission	6d - Members / Env. Reg. Commission	7a - Real Prop. Cond. Disclosure Act	7b - Real Prop. Cond. Disclosure Act	7c - Real Prop. Cond. Disclosure Act	8a - Trans. /Motor Carrier Compliance	8b - Trans. /Motor Carrier Compliance	8c - Trans. /Motor Carrier Compliance	9a - FL Land Use & Env. Dispute Res.	10a - Env. Resource Permitting	11a - Admin. Proc. / Agencies Rules	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Villalobos	F					F		F	F	F		F			F	F	F			F			F				9	0	100
Wallace, Peter	F									F						F	F			F							5	0	100
Wallace, Rob	F		F				F	F	F	F		F			F	F	F			F					F		13	0	100
Warner	F		F							F					F	F	F	F			F			F			9	0	100
Wasserman-Schultz	F			F	F					F						F	F				F						5	0	100
Webster	F									F						F	F				F						5	0	100
Wise	F									F						F	F				F		F				8	0	100
Ziebarth	F															F	F				F						5	0	100

\* Rep. Bronson was unable to participate on a number of key votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF      Democrats in roman; Republicans in italic

**THE FLORIDA HOUSE**

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**HEALTH CARE**

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## HEALTH CARE

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**PCB HC-95-13**  
**Health Care Provider**  
**Anti-Trust Guidance**  
**by House Health**  
**Care Committee**

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This proposed committee bill creates a process for health care providers who are creating networks to request a review of their proposed activity by the Attorney General's Office and the Agency for Health Care Administration. Upon review of a proposal, the anti-trust section of the Attorney General's Office will either issue an anti-trust no action letter which states the enforcement intention of the office, or decline to issue any type of letter or take other appropriate action. The Agency for Health Care Administration is required to collect, coordinate and analyze all necessary data.

This bill was recommended by the Anti-Trust Work Group which was convened by the Agency for Health Care Administration after the 1993 Legislative Session. That Work Group recommended expedited review and increased protections for health care providers who wish to join together in groups. The intended effect is to reduce provider uncertainty and then provide efficient health care delivery. PCB HC-95-13 does not provide exemptions from anti-trust laws or enforcement. Rather, it provides direction and information about anti-trust matters. AIF supports this bill. It will allow health care providers to get a faster answer when asking government for direction on anti-trust matters. In addition, the no-action letter should provide enhanced protection when operating in safe harbors provided under current anti-trust laws.

A "yea" vote is a vote for the AIF position.

- Record 1a: On March 9, 1995, the House Oversight & Investigations Subcommittee of the House Health Care Committee passed the amended bill by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position. PCB HC-95-13 was never filed as a bill.

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**CS/HB 181 Florida**  
**Health Insurance**  
**Portability Act by**  
**Rep. Stan Bainter (R-**  
**Eustis)**

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This bill creates a State COBRA Law.

Reforms in Florida's health care system in 1992 and 1993 were geared to provide access to health insurance for many who have been without access. This bill continues that effort by providing a method for former employees and their dependents to purchase insurance after leaving their employment.

The bill allows Florida employees who work for companies with less than 20 employees to elect continued coverage under the employer provided group health plan in the event of termination of coverage. The bill establishes the Florida Health Insurance Portability Act, requiring group health plans issued in the state



to allow each qualified beneficiary, who would lose coverage under the group plan because of specified events, to elect to continue coverage under the group policy at 110% of the group rate.

The continuation of coverage provision benefits employees and dependents of small companies with fewer than 20 employees because without this legislation they would lose their health coverage or would be unable to obtain affordable coverage after termination of their employment.

A "yea" vote is a vote for the AIF position.

- Record 2a: On March 22, 1995, the House Health & Life Insurance Subcommittee of the House Insurance Committee passed the amended bill by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 2b: On April 5, 1995, the House Insurance Committee passed the bill as a committee substitute by a vote of 16 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
  - Record 2c: On April 28, 1995, the House passed the bill as amended by a vote of 115 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- CS/HB 181 died in the Senate Ways and Means Committee.

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**SB 588 Reviser's  
Bill/Conform Judicial  
Decisions by Sen.  
Toni Jennings (R-  
Orlando)**

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This bill repeals s. 287.088, F.S. (the state contractor health insurance mandate) to conform to a judicial decision preempting this provision. Section 287.088, F.S., mandated that any employer who obtains a state contract must purchase health care insurance for all of its employees and all the employees of the subcontractors who work on the state contract. AIF opposes this provision because it is a mandate that employers purchase health care insurance.

In 1994, a Federal district court held that this section was preempted by the federal ERISA law.

This bill repeals this preempted section of law and removes it from the Florida Statutes.

A "yea" vote is a vote for the AIF position.

On February 21, 1995, the Senate Rules & Calendar Committee passed the bill by a vote of 17 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 29, 1995, the Senate passed the bill by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 17, 1995, the House substituted SB 588 for HB 2657 and passed SB 588 by a vote of 107 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 26, 1995, SB 588 became law without the Governor's signature and became Chapter Law 95-140.

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**CS/HB 723 Health  
Care Providers/  
Prohibiting Action by  
Rep Everett Kelly (D-  
Tavares)**

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This bill requires HMOs and insures which issue exclusive provider contracts, to allow their insureds to obtain services directly from a Board Certified Optometrist, Ophthalmologist or Dermatologist without first obtaining a referral from another physician or case manager.

Exclusive Provider Organizations (EPO) and Health Maintenance Organizations (HMO) establish networks of health care providers to provide treatment and services to subscribers who buy health insurance from those organizations. Generally, the subscriber must use providers that are within the network established by the EPO or HMO. If a provider is not available or a specialty provider is called for, a subscriber must comply with contract or policy procedures and obtain a referral.

This bill requires that a subscriber can directly access the service of an Optometrist, Dermatologist or Ophthalmologist and shall not be required to obtain a referral from a network primary care physician or case manager.

A fundamental principle of managed care requires the patient to coordinate his or her treatment through the primary care physician who is responsible for overseeing all health care. This ensures that only the highest quality, most effective care is provided and eliminates over medication and over utilization. By eroding the critical link between patient and primary care physicians, this direct access provision will jeopardize the future of managed care in Florida. This bill also interferes with the free market because it is a government mandate. AIF opposes this bill.

A "nay" vote is a vote for the AIF position.

- Record 4a: On March 27, 1995, the House Health & Life Insurance Subcommittee of the House Insurance Committee passed the bill as amended by a vote of 6 yeas to 2 nays. A "nay" vote is a vote for the AIF position.
- Record 4b: On April 5, 1995, the full House Insurance Committee passed the bill as a committee substitute adopting a "strike everything after the enacting clause" amendment to this bill by a vote of 16 yeas to 3 nays. The amendment requires that the three specialists who are granted direct access first promulgate practice parameters that are approved by the Agency for Health Care Administration before they can obtain direct access privileges. It also limits the number of direct access visits allowable but allows unlimited follow-up visits. It requires prior authorization for any direct access procedure costing more than \$250 dollars. While the amendment attempts to limit the scope of the direct access allowed in this bill, it is still a violation of managed care. AIF opposes the amendment and the bill. A "nay" vote is a vote for the AIF position.

CS/HB 723 died on the House Calendar.

