

*Associated Industries of Florida*

# VOTING RECORDS

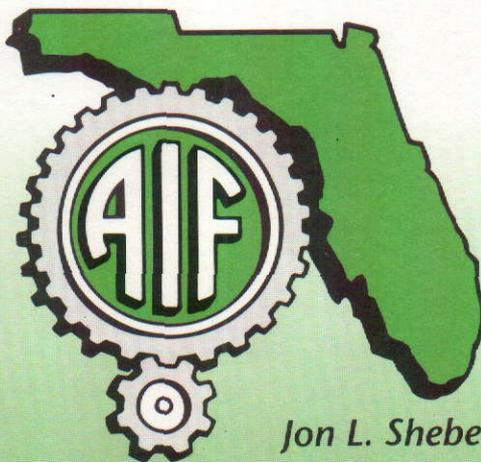
*On Key Business Issues*



1998 Regular Session  
of the Florida Legislature

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June 1998



*Jon L. Shebel*, President & CEO

**ASSOCIATED INDUSTRIES OF FLORIDA**

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June 1998

## 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 1998 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 charter 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

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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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**CS/HB 767 Bad  
Check Charges  
by the House  
Committee on Crime  
and Punishment  
and Representative  
Tony Hill  
(D-Jacksonville)**

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**A** IF supports greater remedies made available to businesses seeking recovery from dishonored checks. This bill provides for the imposition of treble damages when a stop-payment order is placed on a check by the issuer with the intent to defraud. The bill also removes "race" as an identifying background feature that can be used to determine the identity of the issuer.

On March 17, 1998, the House passed the carry-over bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 24, 1998, the Senate substituted CS/HB 767 for SB 212. SB 212 was laid on the table. The Senate passed CS/HB 767 by a vote of 32 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 767 became Law without the Governor's signature on May 28, 1998; refer to Ch. #98-297, Laws of Florida.**

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 1998 Regular Session.

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**  
**1998 REGULAR SESSION**  
**RANKING AND RECORD ON ISSUES**

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## SENATE — BY RANK — 1998

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	SENATOR	RANK
37	0	100	Bankhead (R)	1
43	0	100	Bronson (R)	1
45	0	100	Brown-Waite (R)	1
42	0	100	Crist (R)	1
50	0	100	Grant (R)	1
50	0	100	Harris (R)	1
42	0	100	Horne (R)	1
24	0	100	Jennings (R)	1
35	0	100	Kirkpatrick (D)	1
39	0	100	Lee (R)	1
40	0	100	McKay (R)	1
38	0	100	Myers (R)	1
41	0	100	Scott (R)	1
38	0	100	Sullivan (R)	1
39	1	98	Burt (R)	15
41	1	98	Casas (R)	15
47	1	98	Clary (R)	15
40	1	98	Cowin (R)	15
48	1	98	Diaz-Balart (R)	15
39	1	98	Latvala (R)	15

**SENATE — BY RANK — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>RANK</b>
47	1	98	Thomas (D)	15
51	1	98	Williams (D)	15
37	1	97	Gutman (R)	23
38	1	97	Laurent (R)	23
46	2	96	Ostalkiewicz (R)	25
42	2	95	Dudley (R)	26
36	2	95	Dyer (D)	26
47	3	94	Rossin (D)	28
39	3	93	Forman (D)	29
38	3	93	Holzendorf (D)	29
42	3	93	Klein (D)	29
42	3	93	Kurth (D)	29
40	3	93	Meadows (D)	29
38	3	93	Silver (D)	29
41	3	93	Turner (D)	29
33	3	92	Childers (R)	36
36	3	92	Geller (D)	36
31	3	91	Hargrett (D)	38
37	4	90	Campbell (D)	39
28	3	90	Jones (D)	39
<b>1607</b>	<b>56</b>	<b>97</b>	<b>TOTAL</b>	

## SENATE — BY ALPHABETICAL — 1998

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	SENATOR	RANK
37	0	100	Bankhead (R)	1
43	0	100	Bronson (R)	1
45	0	100	Brown-Waite (R)	1
39	1	98	Burt (R)	15
37	4	90	Campbell (D)	39
41	1	98	Casas (R)	15
33	3	92	Childers (R)	36
47	1	98	Clary (R)	15
40	1	98	Cowin (R)	15
42	0	100	Crist (R)	1
48	1	98	Diaz-Balart (R)	15
42	2	95	Dudley (R)	26
36	2	95	Dyer (D)	26
39	3	93	Forman (D)	29
36	3	92	Geller (D)	36
50	0	100	Grant (R)	1
37	1	97	Gutman (R)	23
31	3	91	Hargrett (D)	38
50	0	100	Harris (R)	1
38	3	93	Holzendorf (D)	29

**SENATE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>RANK</b>
42	0	100	Horne (R)	1
24	0	100	Jennings (R)	1
28	3	90	Jones (D)	39
35	0	100	Kirkpatrick (D)	1
42	3	93	Klein (D)	29
42	3	93	Kurth (D)	29
39	1	98	Latvala (R)	15
38	1	97	Laurent (R)	23
39	0	100	Lee (R)	1
40	0	100	McKay (R)	1
40	3	93	Meadows (D)	29
38	0	100	Myers (R)	1
46	2	96	Ostalkiewicz (R)	25
47	3	94	Rossin (D)	28
41	0	100	Scott (R)	1
38	3	93	Silver (D)	29
38	0	100	Sullivan (R)	1
47	1	98	Thomas (D)	15
41	3	93	Turner (D)	29
51	1	98	Williams (D)	15
<b>1607</b>	<b>56</b>	<b>97</b>	<b>TOTAL</b>	

**THE FLORIDA SENATE**

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**TORT REFORM**

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# 1998 SENATE VOTING KEYS

## TORT REFORM

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**CS/SB 874 Tort  
Reform by the  
Senate Committee  
on Rules and  
Calendar and  
Senator John  
McKay  
(R-Bradenton)**

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**T**his bill is the comprehensive tort reform package. The bill includes modified provisions of the six House bills which made up the House tort reform package. CS/SB 874 reflects the final work product of the Senate and the House Tort Reform Conference Committee.

The provisions of the bill include the following:

- Provides a series of jury reform measures to inform and instruct jurors and allow greater participation by the jurors in civil trials;
- Authorizes more sanctions to deter litigation activities that are frivolous in nature or are designed to delay the process;
- Provides a safe harbor for employers when they hire new employees
- Defines adequate security for premises liability;
- Defines clearly trespassers and the duty owed to them by the owners of property;
- Reforms punitive damages including, raising the burden of proof for entitlement to punitive damages to "clear and convincing" evidence, repealing vicarious liability for punitive damages, placing caps on punitive damages when they are imposed because of gross negligence, defining clearly the conduct necessary to impose punitive damages, and allowing for a single punitive damage award;
- Reforms joint and several liability for economic damages for defendants who are less than 20 percent at fault, requires that all defendants be joint and severally liable for \$300,000 in economic damages, and requires that all defendants be liable for their percentage of fault thereafter;
- Modifies vicarious liability for owners of vehicles by capping damages at \$800,000;
- Creates a government rules defense, which is a rebuttable presumption, and allows a jury to consider a manufacturer's adherence to government rules if a three-part test is met;

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**CS/SB 874 Continued**


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- Creates a 12 year statute of repose, but gives claimants five years to file cases.

- Record 1a: On March 26, 1998, the Senate Rules and Calendar Committee passed the bill favorably as a committee substitute by a vote of 21 yeas to 1 nay. A “yea” vote is a vote for the AIF position.

- Record 1b: On April 9, 1998, the Senate passed the bill as amended by a vote of 30 yeas to 10 nays. A “yea” vote is a vote for the AIF position.

On April 9, 1998, the House adopted a “strike-everything” amendment and passed the bill by a vote of 77 yeas to 21 nays. The House requested the Senate to concur. A “yea” vote is a vote for the AIF position.

On April 13, 1998, the Senate refused to concur with the House amendment and a Conference Committee was appointed.

- Record 1c: On April 30, 1998, the Senate passed the Conference Committee Report by a vote of 24 yeas to 16 nays. A “yea” vote is a vote for the AIF position.

On April 30, 1998, the House passed the Conference Committee Report by a vote of 70 yeas to 46 nays. A “yea” vote is a vote for the AIF position.

**CS/SB 874 was Vetoed by the Governor on May 18, 1998.**

## SENATE AVERAGE ON TORT REFORM ISSUES = 74%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Tort Reform	1b - Tort Reform	1c - Tort Reform
3	0	100	Bankhead (R)	F	F	F
3	0	100	Bronson (R)	F	F	F
2	0	100	Brown-Waite (R)		F	F
3	0	100	Burt (R)	F	F	F
0	2	0	Campbell (D)		A	A
3	0	100	Casas (R)	F	F	F
1	2	33	Childers (R)	F	A	A
1	1	50	Clary (R)		F	A
2	0	100	Cowin (R)		F	F
2	0	100	Crist (R)		F	F
2	1	67	Diaz-Balart (R)	F	A	F
2	1	67	Dudley (R)	F	F	A
2	1	67	Dyer (D)	F	F	A
0	2	0	Forman (D)		A	A

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

**SENATE AVERAGE ON TORT REFORM ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Tort Reform	1b - Tort Reform	1c - Tort Reform
0	2	0	Geller (D)		A	A
3	0	100	Grant (R)	F	F	F
2	0	100	Gutman (R)		F	F
2	1	67	Hargrett (D)	F	F	A
2	0	100	Harris (R)		F	F
1	1	50	Holzendorf (D)		F	A
3	0	100	Home (R)	F	F	F
2	0	100	Jennings (R)		F	F
1	2	33	Jones (D)	F	A	A
3	0	100	Kirkpatrick (D)	F	F	F
0	2	0	Klein (D)		A	A
0	2	0	Kurth (D)		A	A
3	0	100	Latvala (R)	F	F	F
2	0	100	Laurent (R)		F	F

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

**SENATE AVERAGE ON TORT REFORM ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>1a - Tort Reform</b>	<b>1b - Tort Reform</b>	<b>1c - Tort Reform</b>
2	0	100	Lee (R)		F	F
3	0	100	McKay (R)	F	F	F
0	2	0	Meadows (D)		A	A
2	0	100	Myers (R)		F	F
3	0	100	Ostalkiewicz (R)	F	F	F
2	1	67	Rossin (D)	F	F	A
3	0	100	Scott (R)	F	F	F
1	2	33	Silver (D)	A	F	A
3	0	100	Sullivan (R)	F	F	F
3	0	100	Thomas (D)	F	F	F
0	2	0	Turner (D)		A	A
3	0	100	Williams (D)	F	F	F
<b>75</b>	<b>27</b>	<b>74</b>	<b>TOTAL</b>			

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

# THE FLORIDA SENATE

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## EDUCATION

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## EDUCATION

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**CS/SB 962**  
**Community**  
**Colleges/Bonding**  
**Equipment by the**  
**Senate Committee**  
**on Education and**  
**Senator John Grant**  
**(R-Tampa)**

---

**T**his bill expands the purposes for which student capital improvement fees may be bonded.

During the 1997 Special Session A, the Legislature authorized community colleges to bond capital improvement costs only for the purpose of new construction of educational facilities. This bill would expand the bonding authority of community colleges to include capital improvements and expansion of existing facilities and the purchase of equipment for educational facilities.