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**HB 771 Health Care  
Provider Networks  
by Rep. Tom Warner  
(R-Stuart)**

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This bill establishes new anti-trust exemptions for health care provider networks. It allows persons forming health care provider networks to file a written petition with the Agency for Health Care Administration for review and a determination of whether their activities are authorized by the Act and eligible for a new anti-trust exemption.

The effect of this Act will be to reduce competition in the health care market. Current law protects the public from anti-competitive practices by specifically prohibiting physicians and other business enterprises from coming together to fix prices. This bill will eliminate that protection. No other profession has such broad immunity from civil and criminal laws designed to protect the public from price fixing and monopolies. Even the Attorney General issued a statement on a similar 1994 proposal stating that it would be "extremely unwise to adopt this proposal" and urged further study.

This bill will increase health care costs in Florida. Over the last few years, increases in health care costs have gotten consecutively lower, with decreases of up to 10.6% in 1994. Anti-trust immunity would lead to higher prices for consumers by eliminating free market competition and giving physicians an unfair bargaining advantage. In addition, the bill will create additional government bureaucracy and increase government spending.

AIF opposes this bill. A "nay" vote is a vote for the AIF position.

- Record 5a: On March 20, 1995, the House Oversight & Investigations Subcommittee of the House Health Care Committee passed the bill by a vote of 5 yeas to 1 nay. A "nay" vote is a vote for the AIF position.

HB 771 died in the House Health Care Committee.

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**PCB RC 95-5  
Reviser's Bill by  
House Rules and  
Calendar Committee**

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This bill repeals s. 287.088, F.S. (the state contractor health insurance mandate), to conform to a judicial decision preempting this provision. Section 287.088, F.S., mandated that any employer who obtains a state contract must purchase health care insurance for all of its employees and all the employees of the subcontractors who will be working on the state contract. AIF opposes this provision because it is a mandate that employers purchase health care insurance.

In 1994, a Federal district court held that this section was preempted by the federal ERISA law. This bill repeals this preempted section of law and removes it from the Florida Statutes.

A "yea" vote is a vote for the AIF position.

- Record 6a: On March 23, 1995, the House Rules and Calendar Committee passed the bill by a vote of 19 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB RC-95-5 became HB 2657.

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**HB 2657 Revisor/  
Committee of  
Continuous Existence  
by House Rules and  
Calendar Committee**

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This bill repeals s. 287.088, F.S. (the state contractor health insurance mandate), to conform to a judicial decision preempting this provision. Section 287.088, F.S., mandated that any employer who obtains a state contract must purchase health care insurance for all of its employees and all the employees of the subcontractors who will be working on the state contract. AIF opposes this provision because it is a mandate that employers purchase health care insurance.

In 1994, a Federal district court held that this section was preempted by the federal ERISA law.

This bill repeals this preempted section of law and removes it from the Florida Statutes.

A "yea" vote is a vote for the AIF position.

On May 11, 1995, HB 2657 was referred to the calendar.

HB 2657 was laid on the table; refer to SB 588.

## House Average on Health Care Issues = 91%

	1a - Health Care Prov. Antitrust Guidance	2a - FL Health Insurance Portability Act	2b - FL Health Insurance Portability Act	2c - FL Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Albright</i>												
<i>Andrews</i>				F	F					2	0	100
<i>Arnall</i>		F	F	F	F	A	A			4	2	67
<i>Arnold</i>				F	F					2	0	100
<i>Ascherl</i>		F	F	F	F	F	F			6	0	100
<i>Bainter</i>			F	F	F		A			3	1	75
<i>Ball</i>				F	F					2	0	100
<i>Barreiro</i>				F						1	0	100
<i>Betancourt</i>				F	F					2	0	100
<i>Bitner</i>				F	F					2	0	100
<i>Bloom</i>				F	F					2	0	100
<i>Boyd</i>			F	F	F				F	4	0	100
<i>Bradley</i>			F	F	F		A			3	1	75
<i>Brennan</i>					F					1	0	100
<i>Bronson</i>					F					1	0	100
<i>Brooks</i>	F			F	F			A		3	1	75
<i>Brown</i>				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Care Prov. Antitrust Guidance	2a - FL. Health Insurance Portability Act	2b - FL. Health Insurance Portability Act	2c - FL. Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Bullard					F					1	0	100
Burroughs				F	F					2	0	100
Bush				F	F					2	0	100
Carlton				F	F					2	0	100
Casey	F			F	F			A		3	1	75
Chestnut	F			F	F			F		4	0	100
Clemons				F						1	0	100
Constantine				F	F					2	0	100
Cosgrove			F	F	F		A			3	1	75
Couch		F		F	F		A			3	1	75
Crady				F	F					2	0	100
Crist				F	F					2	0	100
Crow				F						1	0	100
Culp				F	F					2	0	100
Davis				F	F					2	0	100
Dawson			F	F	F		A			3	1	75
Dennis				F	F	A	F			3	1	75
Diaz-de la Portilla				F						1	0	100
Edwards				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Care Prov. Antitrust Guidance	2a - FL. Health Insurance Portability Act	2b - FL. Health Insurance Portability Act	2c - FL. Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelletion				F	F					2	0	100
Fasano				F						1	0	100
Feren				F	F					2	0	100
Flanagan				F	F					2	0	100
Frankel				F	F					2	0	100
Fuller				F	F					2	0	100
Futch				F	F					2	0	100
Garcia				F	F				F	3	0	100
Gay		F	F	F	F	A	A			4	2	67
Geller			F	F	F		A			3	1	75
Goode				F	F				F	3	0	100
Grabner		F		F	F	A	A		F	4	2	67
Green				F	F					2	0	100
Hafner				F	F					2	0	100
Harris				F	F				F	3	0	100
Healey				F	F					2	0	100
Heyman				F	F					2	0	100
Hill				F						1	0	100
Horan				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Health Care Prov. Antitrust Guidance	2a - FL Health Insurance Portability Act	2b - FL Health Insurance Portability Act	2c - FL Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jacobs				F	F					2	0	100
Johnson			F	F	F		A		F	4	1	80
Jones		F	F	F	F	A	A			4	2	67
Kelly				F	F				F	3	0	100
King				F	F					2	0	100
Klein	F			F	F			A	F	4	1	80
Lacasa				F	F					2	0	100
Laurent				F	F					2	0	100
Lawson		F		F		F	F			4	0	100
Lippman				F	F					2	0	100
Littlefield				F	F				F	3	0	100
Livingston				F	F					2	0	100
Logan				F					F	2	0	100
Lynn				F	F					2	0	100
Mackenzie				F	F				F	3	0	100
Mackey				F	F					2	0	100
Martinez				F						1	0	100
Maygarden	F			F	F			A		3	1	75
Meek				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Care Prov. Antitrust Guidance	2a - FL. Health Insurance Portability Act	2b - FL. Health Insurance Portability Act	2c - FL. Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Melvin</i>				F	F				F	3	0	100
<i>Merchant</i>				F	F				F	3	0	100
<i>Miller</i>				F	F					2	0	100
<i>Minton</i>				F	F					2	0	100
<i>Morrone</i>				F	F				F	3	0	100
<i>Morse</i>				F	F					2	0	100
<i>Ogles</i>			F	F			A			2	1	67
<i>Peaden</i>				F	F					2	0	100
<i>Peeples</i>				F	F					2	0	100
<i>Posey</i>				F	F					2	0	100
<i>Prewitt</i>	F		F	F	F		A			4	1	80
<i>Pruitt</i>				F	F					2	0	100
<i>Rayson</i>				F	F					2	0	100
<i>Reddick</i>				F	F					2	0	100
<i>Ritchie</i>				F	F				F	3	0	100
<i>Roberts-Burke</i>				F	F					2	0	100
<i>Rodriguez-Chomat</i>				F	F					2	0	100
<i>Rojas</i>				F						1	0	100
<i>Safley</i>				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Care Prov. Antitrust Guidance	2a - FL. Health Insurance Portability Act	2b - FL. Health Insurance Portability Act	2c - FL. Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Sanderson</i>				F	F					2	0	100
<i>Saunders, Burt</i>	F			F	F			A		3	1	75
Saunders, Dean					F					1	0	100
<i>Sembler</i>				F	F					2	0	100
Sindler				F	F					2	0	100
Smith				F	F					2	0	100
Spivey				F	F					2	0	100
<i>Stabins</i>			F	F	F		A		F	4	1	80
Stafford				F	F					2	0	100
<i>Starks</i>				F	F				F	3	0	100
<i>Sublette</i>				F	F					2	0	100
Tedder				F	F					2	0	100
<i>Thrasher</i>			F	F	F		A		F	4	1	80
Tobin				F	F				F	3	0	100
Trammell				F						1	0	100
<i>Trovillion</i>				F	F					2	0	100
Turnbull				F	F					2	0	100
Upchurch				F	F					2	0	100
<i>Valdes</i>				F	F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Health Care Prov. Antitrust Guidance	2a - FL. Health Insurance Portability Act	2b - FL. Health Insurance Portability Act	2c - FL. Health Insurance Portability Act	3a - Reviser's Bill / Conform Judicial Decision	4a - Health Care Prov. / Prohibiting Actions	4b - Health Care Prov. / Prohibiting Actions	5a - Health Care Provider Networks	6a - Reviser / Committee of Continuous Existence	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Villalobos</i>				F	F					2	0	100
Wallace, Peter				F	F					2	0	100
<i>Wallace, Rob</i>				F	F					2	0	100
<i>Warner</i>				F	F					2	0	100
Wasserman-Schultz		F	F	F	F	A	A			4	2	67
<i>Webster</i>				F	F					2	0	100
<i>Wise</i>				F	F					2	0	100
<i>Ziebarth</i>				F	F					2	0	100
<b>TOTAL</b>										<b>278</b>	<b>27</b>	<b>91</b>

\* Rep. Bronson was unable to participate on a number of key votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

# **THE FLORIDA HOUSE**

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## **LABOR**

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# LABOR

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**CS/HB 763**  
**Unemployment**  
**Compensation:**  
**Increased Benefits**  
**by Rep. Steve Geller**  
**(D-Hallandale)**

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As originally filed, the bill would have indexed the maximum weekly unemployment benefit amount at 66.66% of the statewide average weekly wage. Not only would indexing have resulted in automatic annual increases in unemployment benefits, it was estimated to have had a \$225 million impact on the Unemployment Compensation Trust Fund over the next five years.

The bill was subsequently amended to remove the indexing provision which was replaced by a \$25 increase in the maximum weekly benefit amount. The \$25 increase would have raised the maximum weekly benefit amount from \$250 to \$275 and was estimated to have a \$24 million impact on the Unemployment Compensation Trust Fund in the first year and increasing thereafter.

AIF opposes indexing unemployment benefits because it would result in automatic annual increases in benefits without consideration of current economic circumstances.

A "nay" vote is a vote for the AIF position.

- Record 1a: On April 12, 1995, the House Commerce Committee passed the bill as a committee substitute by a vote of 13 yeas to 10 nays. A "nay" vote is a vote for the AIF position.
- Record 1b: On April 25, 1995, the House Finance & Taxation Committee passed the bill as amended by a vote of 17 yeas to 13 nays. A "nay" vote is a vote for the AIF position.

CS/HB 763 died in the House Appropriations Committee.

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**CS/HB 1893**  
**Unemployment**  
**Compensation:**  
**Voluntary**  
**Unemployment**  
**Compensation**  
**Contributions by**  
**Rep. Scott Clemons**  
**(D-Panama City)**

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This bill would have given employers the option of making voluntary unemployment compensation contributions in lieu of a tax rate increase. Currently, employers are assigned an unemployment compensation tax rate based, in part, on unemployment benefits charged to an employer's account because of the past layoffs. Under the bill, employers could make a lump sum payment, limited to \$2,000 in any twelve month period, to help offset a tax rate increase.

The bill was amended to lessen the impact of a rounding bias reported by Florida TaxWatch. The rounding bias relates to the method by which tax rates are calculated. An analysis by Florida TaxWatch reports that under the current rounding methodology, rounding to a larger number occurs approximately 56% of the time resulting in higher tax rates for employers. The rounding bias cannot be totally eliminated; however, the amendment would lessen its impact.

A subsequent "strike everything after the enacting clause" amendment was

adopted on the House Floor. As amended, the bill incorporates the provisions of HB 2315 into CS/HB 1893.

A "yea" vote is a vote for the AIF position.

- Record 2a: On March 21, 1995, the House General Commerce & Employment Subcommittee of the House Commerce Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On March 23, 1995, the House Commerce Committee passed the bill as a committee substitute by a vote of 27 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On April 27, 1995, the House passed the bill as amended by a vote of 113 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 1893 died in the Senate Commerce & Economic Opportunities Committee.

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**HB 2003 Mini-Family and Medical Leave Act by Rep. Suzanne Jacobs (D-Delray Beach)**

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The so-called Mini-Family and Medical Leave Act was modeled after the Federal Family and Medical Leave Act (FMLA) of 1993. The FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons. Among other covered employers, the FMLA applies to private-sector employers who employ 50 or more employees. Unlike the FMLA, the Mini-Family and Medical Leave Act would have applied to all Florida businesses employing 10 or more employees.

AIF opposes extending the provisions of the FMLA to small employers with less than 50 employees. Congress struck a delicate balance when it limited the scope of the FMLA by recognizing that imposing the requirements of FMLA on smaller employers would be too burdensome.

A "nay" vote is a vote for the AIF position.

- Record 3a: On March 28, 1995, the House Banking & Corporations Subcommittee of the House Commerce Committee reported the bill unfavorable by a vote of 2 yeas to 4 nays. A "nay" vote is a vote for the AIF position.

HB 2003 was laid on the table.

This bill contained various changes to the unemployment compensation



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**PCB CO-95-6**  
**Unemployment**  
**Compensation by the**  
**House Commerce**  
**Committee**

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laws recommended by the Division of Unemployment Compensation of the Department of Labor and Employment Security. The proposed changes included:

- Establishing a statutory definition for "independent contractor";
- Changing the method of benefits calculation from "weeks worked" to "high quarter";
- Increasing the employer's tax rate appeal period from 15 to 20 days; and,
- Authorizing an additional three year extension for the Florida Investment Program (FIP) for dislocated workers.

A "yea" vote is a vote for the AIF position.

- Record 4a: On March 9, 1995, the House General Commerce & Employment Subcommittee of the House Commerce Committee passed the bill as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On March 9, 1995, the House Commerce Committee passed the bill by a vote of 28 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 11, 1995, PCB CO-95-6 became HB 2315.