The concern with this proposal is that community colleges may use monies acquired from the bonding to purchase equipment and attempt improvements that are not related to education (i.e. lawn equipment and administration vehicles). If community colleges are going to leverage the future of their campus, it should be directly related to the education of students. The bill provides that equipment costs which may be bonded must be purchased as a part of the educational facilities.

- Record 1a: On March 12, 1998, the Senate Committee on Education passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 7, 1998, the Senate Committee on Governmental Reform passed the bill as favorable by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 24, 1998, the Senate substituted HB 3799 for CS/SB 962.

**CS/SB 962 was laid on the table; refer to HB 3799.**

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**CS/SB 1736**  
**Jobs for Florida**  
**Graduates Program**  
**by the Senate**  
**Committee on**  
**Education and**  
**Senator**  
**James Horne**  
**(R-Orange Park)**

---

**T**he bill would create the Florida Endowment Foundation for Florida's Graduates, under the Department of Education. This foundation would be created as a direct-support organization of the Department of Education to encourage public and private support to enhance school-to-work transition for recent graduates.

This bill provides for the operation of the program in accordance with certain standards of the "Jobs for America's Graduates, Inc." The bill creates an endowment fund and provides for earnings on investment funds to be deposited in an operating account for use by the Foundation. The bill also creates a one-year pilot apprenticeship program at the Okaloosa-Walton Community College.

- Record 2a: On March 24, 1998, the Senate Committee on Education passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On April 14, 1998, the Senate Committee on Governmental Reform passed the bill as favorable by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1998, the Senate substituted HB 1901 for CS/SB 1736.

**CS/SB 1736 was laid on the table; refer to HB 1901.**

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**HB 1901 Jobs for**  
**Florida Graduates**  
**Program by the**  
**House Committee**  
**on Education**  
**Innovation and**  
**Representative**  
**Jerry Melvin**  
**(R-Ft. Walton Beach)**

---

**T**his bill is a carry-over bill from the 1997 Legislative Session. AIF supports any assistance that can be given to Florida's college graduates that will aid their transition into the Florida workforce. HB 1901 by the House Committee on Education Innovation and Representative Melvin creates such an initiative.

The bill would create the Florida Endowment Foundation for Florida's Graduates under the Department of Education. This foundation would be created as a direct-support organization of the Department of Education to encourage public and private support to enhance school-to-work transition for recent graduates.

This bill provides for the operation of the program in accordance with certain standards of the "Jobs for America's Graduates, Inc." The bill creates an endowment fund and provides for earnings on investment funds to be deposited in an operating account for use by the Foundation. The bill also creates a one-year pilot apprenticeship program at the Okaloosa-Walton Community College.

On March 24, 1998, the House passed the carry-over bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 27, 1998, the Senate substituted HB 1901 for CS/SB 1736. CS/SB 1736 was laid on the table. The Senate passed HB 1901 by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1901 became Law without the Governor's signature on May 22, 1998; refer to Ch. #98-218, Laws of Florida.**

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**HB 3799**  
**Community**  
**Colleges/Bonding**  
**Equipment by the**  
**House Committee**  
**on Community**  
**Colleges and Career**  
**Preparation,**  
**Representative**  
**Bob Sindler**  
**(D-Apopka), and**  
**Representative**  
**Mike Fasano**  
**(R-New Port Richey)**

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**T**his bill was introduced as PCB CC 98-2 by the House Committee on Community College and Career Preparation. The bill expands the purposes for which student capital improvement fees may be bonded.

During the 1997 Special Session A, the Legislature authorized community colleges to bond capital improvement costs only for the purpose of new construction of educational facilities. This bill would expand the bonding authority of community colleges to include capital improvements and expansion of existing facilities and the purchase of equipment for educational facilities.

The concern with this proposal is that community colleges may use monies acquired from the bonding to purchase equipment and attempt improvements that are not related to education (i.e. lawn equipment and administration vehicles). If community colleges are going to leverage the future of their campus, it should be directly related to the education of students. This bill provides that equipment costs, which may be bonded, must be purchased as part of the educational facilities.

On February 18, 1998, the House Committee on Community Colleges passed PCB CC 98-2 as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB CC 98-2 became HB 3799.

On March 18, 1998, the House Committee on Finance and Taxation passed the House bill as favorable by a vote of 14 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 26, 1998, the House Committee on Education passed the bill as favorable by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 16, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 4a: On April 24, 1998, the Senate substituted HB 3799 for CS/SB 962. CS/SB 962 was laid on the table. The Senate passed HB 3799 by a vote of 36 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 3799 became Law without the Governor's signature on May 28, 1998; refer to Ch. #98-300, Laws of Florida.**

## SENATE AVERAGE ON EDUCATION = 100%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Community Colleges/Bonding Equipment	1b - Community Colleges/Bonding Equipment	2a - Jobs for Florida Graduates Program	2b - Jobs for Florida Graduates Program	3a - Jobs for Florida Graduates Program	4a - Community Colleges/Bonding Equipment
0	0	0	Bankhead (R)						
2	0	100	Bronson (R)					F	F
2	0	100	Brown-Waite (R)					F	F
2	0	100	Burt (R)					F	F
4	0	100	Campbell (D)		F		F	F	F
2	0	100	Casas (R)					F	F
1	0	100	Childers (R)					F	
4	0	100	Clary (R)	F		F		F	F
4	0	100	Cowin (R)	F		F		F	F
3	0	100	Crist (R)		F			F	F
2	0	100	Diaz-Balart (R)	F				F	
3	0	100	Dudley (R)			F		F	F
4	0	100	Dyer (D)	F		F		F	F
2	0	100	Forman (D)					F	F

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

**SENATE AVERAGE ON EDUCATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Community Colleges/Bonding Equipment	1b - Community Colleges/Bonding Equipment	2a - Jobs for Florida Graduates Program	2b - Jobs for Florida Graduates Program	3a - Jobs for Florida Graduates Program	4a - Community Colleges/Bonding Equipment
3	0	100	Geller (D)			F		F	F
4	0	100	Grant (R)	F		F		F	F
3	0	100	Gutman (R)				F	F	F
1	0	100	Hargrett (D)						F
2	0	100	Harris (R)					F	F
4	0	100	Holzendorf (D)	F		F		F	F
4	0	100	Horne (R)	F		F		F	F
2	0	100	Jennings (R)					F	F
1	0	100	Jones (D)					F	
3	0	100	Kirkpatrick (D)	F				F	F
2	0	100	Klein (D)					F	F
4	0	100	Kurth (D)		F		F	F	F
3	0	100	Latvala (R)	F				F	F
2	0	100	Laurent (R)					F	F

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

**SENATE AVERAGE ON EDUCATION (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>1a - Community Colleges/Bonding Equipment</b>	<b>1b - Community Colleges/Bonding Equipment</b>	<b>2a - Jobs for Florida Graduates Program</b>	<b>2b - Jobs for Florida Graduates Program</b>	<b>3a - Jobs for Florida Graduates Program</b>	<b>4a - Community Colleges/Bonding Equipment</b>
4	0	100	Lee (R)	F		F		F	F
2	0	100	McKay (R)					F	F
4	0	100	Meadows (D)	F		F		F	F
2	0	100	Myers (R)					F	F
2	0	100	Ostalkiewicz (R)					F	F
4	0	100	Rossin (D)		F		F	F	F
3	0	100	Scott (R)		F			F	F
2	0	100	Silver (D)					F	F
2	0	100	Sullivan (R)					F	F
2	0	100	Thomas (D)					F	F
4	0	100	Turner (D)		F		F	F	F
4	0	100	Williams (D)		F		F	F	F
<b>108</b>	<b>0</b>	<b>100</b>	<b>TOTAL</b>						

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

**THE FLORIDA SENATE**

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**ENVIRONMENTAL**

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## ENVIRONMENTAL

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**CS/SB 272 Citizen  
Participation in  
Government Act by  
the Senate Judiciary  
Committee and  
Senator John Grant  
(R-Tampa)**

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**F**or several years, bills have been filed in the Legislature addressing what have become known as SLAPP suits. SLAPP stands for Strategic Lawsuits Against Public Participation and refer to civil lawsuits brought against persons that have participated in a public forum against a governmental action or commented against a governmental action. Recently, these suits have been used by governmental entities against private citizens who have taken action in a public forum.

AIF has long opposed legislation which limits access to courts and redresses of grievances by private citizens and private businesses. This bill addresses citizen participation and government action by limiting SLAPP suits brought only by governmental entities against its citizens by providing for expedited motions and sanctions against a governmental entity bringing suit.