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**HB 2315**  
**Unemployment**  
**Compensation by**  
**the House Commerce**  
**Committee**

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This bill contained various changes to the unemployment compensation laws recommended by the Division of Unemployment Compensation of the Department of Labor and Employment Security. The proposed changes included:

- Establishing a statutory definition for "independent contractor";
- Changing the method of benefits calculation from "weeks worked" to "high quarter";
- Increasing the employer's tax rate appeal period from 15 to 20 days; and,
- Authorizing an additional three year extension for the Florida Investment Program (FIP) for dislocated workers.

A "yea" vote is a vote for the AIF position.

- Record 5a: On April 13, 1995, the House General Government Subcommittee of the House Finance & Taxation Committee passed the bill by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5b: On April 18, 1995, the House Finance & Taxation Committee passed the bill as amended by a vote of 28 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

HB 2315 died in the House Appropriations Committee.

## House Average on Labor Issues = 89%

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Albright</i>					F						1	0	100
<i>Andrews</i>					F						1	0	100
<i>Arnall</i>	F	F		F	F					F	5	0	100
<i>Arnold</i>					F						1	0	100
<i>Ascherl</i>													
<i>Bainter</i>					F						1	0	100
<i>Ball</i>					F						1	0	100
<i>Barreiro</i>		F			F					F	3	0	100
<i>Betancourt</i>	A			F	F			F		F	4	1	80
<i>Bitner</i>				F	F		F	F			4	0	100
<i>Bloom</i>					F						1	0	100
<i>Boyd</i>					F						1	0	100
<i>Bradley</i>	A	A		F	F			F	F	F	5	2	71
<i>Brennan</i>													
<i>*Bronson</i>													
<i>Brooks</i>		F			F				F	F	4	0	100
<i>Brown</i>	A				F			F			2	1	67

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Bullard					F						1	0	100
Burroughs					F						1	0	100
Bush		A			F				F		2	1	67
Carlton		F			F					F	3	0	100
Casey					F						1	0	100
Chestnut					F						1	0	100
Clemons	F	A		F	F	A		F	F	F	6	2	75
Constantine					F						1	0	100
Cosgrove		A			F				F		2	1	67
Couch					F						1	0	100
Crady					F						1	0	100
Crist					F						1	0	100
Crow					F						1	0	100
Culp		F			F					F	3	0	100
Davis					F						1	0	100
Dawson	A	A		F	F			F		F	4	2	67
Dennis					F						1	0	100
Diaz-de la Portilla					F						1	0	100
Edwards				F	F			F			3	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelletion					F						1	0	100
Fasano		F			F					F	3	0	100
Feren					F						1	0	100
Flanagan		F			F				F	F	4	0	100
Frankel		A			F					F	2	1	67
Fuller					F						1	0	100
Futch					F					F	2	0	100
Garcia				F							1	0	100
Gay					F						1	0	100
Geller		A			F				F	F	3	1	75
Goode	A			F	F	A		F			3	2	60
Graber					F		F	F			3	0	100
Greene					F						1	0	100
Hafner					F			F			2	0	100
Harris					F						1	0	100
Healey					F						1	0	100
Heyman					F						1	0	100
Hill		A			F					F	2	1	67
Horan					F						1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jacobs		A			F				F	F	3	1	75
Johnson	F			F	F			F			4	0	100
Jones					F						1	0	100
Kelly	A	F		F	F		F	F		F	6	1	86
King					F						1	0	100
Klein	A	A		F	F			F		F	4	2	67
Lacasa		F			F					F	3	0	100
Laurent		F			F					F	3	0	100
Lawson				F	F			F			3	0	100
Lippman	A	A		F	F			F			3	2	60
Littlefield					F						1	0	100
Livingston	F			F	F	F		F			5	0	100
Logan		A			F					F	2	1	67
Lynn		F			F				F	F	4	0	100
Mackenzie					F						1	0	100
Mackey			F		F		F	F			4	0	100
Martinez					F						1	0	100
Maygarden	F			F	F	F		F			5	0	100
Meek					F						1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Melvin</i>	F			F	F			F			4	0	100
<i>Merchant</i>	F			F	F	F		F			5	0	100
<i>Miller</i>	A			F	F						2	1	67
<i>Minton</i>		F			F				F	F	4	0	100
<i>Morrone</i>					F						1	0	100
<i>Morse</i>					F						1	0	100
<i>Ogles</i>	A		F	F	F		F	F			5	1	83
<i>Peadar</i>		A			F						1	1	50
<i>Peoples</i>	A		F	F	F		F	F			5	1	83
<i>Posey</i>					F						1	0	100
<i>Prewitt</i>					F						1	0	100
<i>Pruitt</i>					F						1	0	100
<i>Rayson</i>		A			F					F	2	1	67
<i>Reddick</i>					F						1	0	100
<i>Ritchie</i>					F						1	0	100
<i>Roberts-Burke</i>	A			F	F			F			3	1	75
<i>Rodriguez-Chomat</i>		A			F					F	2	1	67
<i>Rojas</i>					F						1	0	100
<i>Safley</i>	F			F		F		F			4	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Sanderson</i>				F	F			F			3	0	100
<i>Saunders, Burt</i>					F						1	0	100
<i>Saunders, Dean</i>					F						1	0	100
<i>Sembler</i>					F						1	0	100
<i>Sindler</i>					F						1	0	100
<i>Smith</i>					F						1	0	100
<i>Spivey</i>					F						1	0	100
<i>Stabins</i>					F						1	0	100
<i>Stafford</i>					F						1	0	100
<i>Starks</i>		F			F					F	3	0	100
<i>Sublette</i>													
<i>Tedder</i>		A			F				F	F	3	1	75
<i>Thrasher</i>					F						1	0	100
<i>Tobin</i>					F						1	0	100
<i>Trammell</i>					F						1	0	100
<i>Trovillion</i>					F						1	0	100
<i>Turnbull</i>					F						1	0	100
<i>Upchurch</i>					F						1	0	100
<i>Valdes</i>					F						1	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Unemployment Compensation	1b - Unemployment Compensation	2a - Unemployment Compensation / Benefits	2b - Unemployment Compensation / Benefits	2c - Unemployment Compensation / Benefits	3a - Mini-Family & Medical Leave Act	4a - Unemployment Compensation	4b - Unemployment Compensation	5a - Unemployment Compensation	5b - Unemployment Compensation	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Villalobos</i>	A		F	F	F		F	F			5	1	83
Wallace, Peter													
<i>Wallace, Rob</i>	F			F	F			F			4	0	100
<i>Warner</i>	F		F	F	F		F	F			6	0	100
Wasserman-Schultz		A			F				F	F	3	1	75
<i>Webster</i>					F						1	0	100
<i>Wise</i>					F						1	0	100
<i>Ziebarth</i>					F						1	0	100
<b>TOTAL</b>											<b>248</b>	<b>32</b>	<b>89</b>

\* Rep. Bronson was unable to participate on a number of key votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

## LEGAL & JUDICIAL

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### **PCB JUD-95-8 Comparative Fault by House Judiciary Committee**

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This bill is supported by the Academy of Florida Trial Lawyers. They claim it is an attempt to "fix" the Florida Supreme Court's decision of *Fabre v. Marin*, 623 So. 2nd 1182 (FL 1993). AIF supports the Supreme Court's decision and believes the trial lawyer's bill is an attempt to return to a form of Joint and Several Liability which AIF opposes. Thus, AIF is opposed to this bill.