- Record 1a: On March 5, 1998, the Senate Judiciary Committee passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A “yea” vote is a vote for the AIF position.
- Record 1b: On March 17, 1998, the Senate Committee on Governmental Reform passed the bill by a vote of 8 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

**CS/SB 272 died on the Senate Calendar.**

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**CS/SB 1202  
Brownfields  
Redevelopment by  
the Senate  
Committee on  
Natural Resources  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**I**n 1997, the Legislature passed the Brownfields Redevelopment Act, Sections 376.77-376.84, Florida Statutes. The Act authorizes local governments to designate brownfields areas by resolution if specified criteria are met. The Act establishes processes and provides for regulatory oversight of the clean-up process.

Language has now been passed to clarify these provisions. The Brownfields “glitch” bill addresses several issues that were identified since the passage of the 1997 Brownfields Redevelopment Act as “glitches.” The Brownfields bill also provides a brownfields area loan and guarantee program and other economic incentives to encourage the redevelopment and reuse of these brownfields areas. The bill authorizes closed military bases to be designated as brownfields areas. Additionally, the bill revises eligibility criteria and liability protection provisions.

- Record 2a: On March 5, 1998, the Senate Committee on Natural Resources passed the bill favorably as a committee substitute by a vote of 12 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

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**CS/SB 1202 Continued**


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- Record 2b: On March 12, 1998, the Senate Committee on Community Affairs passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is for the AIF position.
- Record 2c: On April 1, 1998, the Senate Committee on Ways and Means passed the bill favorably as amended by a vote of 24 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2d: On April 15, 1998, 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 April 29, 1998, the House substituted CS/SB 1202 for HB 4435. HB 4435 was laid on the table. The House passed CS/SB 1202 by a vote of 113 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/SB 1202 was signed by the Governor and became Law on May 21, 1998; refer to Ch. #98-75, Laws of Florida.**

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**CS/HB 1377 Florida  
Clean Outdoor Air  
Act by the House  
Committee on  
Transportation and  
Representative  
Jim Fuller  
(R-Jacksonville  
Beach)**


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In 1997, the EPA adopted more stringent clean air standards and a new method of measurement of air quality. In the year 2000, the EPA will determine compliance with the new standards. Any area not meeting the standards will be declared in "non-attainment" and the state will be required to submit a "State Implementation Plan" (SIP) to bring the area into compliance by the year 2010 or beyond. During 1999 and 2000, each of Florida's MPO transportation plans for the period of 2000-2020, will be reviewed for conformity with the SIP. Any area not meeting the conformity requirements will be subject to having all federal transportation funding for new projects in the area withheld until the plan is brought into compliance. Current vehicle emissions inspection contracts expire in two years.

The Florida Legislature faced difficult choices in handling this EPA requirement. Under any scenario, if air quality deteriorates it would impact the health of citizens and medical costs and would impact the ability of industry to expand or relocate into Florida.

CS/HB 1377 is a reasonable compromise which would allow the careful consideration of choices available to Florida for compliance with the new EPA air standards. The bill prohibits the Department of Highway Safety and Motor Vehicles from entering into a contract for vehicle emissions inspections until directed by the Legislature to do so. The Department is directed to hire an independent consultant to make recommendations before January 1, 1999.

If the issue is not addressed by the Legislature in the 1999 Session, the Department is authorized to enter into contracts for no longer than two years for biennial inspection for vehicles five model years or older using the basic test. A ten dollar inspection fee is authorized if appropriated by the Legislature.

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**CS/HB 1377 Continued**


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AIF's position is to support maintaining auto emissions testing to protect air quality attainment so that Florida businesses and industries are not unduly impacted by new EPA requirements. The Legislative action in CS/HB 1377 provides for the contemplative study of the issue and keeps the inspection program intact, which is to the benefit of Florida industry.

On April 14, 1998, the House passed the committee substitute as amended by a vote of 113 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 28, 1998, the Senate passed the bill as amended by a vote of 40 yeas to 0 nays. and requested the House to concur. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the House concurred with the Senate amendments and passed the bill by a vote of 118 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/HB 1377 became Law without the Governor's signature on May 27, 1998; refer to Ch. #98-254, Laws of Florida.**

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**CS/SB 1458 Coastal  
Redevelopment by  
the Senate  
Committee on  
Community Affairs  
and Senator  
Jack Latvala  
(R-Palm Harbor)**


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**T**his bill expands the scope of the Community Redevelopment Act. It provides Legislative intent for redevelopment of coastal resort areas which are deteriorating or are economically distressed. The bill also contains a pilot project for the Daytona Beach area containing exemptions from certain coastal construction requirements and targeting the area for meaningful development.

The legislation is designed to establish pilot projects to encourage redevelopment of those areas to promote economic growth. Tax incentives, technical assistance to expedite permitting, and the EPA exemptions from certain siting and design criteria will be allowed, so long as the redevelopment meets other design and structural requirements.

If this concept works in pilot project areas, the implications for expanding into other coastal areas could provide a boost to economies of older, dilapidated coastal areas throughout the state.

- Record 4a: On March 13, 1998, the Senate Committee on Natural Resources passed the bill favorably as amended by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On March 23, 1998, the Senate Committee on Community Affairs passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On April 15, 1998, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

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**CS/SB 1458 Continued**

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On April 27, 1998, the House substituted CS/SB 1458 for CS/HB 4107. CS/HB 4107 was laid on the table.

On April 29, 1998, the House adopted amendments and passed CS/SB 1458 as amended by a vote of 118 yeas to 0 nays. The House requested the Senate to concur. A "yea" vote is a vote for the AIF position.

- Record 4d: On April 30, 1998, the Senate concurred with the House amendments and passed the bill by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1458 became Law without the Governor's signature; refer to Ch. #98-201, Laws of Florida.**

## SENATE AVERAGE ON ENVIRONMENTAL ISSUES = 100%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	2a - Brownfields Redevelopment	2b - Brownfields Redevelopment	2c - Brownfields Redevelopment	2d - Brownfields Redevelopment	3a - Florida Clean Outdoor Air Act	4a - Coastal Redevelopment	4b - Coastal Redevelopment	4c - Coastal Redevelopment	4d - Coastal Redevelopment
4	0	100	Bankhead (R)						F	F			F	F
7	0	100	Bronson (R)			F		F	F	F	F		F	F
7	0	100	Brown-Waite (R)				F	F	F	F		F	F	F
5	0	100	Burt (R)					F	F	F			F	F
6	0	100	Campbell (D)	F	F				F	F			F	F
6	0	100	Casas (R)				F		F	F		F	F	F
4	0	100	Childers (R)						F	F			F	F
7	0	100	Clary (R)			F		F	F	F	F		F	F
5	0	100	Cowin (R)			F			F	F	F		F	
6	0	100	Crist (R)	F	F				F	F			F	F
7	0	100	Diaz-Balart (R)			F		F	F	F	F		F	F
7	0	100	Dudley (R)	F				F	F	F		F	F	F
5	0	100	Dyer (D)			F			F	F			F	F
6	0	100	Forman (D)			F			F	F	F		F	F

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

**SENATE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	2a - Brownfields Redevelopment	2b - Brownfields Redevelopment	2c - Brownfields Redevelopment	2d - Brownfields Redevelopment	3a - Florida Clean Outdoor Air Act	4a - Coastal Redevelopment	4b - Coastal Redevelopment	4c - Coastal Redevelopment	4d - Coastal Redevelopment
5	0	100	Geller (D)					F	F	F			F	F
4	0	100	Grant (R)						F	F			F	F
5	0	100	Gutman (R)		F				F	F			F	F
6	0	100	Hargrett (D)			F			F	F	F		F	F
6	0	100	Harris (R)		F			F	F	F			F	F
3	0	100	Holzendorf (D)							F			F	F
5	0	100	Horne (R)					F	F	F			F	F
3	0	100	Jennings (R)						F	F			F	
5	0	100	Jones (D)					F	F	F			F	F
6	0	100	Kirkpatrick (D)			F		F	F	F			F	F
5	0	100	Klein (D)					F	F	F			F	F
8	0	100	Kurth (D)		F	F			F	F	F	F	F	F
7	0	100	Latvala (R)			F		F	F	F	F		F	F
5	0	100	Laurent (R)					F	F	F			F	F

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

**SENATE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Citizen Participation in Government Act	1b - Citizen Participation in Government Act	2a - Brownfields Redevelopment	2b - Brownfields Redevelopment	2c - Brownfields Redevelopment	2d - Brownfields Redevelopment	3a - Florida Clean Outdoor Air Act	4a - Coastal Redevelopment	4b - Coastal Redevelopment	4c - Coastal Redevelopment	4d - Coastal Redevelopment
5	0	100	Lee (R)					F	F	F			F	F
8	0	100	McKay (R)			F	F	F	F	F		F	F	F
6	0	100	Meadows (D)				F		F	F		F	F	F
8	0	100	Myers (R)			F	F		F	F	F	F	F	F
6	0	100	Ostalkiewicz (R)	F				F	F	F			F	F
7	0	100	Rossin (D)	F	F			F	F	F			F	F
5	0	100	Scott (R)					F	F	F			F	F
6	0	100	Silver (D)	F				F	F	F			F	F
3	0	100	Sullivan (R)					F		F	F			
5	0	100	Thomas (D)					F	F	F			F	F
6	0	100	Turner (D)		F			F	F	F			F	F
7	0	100	Williams (D)	F	F			F	F	F			F	F
<b>227</b>	<b>0</b>	<b>100</b>	<b>TOTAL</b>											

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

**THE FLORIDA SENATE**

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**HEALTH CARE**

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## HEALTH CARE

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**CS/SB 228 Health Insurance/Cleft Lip/Cleft Palate by the Senate Committee on Health Care and Senator Alberto Gutman (R-Miami)**

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**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

This bill requires an insurance policy that covers a child under age 18 to provide coverage for treatment of cleft lip and cleft palate for the child. Insurers must cover medical, dental, speech therapy, audiology, and nutrition services, if such services are prescribed by a treating physician or surgeon and the physician or surgeon certifies that such services are medically necessary and impact treatment of cleft lip or cleft palate. The bill specifies terms and conditions which may apply.

Under current law, treatment for cleft palate is covered under most insurance policies. This is considered a birth defect, and its treatment is covered. However, the bill mandates additional coverage for cleft palate birth defects. This bill would require insurance coverage when certified as medically necessary by the treating physician.

Due to amendments adopted in the Senate Committee on Health Care that allow the care to be managed, AIF supports the bill.

- Record 1a: On March 31, 1998, the Senate Committee on Health Care passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 24, 1998, 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 April 29, 1998, the House passed the bill by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 228 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-66, Laws of Florida.**

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**CS/SB 268 Mental  
Health Parity by  
Senate Committee  
on Banking and  
Insurance and  
Senator John Grant  
(R-Tampa)**

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**T**his is the Mental Health Parity bill. In its original form, this bill would have mandated that all health insurance policies cover mental illness to the same extent that they cover physical illness. The initial bill had no limits on inpatient or outpatient days, no premium caps, and applied to all biologically-based mental illnesses.

The Senate Committee on Banking and Insurance amended the bill to limit coverage for serious mental illness to 45 days of inpatient treatment and 60 days of outpatient treatment; exempt small groups from the mental health mandate; define coverage for "serious mental illness" to include only schizophrenia, schizoaffective disorder, panic disorder, bipolar affective disorder, major depressive disorder, and specific obsessive-compulsive disorder; allow an insurer or health maintenance organization (HMO) to employ their usual case management techniques to this benefit; and caps premium increases to two percent.

In 1966, Congress passed the Kassebaum/Kennedy bill, which is the federal mental health parity law. If Florida passes its own version of parity, Florida employers and workers will be forced to pay more for coverage than employers and workers in other states.

Amendments were adopted in the Senate which limit the scope of this bill. So long as the amendments remain, AIF will support this bill.

- Record 2a: On February 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On April 6, 1998, the Senate Committee on Ways and Means passed the bill as favorable by a vote of 29 yeas to 5 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On April 30, 1998, the Senate passed the bill by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 268 died in messages to the House.**

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**CS/SB 792 Dental Insurance Coverage by the Senate Committee on Banking and Insurance and Senator Jack Latvala (R-Palm Harbor)**

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**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

At the present time, coverage for anesthesia for dental care is not a mandated covered benefit of subscribers of a health maintenance organization (HMO), an exclusive provider organization, or preferred provider.

This bill mandates coverage for anesthesia given to dental patients. As originally filed, this bill also had wide implications. A series of amendments were adopted that narrowed the scope of this bill. The amendments clarified this bill to say that the dental procedures must have implications to the patients general health and that there must be a joint consultation with a primary care physician. They also limited the provision of anesthesia to a hospital or ambulatory surgical center only. These amendments also make this bill much more acceptable, since the mandate is not as broad as it was in the original bill.

- Record 3a: On April 14, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 20, 1998, the Senate Committee on Health Care passed the bill favorably as amended by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 1, 1998, the Senate substituted CS/HB 3487 for CS/SB 792.

**CS/SB 792 was laid on the table; refer to CS/HB 3487.**

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**CS/HB 3487 Dental Insurance Coverage by the House Committee on Health Care Standards and Regulatory Reform and Representative Sandy Safley (R-Clearwater)**

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**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

At the present time, coverage for anesthesia for dental care is not a mandated covered benefit of subscribers of a health maintenance organization (HMO), an exclusive provider organization, or preferred provider.

This bill mandates coverage for anesthesia given to dental patients. As originally filed, this bill also had wide implications. A series of amendments were adopted that narrowed the scope of this bill. The amendments clarified this bill to say that the dental procedures must have implications to the patients general health and that there must be a joint consultation with a primary care physician. They also limited the provision of anesthesia to a hospital or ambulatory surgical center only. These amendments also make this bill much more acceptable, since the mandate is not as broad as it was in the original bill.

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**CS/HB 3487 Continued**

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On March 31, 1998, the House Committee on Health Care Standards and Regulatory Reform passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 21, the House Committee on Health and Human Services Appropriations passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 4a: On May 1, 1998, the Senate substituted CS/HB 3487 for CS/SB 792. CS/SB 792 was laid on the table. The Senate passed CS/HB 3487 by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 3487 was signed by the Governor and became Law on May 29, 1998; refer to Ch. #98-312, Laws of Florida.**

## SENATE AVERAGE ON HEALTH CARE ISSUES = 97%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Health Insurance/Cleft Lip/Cleft Palate	1b - Health Insurance/Cleft Lip/Cleft Palate	2a - Mental Health Parity	2b - Mental Health Parity	2c - Mental Health Parity	3a - Dental Insurance Coverage	3b - Dental Insurance Coverage	4a - Dental Insurance Coverage
7	0	100	Bankhead (R)	F	F	F	F	F		F	F
4	0	100	Bronson (R)		F		F	F			F
6	0	100	Brown-Waite (R)	F	F		F	F		F	F
5	1	83	Burt (R)	F	F		A	F		F	F
4	0	100	Campbell (D)		F		F	F			F
6	0	100	Casas (R)	F	F		F	F		F	F
6	0	100	Childers (R)	F	F	F		F	F		F
6	0	100	Clary (R)		F	F	F	F	F		F
3	1	75	Cowin (R)		F		A	F			F
4	0	100	Crist (R)		F		F	F			F
6	0	100	Diaz-Balart (R)		F	F	F	F	F		F
4	0	100	Dudley (R)		F		F	F			F
4	0	100	Dyer (D)		F		F	F			F
6	0	100	Forman (D)	F	F		F	F		F	F

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

**SENATE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Health Insurance/Cleft Lip/Cleft Palate	1b - Health Insurance/Cleft Lip/Cleft Palate	2a - Mental Health Parity	2b - Mental Health Parity	2c - Mental Health Parity	3a - Dental Insurance Coverage	3b - Dental Insurance Coverage	4a - Dental Insurance Coverage
4	0	100	Geller (D)		F		F	F			F
6	0	100	Grant (R)		F	F	F	F	F		F
3	1	75	Gutman (R)		F		A	F			F
4	0	100	Hargrett (D)		F		F	F			F
6	0	100	Harris (R)		F	F	F	F	F		F
4	0	100	Holzendorf (D)		F	F		F			F
4	0	100	Horne (R)		F		F	F			F
2	0	100	Jennings (R)		F						F
2	1	67	Jones (D)				A	F			F
3	0	100	Kirkpatrick (D)		F			F			F
5	0	100	Klein (D)	F	F		F	F			F
4	0	100	Kurth (D)		F		F	F			F
4	0	100	Latvala (R)		F		F	F			F
4	0	100	Laurent (R)		F		F	F			F

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

**SENATE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Health Insurance/Cleft Lip/Cleft Palate	1b - Health Insurance/Cleft Lip/Cleft Palate	2a - Mental Health Parity	2b - Mental Health Parity	2c - Mental Health Parity	3a - Dental Insurance Coverage	3b - Dental Insurance Coverage	4a - Dental Insurance Coverage
4	0	100	Lee (R)		F		F	F			F
3	0	100	McKay (R)		F			F			F
4	0	100	Meadows (D)		F		F	F			F
5	0	100	Myers (R)	F	F			F		F	F
3	1	75	Ostalkiewicz (R)		F		A	F			F
6	0	100	Rossin (D)		F	F	F	F	F		F
6	0	100	Scott (R)		F	F	F	F	F		F
4	0	100	Silver (D)		F		F	F			F
5	0	100	Sullivan (R)		F	F	F	F			F
6	0	100	Thomas (D)		F	F	F	F	F		F
4	0	100	Turner (D)		F		F	F			F
5	0	100	Williams (D)		F	F	F	F			F
<b>181</b>	<b>5</b>	<b>97</b>	<b>TOTAL</b>								

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

**THE FLORIDA SENATE**

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**LEGAL AND JUDICIAL**

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## LEGAL AND JUDICIAL

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**SB 212 Bad Check  
Charges by Senator  
Matthew Meadows  
(D-Lauderhill)**

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**A**IF supports greater remedies made available to businesses seeking recovery from dishonored checks. This bill provides for the imposition of treble damages when a stop-payment order is placed on a check by the issuer with the intent to defraud. The bill also removes "race" as an identifying background feature that can be used to determine the identity of the issuer.

- Record 1a: On December 2, 1997, the Senate Committee on Criminal Justice passed the bill as favorable by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On March 19, 1998 the Senate Judiciary Committee passed the bill as favorable by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 24, 1998, the Senate substituted CS/HB 767 for SB 212.

**SB 212 was laid on the table; refer to CS/HB 767.**

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**CS/HB 767 Bad  
Check Charges  
by the House  
Committee on Crime  
and Punishment  
and Representative  
Tony Hill  
(D-Jacksonville)**

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**A**IF supports greater remedies made available to businesses seeking recovery from dishonored checks. This bill provides for the imposition of treble damages when a stop-payment order is placed on a check by the issuer with the intent to defraud. The bill also removes "race" as an identifying background feature that can be used to determine the identity of the issuer.