The *Fabre* decision held that a jury must consider the fault of all parties involved in an accident when deciding how much money damages a defendant in the lawsuit should pay. Consider the case of a tourist who drives a rented automobile and causes an accident. The tourist leaves the country, the injured plaintiff sues the rental car company because he cannot find the tourist. Under *Fabre*, the jury can consider the fault of the driver when deciding how much money the rental car company should pay for its role in an accident. This is a fair and just result. Unless the jury can consider the driver's fault, the rental car company pays for that driver's fault.

The trial lawyer's bill limits the jury to determining the fault of "parties presently to the suit." Since many people cannot be parties to the suit when a judgement is returned (the least of which is a settling party) this is a return to Joint and Several Liability. It causes one defendant to pay for the fault of another person who caused the damage simply because that other person is not a "present party to the suit."

A "nay" vote is a vote for the AIF position.

- Record 1a: On March 27, 1995, the House Judiciary Committee defeated the bill by a vote of 8 yeas to 9 nays. A "nay" vote is a vote for the AIF position.

A motion to reconsider and leave pending was made and accepted. No further Judiciary Committee meetings were held.

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### **SB 42 Medicaid Provider Fraud by Sen. George Kirkpatrick (D- Gainesville)**

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SB 42 repeals amendments to Florida's Medicaid Third Party Liability Act that were secretly passed during the 1994 Legislative Session.

This bill restores defenses to a product manufacturer or retailer when the state chooses to sue to recover Medicaid costs. Without this repealer, businesses have absolutely no defense when the state chooses to sue them for Medicaid costs.

A "yea" vote is a vote for the AIF position.

On March 28, 1995, the Senate Commerce & Economic Opportunities Committee passed the bill as amended by a vote of 11 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

On May 1, 1995, the Senate passed the amended bill by a vote of 32 yeas to 7 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On May 5, 1995, the House passed the bill by a vote of 102 yeas to 13 nays. A "yea" vote is a vote for the AIF position.

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**HB 383**  
**Constitutional**  
**Amendment**  
**Approval by Rep.**  
**Bud Bronson (D-**  
**Kissimmee)**

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This bill, filed as a joint resolution, raises the number of voters needed to ratify proposed constitutional amendments to two-thirds of the electors voting in a general election rather than the simple majority required under present law.

AIF supported the bill as a means of ensuring greater participation by the electorate in amending the document embodying the fundamental principles of Florida government. From the perspective of the business community, enactment would provide greater stability to the state's many businesses that are wary of having the most basic rules by which they operate changed out from under them.

A "yea" vote is a vote for the AIF position.

- Record 3a: On March 8, 1995, the House Court Systems, Probate & Consumer Law Subcommittee of the House Judiciary Committee passed the bill by a vote of 6 yeas to 2 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On March 9, 1995, the House Judiciary Committee passed the bill by a vote of 10 yeas to 4 nays. A "yea" vote is a vote for the AIF position.
- Record 3c: On March 28, 1995, the bill was amended on the floor by its sponsor to reduce the supermajority requirement from two-thirds of the electors voting to three-fifths. This amendment conformed the supermajority requirement for ratification by the electorate to the supermajority requirement set out in Article XI, section 1 of the Florida Constitution, which allows the Legislature to propose constitutional amendments agreed to by three-fifths of the membership of each Chamber. The bill passed the House by a vote of 77 yeas to 40 nays. A "yea" vote is a vote for the AIF position.

HB 383 died in the Senate Executive Business, Ethics & Elections Committee.

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**CS/HB 797 Gender-  
Based Pricing by  
Rep. Debbie  
Wasserman Schultz  
(D-Davie)**

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This bill creates the "Fair Pricing Act," which prohibits sellers of goods and services from discriminating on the basis of gender with respect to prices charged for identical or similar goods and services.

The bill provides for "price police" in the Department of Agriculture's Division of Consumer Services to investigate consumer complaints regarding price differentials for men and women. A procedural mechanism is established to allow the Division to investigate and fine sellers for violations of the Act, and to provide sellers with an administrative avenue for challenging the Division's actions against them.

AIF and others opposed the bill as a form of price regulation inconsistent with the operation of a free-market economy.

A "yea" vote is a vote for the AIF position.

■ Record 4a: On March 28, 1995, the House General Commerce & Employment Subcommittee of the House Commerce Committee passed the bill as amended by a vote of 4 yeas to 2 nays. A "nay" vote is a vote for the AIF position.

■ Record 4b: On March 29, 1995, the House Commerce Committee reported the bill unfavorable by a vote of 9 yeas to 14 nays, but defeat of the bill was forestalled when Rep. Rudy Garcia (R-Hialeah) moved to reconsider and leave pending. A "nay" vote is a vote for the AIF position.

■ Record 4c: On April 12, 1995, the House Commerce Committee passed the bill as a committee substitute by a vote of 13 yeas to 11 nays. A "nay" vote is a vote for the AIF position.

CS/HB 797 died in the House Appropriations Committee.

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**PCB JUD-95-4  
Punitive Damages by  
House Judiciary  
Committee**

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In 1986, the Florida Legislature passed the Tort Reform and Insurance Act of 1986. This Act was in response to a liability insurance crisis caused by soaring litigation and unprecedented jury awards for damages.

A portion of this rewrite changed Florida's law on punitive damages. One provision required that 35 percent of a punitive damage award be sent to the state rather than the claimant. This was done in order to encourage settlements. Settlements can be structured so that none of the money paid in settlement will be used for punitive damages. In addition, the law does not allow attorneys to collect fees on the portion of punitive damages that is sent to the state. This is a disincentive for attorneys to escalate awards for punitive damages.

This law has worked extremely well during its ten years of existence. However, the Legislature repealed that portion of the law effective July 1, 1995, un-

less reenacted by the Legislature. This bill reenacts these provisions.

A "yea" vote is a vote for the AIF position.

- Record 5a: On March 27, 1995, the House Judiciary Committee passed the bill by a vote of 13 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB JUD-95-4 became HB 2669, which died in the House Appropriations Committee.

# House Average on Legal & Judicial Issues = 72%

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Albright</i>		F			A					1	1	50
<i>Andrews</i>		F			F					2	0	100
<i>Arnall</i>		F			F		F			3	0	100
<i>Arnold</i>	F	F	F	F	F					5	0	100
<i>Ascherl</i>		F			F					2	0	100
<i>Bainter</i>		F			F					2	0	100
<i>Ball</i>		F			A					1	1	50
<i>Barreiro</i>		F			F					2	0	100
<i>Betancourt</i>		F			F			A		2	1	67
<i>Bitner</i>	F	F		F	F	F	F	F	A	7	1	88
<i>Bloom</i>		F			F					2	0	100
<i>Boyd</i>		F			F					2	0	100
<i>Bradley</i>		F			F		A	A		2	2	50
<i>Brennan</i>		F			F					2	0	100
<i>*Bronson</i>					F					1	0	100
<i>Brooks</i>		F			F					2	0	100
<i>Brown</i>		F			F		A	A		2	2	50