On March 17, 1998, the House passed the carry-over bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 24, 1998, the Senate substituted CS/HB 767 for SB 212. SB 212 was laid on the table. The Senate passed CS/HB 767 by a vote of 32 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 767 became Law without the Governor's signature on May 28, 1998; refer to Ch. #98-297, Laws of Florida.**

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**CS/SB 1192**  
**Medicaid Third-Party Liability by the Senate Committee on Rules and Calendar, Senator Charlie Clary (R-Destin), Senator Charles Williams (D-Tallahassee), and Senator Buddy Dyer (D-Orlando)**

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**T**his bill repeals the 1994 amendments to Florida's Medicaid Third-Party Liability Act. During the final hours of the 1994 Legislative Session, CS/CS/SB 2110 was amended, which drastically altered the scope of the bill. Prior to the last-minute floor amendment, the bill was a non-controversial bill that merely sought to transfer the Medicaid Fraud-Control Unit of the Auditor General to the Department of Legal Affairs. As amended, the bill removes the defenses of third parties who are sued by the State to recover Medicaid expenditures. The State has used the removal of these defenses to sue the tobacco industry.

AIF supports the repeal of the amendments to the Medicaid Third-Party Liability Law.

- Record 3a: On April 16, 1998, the Senate Committee on Rules and Calendar combined SB 1192 with SB 628 and SB 1412. This action created CS/SB 1192. The Senate Committee on Rules and Calendar passed the bill favorably as a committee substitute by a vote of 13 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 23, 1998, the Senate substituted HB 3077 for CS/SB 1192.

CS/SB 1192 was laid on the table; refer to HB 3077.

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**CS/SB 1402**  
**Elections by the Senate Committee on Executive Business, Ethics, and Elections and Senator Jack Latvala (R-Palm Harbor)**

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**T**his bill as adopted by the House and Senate substantially rewrites areas of the Florida Election Law with an emphasis on absentee balloting. This is in response to issues of voter fraud which arose in the 1997 City Commission race in Miami Beach.

The bill tightens the law primarily in voter registration and absentee voting procedures. It enhances the penalties for existing crimes, creates penalties for new crimes, expands Supervisor of Elections authority and creates a voter fraud hotline.

AIF has continued to demand tighter controls over absentee ballots to prevent voter fraud and has opposed efforts to allow fax ballots to overseas electors. CS/SB 1402 goes a long way in guaranteeing election integrity.

- Record 4a: On April 24, 1998, the Senate passed the conference committee report for CS/SB 1402 by a vote of 30 yeas to 9 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the conference committee report for CS/SB 1402 by a vote of 73 yeas to 42 nays. A "yea" vote is a vote for the AIF position.

CS/SB 1402 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-129, Laws of Florida.

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**HB 3077 Medicaid  
Third-Party Liability  
by Representative  
Harry Goode  
(R-Melbourne) and  
Representative  
Paula Dockery  
(R-Lakeland)**

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**T**his bill repeals the 1994 amendments to Florida's Medicaid Third-Party Liability Act. During the final hours of the 1994 Legislative Session, CS/CS/SB 2110 was amended, which drastically altered the scope of the bill. Prior to the last-minute floor amendment, the bill was a non-controversial bill that merely sought to transfer the Medicaid Fraud-Control Unit of the Auditor General to the Department of Legal Affairs. As amended, the bill removes the defenses of third parties who are sued by the State to recover Medicaid expenditures. The State has used the removal of these defenses to sue the tobacco industry.

AIF supports the repeal of the amendments to the Medicaid Third-Party Liability Law.

On April 9, 1998, the House passed the bill by a vote of 112 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

On April 23, 1998, the Senate substituted HB 3077 for CS/SB 1192. CS/SB 1192 was laid on the table.

- Record 5a: On April 24, 1998, the Senate passed HB 3077 as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House adopted an amendment to the Senate amendments, concurred with the Senate amendments as amended, and passed the bill by a vote of 117 yeas to 1 nay. The House requested the Senate to concur. A "yea" vote is a vote for the AIF position.

On May 1, 1998, the Senate refused to concur and requested the House to recede.

On May 1, 1998, the House receded and passed the bill by a vote of 113 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 3077 was sent to the Governor on June 1, 1998; deadline of June 16, 1998.**

## SENATE AVERAGE ON LEGAL AND JUDICIAL ISSUES = 93%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Bad Check Charges	1b - Bad Check Charges	2a - Bad Check Charges	3a - Medicaid Third-Party Liability	4a - Elections	5a - Medicaid Third-Party Liability
3	0	100	Bankhead (R)				F	F	F
5	0	100	Bronson (R)	F		F	F	F	F
3	0	100	Brown-Waite (R)			F		F	F
4	0	100	Burt (R)			F	F	F	F
5	0	100	Campbell (D)	F	F	F		F	F
3	1	75	Casas (R)			F	F	A	F
2	1	67	Childers (R)			F		A	F
2	0	100	Clary (R)					F	F
3	0	100	Cowin (R)			F		F	F
5	0	100	Crist (R)	F	F	F		F	F
2	0	100	Diaz-Balart (R)					F	F
4	1	80	Dudley (R)		F	F	F	A	F
4	0	100	Dyer (D)			F	F	F	F
3	0	100	Forman (D)			F		F	F

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

**SENATE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Bad Check Charges	1b - Bad Check Charges	2a - Bad Check Charges	3a - Medicaid Third-Party Liability	4a - Elections	5a - Medicaid Third-Party Liability
3	0	100	Geller (D)			F		F	F
4	0	100	Grant (R)		F	F		F	F
4	0	100	Gutman (R)	F		F		F	F
3	1	75	Hargrett (D)			F	F	A	F
3	0	100	Harris (R)			F		F	F
2	1	67	Holzendorf (D)			F		A	F
5	0	100	Home (R)	F		F	F	F	F
2	0	100	Jennings (R)					F	F
0	0	0	Jones (D)						
3	0	100	Kirkpatrick (D)			F		F	F
4	0	100	Klein (D)	F		F		F	F
3	0	100	Kurth (D)			F		F	F
2	0	100	Latvala (R)					F	F
2	1	67	Laurent (R)			F		A	F

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

**SENATE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Bad Check Charges	1b - Bad Check Charges	2a - Bad Check Charges	3a - Medicaid Third-Party Liability	4a - Ejections	5a - Medicaid Third-Party Liability
3	0	100	Lee (R)			F		F	F
4	0	100	McKay (R)			F	F	F	F
3	0	100	Meadows (D)			F		F	F
2	0	100	Myers (R)					F	F
4	1	80	Ostalkiewicz (R)		F	F	F	A	F
4	0	100	Rossin (D)			F	F	F	F
2	0	100	Scott (R)					F	F
5	0	100	Silver (D)	F		F	F	F	F
3	0	100	Sullivan (R)			F		F	F
2	1	67	Thomas (D)			F		A	F
3	0	100	Turner (D)			F		F	F
4	1	80	Williams (D)		F	F	F	A	F
<b>127</b>	<b>9</b>	<b>93</b>	<b>TOTAL</b>						

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

# THE FLORIDA SENATE

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## TAXATION

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## TAXATION

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**CS/SB 328 Sales  
Tax Exemptions/  
Aircraft by the  
Senate Committee  
on Ways and  
Means and Senator  
John Ostalkiewicz  
(R-Orlando)**

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**C**urrently, the State of Florida imposes a sales tax on parts and equipment used in the repair and maintenance of commercial aircraft. Consequently, the airline industry performs only such repair or maintenance that must be performed in this state, since other states exempt aircraft parts from taxation. Any planned or scheduled maintenance is performed in other states, even though Florida is better suited for performing year-round maintenance because of its climate.

This bill exempts from sales tax the purchase or lease of certain commercial aircraft for use by a common carrier. The bill also exempts replacement engines, parts, and equipment used in the repair and maintenance of certain aircraft, including rotary wing aircraft.

- Record 1a: On February 2, 1998, Subcommittee E (Finance and Taxation) of the Senate Ways and Means Committee passed the bill favorably as amended by a vote of 6 yeas to 1 nay. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 1, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 29 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/HB 3171 for CS/SB 328.

**CS/SB 328 was laid on the table; refer to CS/HB 3171.**

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**CS/SB 338 Sales  
Tax Exemption on  
Electricity by the  
Senate Committee  
on Ways and  
Means and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**A**IF supports certain changes to the previously passed electric energy sales tax exemption to include steam energy and to clarify the threshold for qualifying for the exemption.

This bill clarifies the provisions of the exemption for electricity used in manufacturing that was granted in 1996. The new provision does not require separate metering of electricity use, but requires at least 75 percent of the use to be for manufacturing to receive a 100 percent exemption. It also grants a 50 percent exemption if more than 50 percent, but less than 75 percent of the electricity is used in manufacturing. Steam energy is also granted the same sales tax exemption as electrical energy.

- Record 2a: On February 2, 1998, Subcommittee E (Finance and Taxation) of the Senate Committee on Ways and Means passed the bill favorably as amended by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

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**CS/SB 338 Continued**


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- Record 2b: On April 1, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 24 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3249 for CS/SB 338. CS/SB 338 was laid on the table; refer to CS/CS/HB 3249.

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**CS/SB 434 Sales  
Tax Exemption/  
Pollution Control  
Equipment by the  
Senate Committee  
on Ways and  
Means and Senator  
Buddy Dyer  
(D-Orlando)**


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**A**IF supports removal of the sales tax on pollution control and prevention equipment devices. Providing tax incentives for business and industry on the purchase and construction of pollution control and prevention facilities is good public policy since it will encourage business to go beyond the minimum requirements for pollution control.

This bill provides an exemption for certain facilities, devices, fixtures, equipment, machinery, and structures used for pollution prevention or control in manufacturing, processing, compounding, or producing for sale certain items of personal property. The bill also provides an exemption for certain machinery, equipment, or materials purchased for use at privately owned or operated waste management facilities.

- Record 3a: On March 11, 1998, Subcommittee E (Finance and Taxation) of the Senate Committee on Ways and Means passed the bill favorably as a PCS by a vote of 6 yeas to 0 nays. A “yea” vote is a vote for the AIF position.
- Record 3b: On April 1, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 27 yeas to 0 nays. A “yea” vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3229 for CS/SB 434. CS/SB 434 was laid on the table; refer to CS/CS/HB 3229.