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Bullard					F					1	0	100
Burroughs		F			F					2	0	100
Bush		F			F					2	0	100
Carlton		F			F					2	0	100
Casey		F			A					1	1	50
Chestnut		A			A					0	2	0
Clemons		F			F		F	F		4	0	100
Constantine		F			F					2	0	100
Cosgrove	F	F	A		F				F	4	1	80
Couch		F			F					2	0	100
Crady		F			F					2	0	100
Crist		F			A					1	1	50
Crow	F	F	F	A	A				F	4	2	67
Culp		F			F					2	0	100
Davis					F					1	0	100
Dawson		F			F		A	A		2	2	50
Dennis		F			A					1	1	50
Diaz-de la Portilla		A			A					0	2	0
Edwards		F			F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelletion		F			F					2	0	100
Fasano		F			A					1	1	50
Feren	A	A	F		F				F	3	2	60
Flanagan		F			A					1	1	50
Frankel	A	A		F	F				A	2	3	40
Fuller		F			F					2	0	100
Futch		F			A					1	1	50
Garcia		F			A		F	A		2	2	50
Gay		F			A					1	1	50
Geller	A	A	F	F	F				F	4	2	67
Goode		F					A			1	1	50
Graber		A			A	A		A		0	4	0
Greene		F			F					2	0	100
Hafner		F			F			F		3	0	100
Harris		F			F					2	0	100
Healey		F			F					2	0	100
Heyman		F			A					1	1	50
Hill		F			A					1	1	50
Horan		F			F					2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jacobs		A			F					1	1	50
Johnson		F			F		F	F		4	0	100
Jones		F			F					2	0	100
Kelly					F	A	A	A		1	3	25
King		F			F					2	0	100
Klein		F			F		F	A		3	1	75
Lacasa		F			A					1	1	50
Laurent		F			A					1	1	50
Lawson		F			F		A			2	1	67
Lippman		F			A		A	A		1	3	25
Littlefield		F			A					1	1	50
Livingston		F			A		F	F		3	1	75
Logan		F			F					2	0	100
Lynn		F			F					2	0	100
Mackenzie		F			F					2	0	100
Mackey		F			F	A	F			3	1	75
Martinez		F			F					2	0	100
Maygarden		F			A		F	F		3	1	75
Meek	A	F		F	F				F	4	1	80

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Melvin</i>	F	F	F	F	F		F	F	F	8	0	100
<i>Merchant</i>		F			F		F	F		4	0	100
<i>Miller</i>		F			F		A	A		2	2	50
<i>Minton</i>		F			F					2	0	100
<i>Morroni</i>		F			A					1	1	50
<i>Morse</i>		F			A					1	1	50
<i>Ogles</i>		F			A			A		1	2	33
<i>Peaden</i>		F			F					2	0	100
<i>Peeples</i>		F			F	F	F			4	0	100
<i>Posey</i>		F			F					2	0	100
<i>Prewitt</i>		A			F					1	1	50
<i>Pruitt</i>		F			F					2	0	100
<i>Rayson</i>		A			F					1	1	50
<i>Reddick</i>												
<i>Ritchie</i>		F			F					2	0	100
<i>Roberts-Burke</i>	A	F		F	F				F	4	1	80
<i>Rodriguez-Chomat</i>		F			A					1	1	50
<i>Rojas</i>		F			A					1	1	50
<i>Safley</i>		F			A			F		2	1	67

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Sanderson</i>	F	F		F	A			F	F	5	1	83
<i>Saunders, Burt</i>		F			A					1	1	50
Saunders, Dean		F			F					2	0	100
<i>Sembler</i>		F			A					1	1	50
Sindler		F			F					2	0	100
Smith		F			F					2	0	100
Spivey		A			F					1	1	50
<i>Stabins</i>	F	F		A	A				F	3	2	60
Stafford	A	F			A					1	2	33
<i>Starks</i>		F			A					1	1	50
<i>Sublette</i>	A	F	A	A	A				F	2	4	33
Tedder		F			F					2	0	100
<i>Thrasher</i>	F	F	F	F	F				F	6	0	100
Tobin		F			F					2	0	100
Trammell	A	F		F					F	3	1	75
<i>Trovillion</i>		F			F					2	0	100
Turnbull		A			F					1	1	50
Upchurch		F			F					2	0	100
<i>Valdes</i>		F			A					1	1	50

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Comparative Fault	2a - Medicaid Provider Fraud	3a - Resolution / Approv. of Const. Amendments	3b - Resolution / Approv. of Const. Amendments	3c - Resolution / Approv. of Const. Amendments	4a - Fair Pricing Act / Gender-Based Pricing	4b - Fair Pricing Act / Gender-Based Pricing	4c - Fair Pricing Act / Gender-Based Pricing	5a - Punitive Damages / Limitations	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Villalobos</i>		F			A	A	A	A		1	4	20
Wallace, Peter		A			F					1	1	50
<i>Wallace, Rob</i>		F			F		F	A		3	1	75
<i>Warner</i>	F	F		A	A		F	F	F	5	2	71
Wasserman-Schultz		A			F					1	1	50
<i>Webster</i>		F			F					2	0	100
<i>Wise</i>		F			A					1	1	50
<i>Ziebarth</i>		F			A					1	1	50
<b>TOTAL</b>										<b>244</b>	<b>95</b>	<b>72</b>

\* Rep. Bronson was unable to participate on a number of votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

**THE FLORIDA HOUSE**

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**TAXATION**

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# TAXATION

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**CS/CS/HB 785**  
**Economic**  
**Development/Tax**  
**Exemptions by Rep.**  
**Bob Starks (R-**  
**Casselberry)**

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This bill was drafted by the AIF Tax Committee and contained a wide range of issues that the Committee thought would lead to a friendlier attitude towards the Florida business community and assist in the creation of new jobs for the Florida economy. The bill addressed the following tax exemptions and credits:

- Exempted deeds and other instruments conveyed to a "qualifying corporation" from tax.
- Created a sales tax exemption for pollution control equipment that exceeds federal and state requirements.
- Modified current exemption for new and expanding business.
- Repealed sales tax on energy used in manufacturing over a five-year period.
- Created a sales tax exemption for the transfer of certain corporate assets.
- Created corporate tax credit for certain new high wage jobs.
- Amended the property and payroll factors used in the calculation of corporate income tax to exclude certain research and development activities conducted through Sponsored Research at State Universities.

AIF supported the bill and any later amendments to the bill. A "yea" vote is a vote for the AIF position.

- Record 1a: On March 28, 1995, The House International Trade & Economic Development Subcommittee of the House Commerce Committee passed the bill as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On March 29, 1995, The House Commerce Committee passed the bill as a committee substitute by a vote of 23 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 1c: On April 27, 1995, the House Finance & Taxation Committee passed the bill as a committee substitute to the committee substitute by a vote of 26 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1d: On May 5, 1995, The House passed the amended bill by a vote of 114 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

CS/CS/HB 785 died in Senate Messages.