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**CS/CS/SB 742**  
**Sponsored Research**  
**and Development**  
**by the Senate**  
**Committee on**  
**Education, the**  
**Committee on**  
**Commerce and**  
**Economic**  
**Opportunities, and**  
**Senator Charlie**  
**Clary (R-Destin)**

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**A**IF supports legislation that would encourage the development of high technology industry by making available a business climate more receptive to research and development.

This bill provides that any company willing to contract with a state university or certain private universities to conduct sponsored research in connection with its research and development activities would be able to have property or payroll involved with that research and development excluded from the apportionment formula used to apportion income among the various states in which the company operates. This exclusion would ignore any expenses in the state related to research and development and, therefore, not increase the amount of corporate tax due to the State of Florida as a result of research and development activities done in conjunction with the universities. Further, any expense for property and payroll would not subject a company to Florida's corporate tax if it is otherwise not subject to Florida's tax. The property and payroll would become transparent to the State of Florida.

- Record 4a: On March 4, 1998, the Senate Committee on Commerce passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" is a vote for the AIF position.
- Record 4b: On March 17, 1998, the Senate Committee on Education passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On March 26, 1998, the Senate Committee on Ways and Means passed the bill favorably as amended by a vote of 23 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3351 for CS/CS/SB 742.

**CS/CS/SB 742 was laid on the table; refer to CS/CS/HB 3351.**

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**CS/SB 1450**  
**Intangible Personal**  
**Property Tax by the**  
**Senate Committee**  
**on Ways and**  
**Means and Senator**  
**Bill Bankhead**  
**(R-Jacksonville)**

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**T**he intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable. The term "accounts receivable" is not currently defined by statute.

The major provisions of the bill include the following:

- Raises the minimum amount of tax due before a return and payment are required from \$5.00 to \$60.00 dollars. This equates to an exemption of taxable securities of \$80,000 for a single taxpayer, \$100,000 exemption for a married taxpayer filing a joint return, and a \$30,000 exemption of taxable assets for business;

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**CS/SB 1450 continued**


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- Defines "accounts receivable" as a "business debt that is owed by another to the taxpayer on the taxpayer's assignee in the ordinary course of trade or business and is not supported by negotiable instruments";
- Begins a three year phase out of the tax on accounts receivable;
- Exempts banks, savings associations, and insurance companies from the tax;
- Reduces penalties significantly.

■ Record 5a: On March 26, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 19 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

■ Record 5b: On April 29, 1998, the Senate passed the bill as amended by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1450 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-132, Laws of Florida.**

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**CS/HB 3171 Sales  
Tax Exemptions/  
Aircraft by the  
House Committee  
on Finance and  
Taxation and  
Representative  
Bob Starks  
(R-Casselberry)**


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**C**urrently, the State of Florida imposes a sales tax on parts and equipment used in the repair and maintenance of commercial aircraft. Consequently, the airline industry performs only such repair or maintenance that must be performed in this state, since other states exempt aircraft parts from taxation. Any planned or scheduled maintenance is performed in other states, even though Florida is better suited for performing year round maintenance because of its climate.

This bill exempts from sales tax the purchase or lease of certain commercial aircraft for use by a common carrier. The bill also exempts replacement engines, parts, and equipment used in the repair and maintenance of certain aircraft, including rotary wing aircraft.

On December 4, 1997 the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On February 19, 1998, the House Committee on Transportation and Economic Development passed the bill as favorable by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 24, 1998, the House passed the bill as amended by a vote of 116 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

■ Record 6a: On April 29, 1998, the Senate substituted CS/HB 3171 for CS/

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**CS/HB 3171 Continued**


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SB 328. CS/SB 328 was laid on the table. The Senate passed CS/HB 3171 by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 3171 was signed by the Governor and became Law on May 15, 1998; refer to Chapter #98-60, Laws of Florida.

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**CS/CS/HB 3229**  
**Sales Tax**  
**Exemption/**  
**Pollution Control**  
**Equipment by the**  
**House Committee**  
**on Finance and**  
**Taxation, the**  
**Committee on**  
**Environmental**  
**Protection, and**  
**Representative**  
**John Thrasher**  
**(R-Orange Park)**

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**A**IF supports removal of the sales tax on pollution control and prevention equipment devices. Providing tax incentives for business and industry on the purchase and construction of pollution control and prevention facilities is good public policy since it will encourage business to go beyond the minimum requirements for pollution control.

This bill provides an exemption for certain facilities, devices, fixtures, equipment, machinery, and structures used for pollution prevention or control in manufacturing, processing, compounding, or producing for sale certain items of personal property. The bill also provides an exemption for certain machinery, equipment, or materials purchased for use at privately owned or operated waste management facilities.

On February 4, 1998, the House Committee on Environmental Protection passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 5, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 14, 1998, the House Committee on General Government passed the bill favorably as amended by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill as amended by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 7a: On April 29, 1998, the Senate substituted CS/CS/HB 3229 for CS/SB 434. CS/SB 434 was laid on the table. The Senate passed CS/CS/HB 3229 as amended by a vote of 39 yeas to 0 nays and requested the House to concur. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the House concurred with the Senate amendments and passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/CS/HB 3229 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-317, Laws of Florida.

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**CS/CS/HB 3249**  
**Sales Tax**  
**Exemption on**  
**Electricity by the**  
**House Committee**  
**on Finance and**  
**Taxation, the**  
**Committee on**  
**Business**  
**Development and**  
**International Trade,**  
**Representative**  
**Mike Fasano**  
**(R-New Port**  
**Richey), and**  
**Representative**  
**Jerry Burroughs**  
**(R-Pace)**

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**A**IF supports certain changes to the previously passed electric energy sales tax exemption to include steam energy and to clarify the threshold for qualifying for the exemption.

This bill clarifies the provisions of the exemption for electricity used in manufacturing that was granted in 1996. The new provision does not require separate metering of electricity use, but requires at least 75 percent of the use to be for manufacturing to receive a 100 percent exemption. It also grants a 50 percent exemption if more than 50 percent, but less than 75 percent of the electricity is used in manufacturing. Steam energy is also granted the same sales tax exemption as electrical energy.

On March 4, 1998, the House Committee on Business Development combined the HB 3249 with HB 3305 and passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. This action created CS/HB 3249. A "yea" vote is a vote for the AIF position.

On March 18, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 21, 1998, the House Committee on General Government passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill by a vote of 116 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

- Record 8a: On April 29, 1998, the Senate substituted CS/CS/HB 3249 for CS/SB 338. CS/SB 338 was laid on the table. The Senate passed CS/CS/HB 3249 by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3249 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-318, Laws of Florida.**

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**CS/CS/HB 3351**  
**Sponsored Research**  
**and Development**  
**by the House**  
**Committee on**  
**Finance and**  
**Taxation, the**  
**Committee on**  
**Colleges and**  
**Universities and**  
**Representative**  
**Mike Fasano**  
**(R-New Port Richey)**

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**A**IF supports legislation that would encourage the development of high technology industry by making available a business climate more receptive to research and development.

This bill provides that any company willing to contract with a state university or certain private universities to conduct sponsored research in connection with its research and development activities would be able to have property or payroll involved with that research and development excluded from the apportionment formula used to apportion income among the various states in which the company operates. This exclusion would ignore any expenses in the state related to research and development and therefore not increase the amount of corporate tax due to the State of Florida as a result of research and development activities done in conjunction with the universities. Further, any expense for property and payroll would not subject a company to Florida's corporate tax if it is otherwise not subject to Florida's tax. The property and payroll would become transparent to the State of Florida.

On March 5, 1998, the House Committee on Colleges and Universities passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 18, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 14 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 21, 1998, the House Committee on General Government passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 9a: On April 29, 1998, the Senate substituted CS/CS/HB 3351 for CS/CS/SB 742. CS/CS/SB 742 was laid on the table. The Senate passed CS/CS/HB 3351 by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3351 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-325, Laws of Florida.**

## SENATE AVERAGE ON TAXATION = 99.7%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Sales Tax Exemptions/Aircraft	1b - Sales Tax Exemptions/Aircraft	2a - Sales Tax Exemption on Electricity	2b - Sales Tax Exemption on Electricity	3a - Sales Tax Exemptions/Pollution Control Equip.	3b - Sales Tax Exemptions/Pollution Control Equip.	4a - Sponsored Research & Development	4b - Sponsored Research & Development	4c - Sponsored Research & Development	5a - Intangible Personal Property Tax	5b - Intangible Personal Property Tax	6a - Sales Tax Exemptions/Aircraft	7a - Sales Tax Exemptions/Pollution Control Equip.	8a - Sales Tax Exemption on Electricity	9a - Sponsored Research and Development	
7	0	100	Bankhead (R)		F								F	F	F		F	F	F
9	0	100	Bronson (R)		F		F						F	F	F	F	F	F	F
10	0	100	Brown-Waite (R)		F		F		F				F	F	F	F	F	F	F
6	0	100	Burt (R)		F										F	F	F	F	F
7	0	100	Campbell (D)		F		F								F	F	F	F	F
6	0	100	Casas (R)							F					F	F	F	F	F
6	0	100	Childers (R)						F						F	F	F	F	F
10	0	100	Clary (R)		F		F		F		F	F			F	F	F	F	F
11	0	100	Cowin (R)		F		F		F		F	F	F	F	F	F	F	F	F
8	0	100	Crist (R)		F		F						F		F	F	F	F	F
13	0	100	Diaz-Balart (R)	F		F		F	F	F	F	F	F	F	F	F	F	F	F
9	0	100	Dudley (R)		F		F						F	F	F	F	F	F	F
8	0	100	Dyer (D)		F				F		F				F	F	F	F	F
10	0	100	Forman (D)		F		F		F				F	F	F	F	F	F	F

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

**SENATE AVERAGE ON TAXATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Sales Tax Exemptions/Aircraft	1b - Sales Tax Exemptions/Aircraft	2a - Sales Tax Exemption on Electricity	2b - Sales Tax Exemption on Electricity	3a - Sales Tax Exemptions/Pollution Control Equip.	3b - Sales Tax Exemptions/Pollution Control Equip.	4a - Sponsored Research & Development	4b - Sponsored Research & Development	4c - Sponsored Research & Development	5a - Intangible Personal Property Tax	5b - Intangible Personal Property Tax	6a - Sales Tax Exemptions/Aircraft	7a - Sales Tax Exemptions/Pollution Control Equip.	8a - Sales Tax Exemption on Electricity	9a - Sponsored Research and Development
9	0	100	Geller (D)		F		F						F	F	F	F	F	F
11	0	100	Grant (R)		F		F		F	F	F	F	F	F		F	F	F
6	0	100	Gutman (R)						F					F	F	F	F	F
4	0	100	Hargrett (D)		F							F				F		F
14	0	100	Harris (R)	F	F	F	F	F	F	F		F	F	F	F	F	F	F
8	0	100	Holzendorf (D)		F				F		F			F	F	F	F	F
10	0	100	Horne (R)		F		F		F		F	F		F	F	F	F	F
5	0	100	Jennings (R)											F	F	F	F	F
8	0	100	Jones (D)		F		F		F					F	F	F	F	F
8	0	100	Kirkpatrick (D)								F	F	F	F	F	F	F	F
12	0	100	Klein (D)	F	F	F	F	F	F	F				F	F	F	F	F
10	0	100	Kurth (D)		F				F	F		F	F	F	F	F	F	F
9	1	90	Latvala (R)	A		F	F		F		F	F	F	F			F	F
10	0	100	Laurent (R)		F		F		F				F	F	F	F	F	F

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

**SENATE AVERAGE ON TAXATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% WITH AIF	SENATOR	1a - Sales Tax Exemptions/Aircraft	1b - Sales Tax Exemptions/Aircraft	2a - Sales Tax Exemption on Electricity	2b - Sales Tax Exemption on Electricity	3a - Sales Tax Exemptions/Pollution Control Equip.	3b - Sales Tax Exemptions/Pollution Control Equip.	4a - Sponsored Research & Development	4b - Sponsored Research & Development	4c - Sponsored Research & Development	5a - Intangible Personal Property Tax	5b - Intangible Personal Property Tax	6a - Sales Tax Exemptions/Aircraft	7a - Sales Tax Exemptions/Pollution Control Equip.	8a - Sales Tax Exemption on Electricity	9a - Sponsored Research and Development
7	0	100	Lee (R)		F				F		F				F	F	F	F
8	0	100	McKay (R)		F		F		F						F	F	F	F
10	0	100	Meadows (D)		F				F		F	F	F	F	F	F	F	F
6	0	100	Myers (R)						F						F	F	F	F
14	0	100	Ostalkiewicz (R)	F	F	F	F	F	F	F		F	F	F	F	F	F	F
7	0	100	Rossin (D)				F		F						F	F	F	F
9	0	100	Scott (R)		F		F		F	F					F	F	F	F
8	0	100	Silver (D)		F		F		F						F	F	F	F
10	0	100	Sullivan (R)		F		F		F			F	F	F	F	F	F	F
12	0	100	Thomas (D)	F		F	F	F		F		F	F	F	F	F	F	F
11	0	100	Turner (D)	F		F		F	F			F	F	F	F	F	F	F
8	0	100	Williams (D)		F		F			F					F	F	F	F
<b>354</b>	<b>1</b>	<b>99.7</b>	<b>TOTAL</b>															

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

**THE FLORIDA SENATE**

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**WORKERS  
COMPENSATION**

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# WORKERS COMPENSATION

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**CS/SB 1092**  
**Workers**  
**Compensation/**  
**Benefits by the**  
**Senate Committee**  
**on Banking and**  
**Insurance and**  
**Senator**  
**Jack Latvala**  
**(R-Palm Harbor)**

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**T**his bill corrects the Burger King decision by the First District Court of Appeals and the Grice decision by the Supreme Court of Florida. AIF supports clarification of both decisions.

In the case of Burger King Corporation/Cigna Insurance Company v. Moreno, the District Court of Appeals held that the workers compensation supplemental benefits ceased at age 62, if the claimant is eligible for social security retirement benefits and social security benefits. The bill corrects the interpretation of the Appeals Court so that supplemental benefits will cease at age 62 when the claimant is receiving either social security retirement benefits or social security disability benefits. An injured worker cannot collect both, thereby, rendering the 1994 amendment ineffective.

In the case of Escambia County Sheriff's Department v. Grice, the Supreme Court held that the employer could offset a claimant's workers compensation benefits to the extent that the total of the compensation benefits, disability retirement, and social security disability benefits exceeded his "average weekly wage." The bill clarifies the interpretation of the Court by: allowing the employer to take offsets to allow 100 percent of the employee's average weekly wage, including supplemental benefits to age 62, to be calculated by combining workers compensation benefits, social security benefits, and employer-funded benefits provided to the employee and his dependents for which the employer has contributed more than 50 percent of the costs of benefits. This includes: retirement benefits; disability benefits; and any other payment of wages by the employer. Supplemental benefits are excluded from the definition of benefits. The language is stronger for business than in the House bill.

- Record 1a: On March 31, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 1b: On April 16, 1998, the Senate passed the bill as amended by a vote of 26 yeas to 11 nays. A "yea" vote is a vote for the AIF position.

On April 22, 1998, the House substituted CS/SB 1092 for HB 4781. HB 4781 was laid on the table.

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**CS/SB 1092 Continued**


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On April 27, 1998, the House passed CS/SB 1092 as amended by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 1c: On May 1, 1998, the Senate adopted an amendment to the House amendments, concurred with the House amendments as amended, and passed the bill by a vote of 36 yeas to 2 nays. The Senate requested the House to concur. A "yea" vote is a vote for the AIF position.

**CS/SB 1092 died in messages to the House.**

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**CS/SB 1346**  
**Division of Safety**  
**by the Senate**  
**Committee on**  
**Banking and**  
**Insurance and**  
**Senator**  
**Mario Diaz-Balart**  
**(R-Miami)**

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**T**his bill authorizes the Division of Safety of the Department of Labor and Employment Security to adopt rules in relation to public-sector employers and employees. These areas include: investigations of public sector employees; record-keeping requirements for public-sector employers; and regulation of public-sector employees. The bill also requires temp agencies to enact workplace safety programs.

In the four years since becoming a Division, the Division of Safety has quadrupled in size and now has an annual budget approaching \$11 million. In a recent report by OPPAGA, the Division is cited as not following statutory guidelines and wasting taxpayer money. AIF believes much of the Division's services are duplicative of federal agencies, and the past four years have not justified such a large bureaucracy and budget. AIF also believes the private consultation program by the Division is ineffective and not cost-productive.

Further, AIF believes that the Division's functions should be focused in the public-sector, and not the private-sector, where the Division has no power to independently investigate or penalize employers.

- Record 2a: On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On April 1, 1998, the Senate passed the bill by a vote of 36 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 9, 1998, the House Committee on Financial Services passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1346 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-126, Laws of Florida.**

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**SB 1348 AHCA/  
Workers  
Compensation  
Managed Care by  
Senator  
Ginny Brown-Waite  
(R-Brooksville)**

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**A**IF believes the current administrative rules enacted by the Agency for Health Care Administration (AHCA) do not work. This bill delegates the rule-making authority to AHCA for the sufficient oversight of the workers compensation managed care arrangements, under which the current workers compensation law requires individual self-insured companies to provide coverage. The bill directs the agency to adopt rules that specify procedures for the following: the authorization and examination of managed care arrangements by AHCA; the authorization of provider networks; the authorization of exceptions from the accessibility of services; case management, utilization management, and peer review; quality assurance and medical records; dispute resolution; provider education; and data reporting relating to the grievance procedure, return-to-work outcomes, and provider networks. AIF supports amending AHCA's rules to require the use of nationally recognized guidelines for devising practice parameters.

- Record 3a: On March 17, 1998, the Senate Committee on Health Care passed the bill as favorable by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 1, 1998, the Senate passed the bill by a vote of 35 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 15, 1998, the House Committee on Health Care Reform passed the bill as favorable by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**SB 1348 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-127, Laws of Florida.**

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**CS/CS/SB 1406**  
**Workers**  
**Compensation**  
**Insurance Fraud**  
**by the Senate**  
**Committee on Ways**  
**and Means, the**  
**Committee on**  
**Banking and**  
**Insurance, and**  
**Senator**  
**Charlie Clary**  
**(R-Destin)**

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**T**his bill addresses the fraud issues in the workers compensation construction industry. Hundreds of thousands of dollars are lost each year due to the many ways construction workers can be exempt from carrying workers compensation coverage. AIF believes that by requiring all employees in the construction industry to carry workers compensation insurance, overall rates for employers in the construction industry would decrease. AIF estimates this at a 10 percent reduction in one year.

This bill allows an independent contractor to elect to be exempt as an employee for workers compensation by affidavit and by an exemption. The person acknowledges they are not an employee and cannot recover benefits. The bill gives authority to the Division of Workers Compensation to revoke the exemption certificates and limits their validity to two years.

AIF believes that the penalties for insurance fraud are not tough enough to deter employers from committing fraud. The bill starts to remedy this by increasing penalties against employers who are found not providing the required workers compensation coverage for their employees. It increases criminal penalties for workers compensation fraud to match the criminal penalties for general theft for first, second, and third degree felonies. The statute of limitations for bringing action against a person for fraud is increased to five years. The Division would also be required to issue an order when an employer is suspected to be committing fraud. The employer would have 24 hours to produce documentation that he is in compliance with coverage; neglecting to do so would result in the issuing of a stop-work order by the Division.

AIF supports increasing the investigatory powers for state officials seeking to confirm an employer's compliance with workers compensation coverage requirements. This bill allows the Division of Workers Compensation to monitor compliance by inspecting business records and to utilize subpoena authority of these records.