## House Average on Taxation Issues = 99%

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Albright</i>				F	1	0	100
<i>Andrews</i>				F	1	0	100
<i>Arnall</i>		F	F	F	3	0	100
<i>Arnold</i>				F	1	0	100
<i>Ascherl</i>				F	1	0	100
<i>Bainter</i>				F	1	0	100
<i>Ball</i>				F	1	0	100
<i>Barreiro</i>			F	F	2	0	100
<i>Betancourt</i>			F	F	2	0	100
<i>Bitner</i>		F		F	2	0	100
<i>Bloom</i>				F	1	0	100
<i>Boyd</i>				F	1	0	100
<i>Bradley</i>	F	F	F	F	4	0	100
<i>Brennan</i>				F	1	0	100
<i>*Bronson</i>							
<i>Brooks</i>			F	F	2	0	100
<i>Brown</i>		F		F	2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Bullard				F	1	0	100
Burroughs				F	1	0	100
Bush			F	F	2	0	100
Carlton				F	1	0	100
Casey				F	1	0	100
Chestnut				F	1	0	100
Clemons		F	F	F	3	0	100
Constantine				F	1	0	100
Cosgrove			F	F	2	0	100
Couch				F	1	0	100
Crady				F	1	0	100
Crist				F	1	0	100
Crow				F	1	0	100
Culp			F	F	2	0	100
Davis				F	1	0	100
Dawson		F	F		2	0	100
Dennis				F	1	0	100
Diaz-de la Portilla				F	1	0	100
Edwards				F	1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelletion				A	0	1	0
Fasano			F	F	2	0	100
Feren				F	1	0	100
Flanagan			F	F	2	0	100
Frankel			F	F	2	0	100
Fuller				F	1	0	100
Futch				F	1	0	100
Garcia	F	F		F	3	0	100
Gay				F	1	0	100
Geller			F	F	2	0	100
Goode		F		F	2	0	100
Graber				F	1	0	100
Greene				F	1	0	100
Hafner				F	1	0	100
Harris				F	1	0	100
Healey				F	1	0	100
Heyman				F	1	0	100
Hill			F	F	2	0	100
Horan				F	1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jacobs			F	F	2	0	100
Johnson		F		F	2	0	100
Jones				F	1	0	100
Kelly		F	F		2	0	100
King				F	1	0	100
Klein	F	F		F	3	0	100
Lacasa			F	F	2	0	100
Laurent				F	1	0	100
Lawson	F	F		F	3	0	100
Lippman		F	F	F	3	0	100
Littlefield				F	1	0	100
Livingston		F		F	2	0	100
Logan			F	F	2	0	100
Lynn			F	F	2	0	100
Mackenzie				F	1	0	100
Mackey		F		F	2	0	100
Martinez				F	1	0	100
Maygarden		F		F	2	0	100
Meek				F	1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Melvin</i>	F	F		F	3	0	100
<i>Merchant</i>		F		F	2	0	100
<i>Miller</i>		A		F	1	1	50
<i>Minton</i>			F	F	2	0	100
<i>Morrone</i>				F	1	0	100
<i>Morse</i>				F	1	0	100
<i>Ogles</i>		F		F	2	0	100
<i>Peadar</i>			F	F	2	0	100
<i>Peeples</i>		F		F	2	0	100
<i>Posey</i>				F	1	0	100
<i>Prewitt</i>				F	1	0	100
<i>Pruitt</i>				F	1	0	100
<i>Rayson</i>				F	1	0	100
<i>Reddick</i>				F	1	0	100
<i>Ritchie</i>				F	1	0	100
<i>Roberts-Burke</i>				F	1	0	100
<i>Rodriguez-Chomat</i>			F	F	2	0	100
<i>Rojas</i>				F	1	0	100
<i>Safley</i>		F		F	2	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Sanderson</i>				F	1	0	100
<i>Saunders, Burt</i>				F	1	0	100
Saunders, Dean				F	1	0	100
<i>Sembler</i>							
Sindler							
Smith				F	1	0	100
Spivey				F	1	0	100
<i>Stabins</i>				F	1	0	100
Stafford				F	1	0	100
<i>Starks</i>			F	F	2	0	100
<i>Sublette</i>				F	1	0	100
Tedder			F	F	2	0	100
<i>Thrasher</i>				F	1	0	100
Tobin				F	1	0	100
Trammell				F	1	0	100
<i>Trovillion</i>				F	1	0	100
Turnbull				F	1	0	100
Upchurch				F	1	0	100
<i>Valdes</i>				F	1	0	100

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Economic Development / Tax Exemptions	1b - Economic Development / Tax Exemptions	1c - Economic Development / Tax Exemptions	1d - Economic Development / Tax Exemptions	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Villalobos</i>		F		F	2	0	100
Wallace, Peter				F	1	0	100
<i>Wallace, Rob</i>		F		F	2	0	100
<i>Warner</i>				F	1	0	100
Wasserman-Schultz				F	1	0	100
<i>Webster</i>				F	1	0	100
<i>Wise</i>				F	1	0	100
<i>Ziebarth</i>				F	1	0	100
<b>TOTAL</b>					<b>168</b>	<b>2</b>	<b>99</b>

\* Rep. Bronson was unable to participate on a number of votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic

**THE FLORIDA HOUSE**

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**WORKERS'**  
**COMPENSATION**

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# WORKERS' COMPENSATION

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**CS/HB 67**  
**Communicable**  
**Disease Presumption**  
**by Rep. Fred**  
**Lippman (D-**  
**Hollywood)**

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This bill establishes a presumption of compensability for firefighters, paramedics, emergency medical technicians, law enforcement officers, and correctional officers who contract AIDS, meningitis, hepatitis, and tuberculosis. The inclusion of the presumption in the law undermines the integrity of the workers' compensation and retirement systems and places employers and insurers in the impossible position of having to prove that an employee contracted one of the listed diseases as a result of a specific, nonwork-related exposure or event before they can deny a claim against either their workers' compensation or retirement plans.

The bill makes the workers' compensation system the "deep-pocket" for employees who contract one on the listed diseases, even though their likelihood of exposure to any of the diseases may be as great off the job as it is on the job.

AIF and local governments opposed the bill because its enactment would leave both the workers' compensation system and the Florida Retirement System saddled with the payment of medical and indemnity benefits to employees whose disability is not necessarily causally related to their employment.

A "nay" vote is a vote for the AIF position.

- Record 1a: On February 21, 1995, the House Public Sector Employment Subcommittee of the House Governmental Operations Committee passed the bill as amended by a vote of 3 yeas to 1 nay. A "nay" vote is a vote for the AIF position.
- Record 1b: On March 22, 1995, the House Governmental Operations Committee passed the bill as a committee substitute by a vote of 7 yeas to 6 nays. An amendment by Rep. Charles Sembler (R-Vero Beach) deleting AIDS from the list of covered diseases was adopted. The amendment, however, did not represent a significant enough improvement in the bill for AIF to withdraw its opposition. A "nay" vote is a vote for the AIF position.
- Record 1c: On April 12, 1995, the House Appropriations Committee passed the bill by a vote of 32 yeas to 3 nays. A "nay" vote is a vote for the AIF position.
- Record 1d: On May 2, 1995, the bill was amended on the House Floor by Representatives Allen Boyd (D-Monticello) and Fred Lippman (D-Holly-

wood) to include insurer friendly language freezing the current assessment rates of the Special Disability Trust Fund. The bill passed the House by a vote of 87 yeas to 29 nays. The amendment mitigated some of the damage done to insurers in the previous year when the Special Disability Trust Fund retroactively raised its assessment rates several points. AIF, therefore, reversed its position on the bill after the adoption of the amendment and worked to pass the bill in the Senate. However, a "nay" vote in the House is a vote for the AIF position.

On May 5, 1995, the Senate passed the bill by a vote of 25 yeas to 10 nays. A "yea" vote is a vote for the AIF position.

CS/HB 67 was ordered engrossed and enrolled.

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**HB 135 Cancer  
Presumption by Rep.  
John Rayson (D-  
Pompano Beach)**

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This bill establishes a presumption of compensability for firefighters and paramedics who contract a disabling or fatal cancer. The operation of the presumption relieves these employees of the burden of having to prove a causal relationship between their cancer and their employment. Consequently, employers would only be able to rebut the presumption by proving that an employee's cancer is the result of a specific non-work related exposure or event.

The bill was opposed by local governments, who are most often the employers and insurers of the employees referenced in the bill, and by AIF. AIF, as a leader in the workers' compensation reform movement for many years, argued that the inclusion of additional presumptions in the workers' compensation system would disrupt the current decision-making mechanism in the law and undermine the integrity of the system.

A "nay" vote is a vote for the AIF position.

- Record 2a: On March 14, 1995, the House General Commerce & Employment Subcommittee of the House Commerce Committee passed the bill by a vote of 6 yeas to 2 nays. Amendments by Representatives Lori Edwards (D-Auburndale) and Dave Bitner (R-Port Charlotte) requiring some causal connection between a covered employee's cancer and his employment were adopted. These amendments, however, did not represent a significant enough improvement in the bill for AIF to withdraw its opposition. A "nay" vote is a vote for the AIF position.
- Record 2b: On March 16, 1995, the House Commerce Committee reported the bill unfavorably by a vote 11 yeas to 15 nays. A "nay" vote is a vote for the AIF position.

HB 135 was laid on the table.

# House Average on Workers' Compensation Issues = 28%

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Albright</i>									
<i>Andrews</i>				F			1	0	100
<i>Arnall</i>				A		F	1	1	50
<i>Arnold</i>			F	F			2	0	100
<i>Ascherl</i>				F			1	0	100
<i>Bainter</i>									
<i>Ball</i>	F	F		F			3	0	100
<i>Barreiro</i>				A			0	1	0
<i>Betancourt</i>				A			0	1	0
<i>Bitner</i>				F	A	F	2	1	67
<i>Bloom</i>				A			0	1	0
<i>Boyd</i>				A			0	1	0
<i>Bradley</i>				A		A	0	2	0
<i>Brennan</i>			A				0	1	0
<i>*Bronson</i>			F	F			2	0	100
<i>Brooks</i>				F			1	0	100
<i>Brown</i>			A	A		A	0	3	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Bullard				A			0	1	0
Burroughs				F			1	0	100
Bush				A			0	1	0
Carlton				F			1	0	100
Casey				A			0	1	0
Chestnut			A	A			0	2	0
Clemons				F		F	2	0	100
Constantine			A	F			1	1	50
Cosgrove				A			0	1	0
Couch				A			0	1	0
Crady	A	A		A			0	3	0
Crist				A			0	1	0
Crow				A			0	1	0
Culp				F			1	0	100
Davis			A	A			0	2	0
Dawson				A			0	1	0
Dennis				A			0	1	0
Diaz-de la Portilla				A			0	1	0
Edwards		A	A	A	A	A	0	5	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Eggelletion		A	A	A			0	3	0
Fasano		F		F			2	0	100
Feren				A			0	1	0
Flanagan				A			0	1	0
Frankel				A			0	1	0
Fuller		F		F			2	0	100
Futch				A			0	1	0
Garcia			A	F		A	1	2	33
Gay				F			1	0	100
Geller				A			0	1	0
Goode				A		F	1	1	50
Graber			A	A	A	A	0	4	0
Greene				A			0	1	0
Hafner			A	A			0	2	0
Harris		F		A			1	1	50
Healey			A	A			0	2	0
Heyman				A			0	1	0
Hill	A	A		A			0	3	0
Horan				A			0	1	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
Jacobs				A			0	1	0
Johnson				A			0	1	0
Jones			A	A			0	2	0
Kelly				A	F	F	2	1	67
King			A	A			0	2	0
Klein				A		A	0	2	0
Lacasa				A			0	1	0
Laurent				A			0	1	0
Lawson		A	A	A		A	0	4	0
Lippman				A		A	0	2	0
Littlefield				F			1	0	100
Livingston				F		F	2	0	100
Logan				A			0	1	0
Lynn				A			0	1	0
Mackenzie			A	A			0	2	0
Mackey			F	A	A	F	2	2	50
Martinez			A	A			0	2	0
Maygarden				A		F	1	1	50
Meek				A			0	1	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Melvin</i>				F		F	2	0	100
<i>Merchant</i>			A	A		F	1	2	33
<i>Miller</i>				A		F	1	1	50
<i>Minton</i>				F			1	0	100
<i>Morrone</i>				A			0	1	0
<i>Morse</i>			A	A			0	2	0
<i>Ogles</i>				A	A	A	0	3	0
<i>Peaden</i>				A			0	1	0
<i>Peeples</i>			A	A	A	A	0	4	0
<i>Posey</i>		F		F			2	0	100
<i>Prewitt</i>				A			0	1	0
<i>Pruitt</i>			A	A			0	2	0
<i>Rayson</i>				A			0	1	0
<i>Reddick</i>			A	A			0	2	0
<i>Ritchie</i>			A	A			0	2	0
<i>Roberts-Burke</i>			A	A		F	1	2	33
<i>Rodriguez-Chomat</i>				A			0	1	0
<i>Rojas</i>			A				0	1	0
<i>Safley</i>				A		A	0	2	0

F - Vote for position of AIF; A - Vote against position of AIF

	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Sanderson</i>			A	F		F	2	1	67
<i>Saunders, Burt</i>				A			0	1	0
<i>Saunders, Dean</i>			A	A			0	2	0
<i>Sembler</i>		A	A	A			0	3	0
<i>Sindler</i>			A	A			0	2	0
<i>Smith</i>				F			1	0	100
<i>Spivey</i>	A	A		A			0	3	0
<i>Stabins</i>				A			0	1	0
<i>Stafford</i>				A			0	1	0
<i>Starks</i>				A			0	1	0
<i>Sublette</i>			A	A			0	2	0
<i>Tedder</i>				A			0	1	0
<i>Thrasher</i>				A			0	1	0
<i>Tobin</i>				A			0	1	0
<i>Trammell</i>				A			0	1	0
<i>Trovillion</i>				F			1	0	100
<i>Turnbull</i>				F			1	0	100
<i>Upchurch</i>				F			1	0	100
<i>Valdes</i>			A	A			0	2	0

F - Vote for position of AIF; A - Vote against position of AIF



	1a - Firefighters, EMT's - Injured on Duty	1b - Firefighters, EMT's - Injured on Duty	1c - Firefighters, EMT's - Injured on Duty	1d - Firefighters, EMT's - Injured on Duty	2a - Firefighters & Paramedics	2b - Firefighters & Paramedics	TOTAL FOR	TOTAL AGAINST	% WITH AIF
<i>Villalobos</i>			A	A			0	2	0
Wallace, Peter				A			0	1	0
<i>Wallace, Rob</i>		F		F		F	3	0	100
<i>Warner</i>				A	F	F	2	1	67
Wasserman-Schultz				A			0	1	0
<i>Webster</i>				A			0	1	0
<i>Wise</i>			A	F			1	1	50
<i>Ziebarth</i>				F			1	0	100
<b>TOTAL</b>							<b>56</b>	<b>146</b>	<b>28</b>

\* Rep. Bronson was unable to participate on a number of votes due to illness.

F - Vote for position of AIF; A - Vote against position of AIF

Democrats in roman; Republicans in italic