- Record 4a: On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 8, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 29 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On April 16, 1998, 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 28, 1998, the House substituted CS/CS/SB 1406 for HB 4523. HB 4523 was laid on the table. The House passed CS/CS/SB 1406 as amended by a vote of 118 yeas to 0 nays and requested the Senate to concur. A "yea" vote is a vote for the AIF position.

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**CS/CS/SB 1406 Continued**


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- Record 4d: On April 30, 1998, the Senate concurred with the House amendments and passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/SB 1406 was signed by the Governor and became Law on May 22, 1998; refer to Ch. #98-174, Laws of Florida.**

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**CS/SB 1408  
Confidentiality of  
Workers  
Compensation  
Records by the  
Senate Committee  
on Banking and  
Insurance and  
Senator  
Charlie Clary  
(R-Destin)**

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**T**he bill provides that investigatory records, obtained by the subpoena power given to the Division of Workers Compensation to insure compliance with coverage requirements by employers, be held confidential and exempt from public records. This applies if the disclosure would jeopardize the integrity of another investigation; reveal investigative techniques or procedures; reveal a trade secret; reveal business or personal information; reveal the identity of a confidential source; defame or cause unwarranted damage to a good name or reputation of an individual; or jeopardize the safety of an individual. This bill is tied to CS/CS/SB 1406, which contains the substantive provisions relating to the subpoena power of the Division of Workers Compensation.

- Record 5a: On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5b: On April 7, 1998, the Senate Committee on Governmental Reform passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5c: On April 16, 1998, the Senate passed the bill as amended by a vote of 35 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the House passed the bill as amended by a vote of 119 yeas to 0 nays and requested the Senate to concur. A "yea" vote is a vote for the AIF position.

- Record 5d: On April 30, 1998, the Senate adopted an amendment to the House amendments, concurred with the House amendments as amended and passed the bill by a vote of 40 yeas to 0 nays. The Senate requested the House to concur. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the House refused to concur with the Senate amendment, and requested the Senate to recede.

- Record 5e: On March 1, 1998, the Senate receded and passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1408 was received by the Governor on June 1, 1998; deadline of June 16, 1998.**

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**CS/SB 1626**  
**Division of Safety**  
**by the Senate**  
**Committee on**  
**Commerce and**  
**Economic**  
**Opportunities and**  
**Senator**  
**Katherine Harris**  
**(R-Sarasota)**

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**T**his bill repeals provisions in the Florida Statutes, Chapter 442, relating to the Division of Safety's requirements, compliance, enforcement, and penalties for workplace safety programs by private employers.

This bill authorizes the Division of Safety of the Department of Labor and Employment Security to adopt rules in relation to public-sector employers and employees which have not been granted to the Division through the Florida Statutes. These areas include: investigations of public sector employees; record-keeping requirements for public-sector employers; and regulation of public-sector employees. The bill also requires temp agencies to enact workplace safety programs.

In the four years since becoming a Division, the Division of Safety has quadrupled in size and now has an annual budget approaching \$11 million. In a recent report by OPPAGA, the Division is cited as not following statutory guidelines and wasting taxpayer money. AIF believes much of the Division's services are duplicative of federal agencies, and the past four years have not justified such a large bureaucracy and budget. AIF also believes the private consultation program by the Division is ineffective and not cost-productive.

Further, AIF believes that the Division's functions should be focused in the public-sector, and not the private-sector, where the Division has no power to independently investigate or penalize employers.

- Record 6a: On April 13, 1998, the Senate Committee on Commerce and Economic Opportunities passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6b: On April 27, 1998, the Senate passed the bill as amended by a vote of 35 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On April 27, 1998, the House substituted CS/SB 1626 for HB 3907. HB 3907 was laid on the table. The House passed CS/SB 1626 by a vote of 67 yeas to 47 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1626 was Vetoed by the Governor on May 21, 1998.**

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**SB 1972 Workers**  
**Compensation/**  
**Intoxication/Drugs**  
**by Senator Tom Lee**  
**(R-Brandon)**

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**A**IF supports the adoption of a rebuttable presumption for drug-free workplace injuries. In the case, *Hall v. Recchi American, Inc. and Palmer and Cay Carswell*, the Supreme Court held that the presumption of Chapter 440 of the Florida Statutes that any employee who had an injury on a drug-free workplace premise was automatically denied workers compensation benefits was unconstitutional. This bill establishes that employees of drug-free workplaces found to be intoxicated or under the influence of drugs at the time of an injury, must show "that there is no reasonable hypothesis supporting the possibility that the intoxication or drug use contributed to the injury." This bill is necessary in order to keep the

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**SB 1972 Continued**

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protection of the Drug-Free Workplace Program in the workers compensation system in place.

- Record 7a: On March 23, 1998, the Senate Committee on Banking and Insurance passed the bill as favorable by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 7b: On April 16, 1998, the Senate passed the senate by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 20, 1998, the House substituted SB 1972 for HB 4705. HB 4705 was laid on the table.

On April 22, 1998, the House passed SB 1972 by a vote of 111 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**SB 1972 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-161, Laws of Florida.**

## SENATE AVERAGE ON WORKERS COMPENSATION = 97%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Workers Compensation Benefits	1b - Workers Compensation Benefits	1c - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	4b - Workers Compensation Insurance Fraud	4c - Workers Compensation Insurance Fraud	4d - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Records	5b - Confidentiality of WC Records	5c - Confidentiality of WC Records	5d - Confidentiality of WC Records	5e - Confidentiality of WC Records	6a - Division of Safety	6b - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	7b - Workers Compensation/Intoxication/Drugs
12	0	100	Bankhead (R)	F	F	F	F	F	F	F		F	F				F	F	F				F
12	0	100	Bronson (R)		F	F	F	F	F		F	F	F				F	F	F		F		F
13	0	100	Brown-Waite (R)		F	F	F	F	F		F	F	F				F	F	F		F		F
13	0	100	Burt (R)		F	F	F	F	F		F	F	F				F	F	F	F	F		F
10	2	83	Campbell (D)		A	A	F	F	F		F	F	F				F	F	F		F		F
13	0	100	Casas (R)		F	F	F	F	F		F	F	F				F	F	F		F		F
12	0	100	Childers (R)	F	F	F	F				F	F	F				F	F	F		F		F
16	0	100	Clary (R)	F	F	F	F	F	F	F	F	F	F	F			F	F	F			F	F
11	0	100	Cowin (R)		F		F	F	F		F	F	F				F	F	F		F		F
13	0	100	Crist (R)		F	F	F	F	F		F	F	F		F	F	F	F	F		F		F
16	0	100	Diaz-Balart (R)	F	F	F	F				F	F	F	F	F		F	F	F	F	F	F	F
12	0	100	Dudley (R)		F	F	F	F	F		F	F	F				F	F	F		F		F
8	1	89	Dyer (D)		A	F	F					F	F				F	F	F		F		F
11	1	92	Forman (D)		A	F	F	F	F		F	F	F				F	F	F		F		F

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

**SENATE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Workers Compensation Benefits	1b - Workers Compensation Benefits	1c - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	4b - Workers Compensation Insurance Fraud	4c - Workers Compensation Insurance Fraud	4d - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Records	5b - Confidentiality of WC Records	5c - Confidentiality of WC Records	5d - Confidentiality of WC Records	5e - Confidentiality of WC Records	6a - Division of Safety	6b - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	7b - Workers Compensation/Intoxication/Drugs
11	1	92	Geller (D)	A	F		F		F		F	F	F			F	F	F		F		F	
17	0	100	Grant (R)	F	F	F	F		F	F	F	F	F	F		F	F	F	F	F	F	F	F
12	0	100	Gutman (R)	F	F						F	F	F		F	F	F	F	F	F	F		F
10	1	91	Hargrett (D)	A	F		F		F			F	F			F	F	F		F		F	
16	0	100	Harris (R)	F	F	F	F		F	F	F	F	F	F		F	F	F	F	F	F		F
14	1	93	Holzendorf (D)	F			F	F		F	F	F	F	F			F	F	F	F	A	F	F
10	0	100	Horne (R)	F	F		F		F			F	F				F	F		F		F	
8	0	100	Jennings (R)	F	F		F		F				F				F	F		F			
10	0	100	Jones (D)		F		F	F	F		F		F				F	F	F	F			
7	0	100	Kirkpatrick (D)	F	F							F	F			F	F	F					F
12	1	92	Klein (D)	A	F		F	F	F			F	F			F	F	F	F	F	F		F
12	1	92	Kurth (D)	A	F		F		F		F	F	F		F	F	F	F		F		F	
10	0	100	Latvala (R)	F	F		F		F			F	F		F	F	F						F
12	0	100	Laurent (R)	F	F		F		F		F	F	F			F	F	F		F		F	

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

**SENATE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Workers Compensation Benefits	1b - Workers Compensation Benefits	1c - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	4b - Workers Compensation Insurance Fraud	4c - Workers Compensation Insurance Fraud	4d - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Records	5b - Confidentiality of WC Records	5c - Confidentiality of WC Records	5d - Confidentiality of WC Records	5e - Confidentiality of WC Records	6a - Division of Safety	6b - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	7b - Workers Compensation/Intoxication/Drugs
12	0	100	Lee (R)		F	F		F		F		F	F	F			F	F	F		F		F
11	0	100	McKay (R)		F	F		F		F			F	F			F	F	F		F		F
11	1	92	Meadows (D)		A	F		F		F		F	F	F			F	F	F		F		F
12	0	100	Myers (R)		F	F		F		F		F	F	F			F	F	F		F		F
13	0	100	Ostalkiewicz (R)		F	F		F		F		F	F	F			F	F	F		F		F
16	2	89	Rossin (D)	F	A	A	F	F		F	F	F	F	F	F	F	F	F	F	F	F	F	F
11	0	100	Scott (R)		F	F		F		F			F	F			F	F	F		F		F
11	1	92	Silver (D)		A	F		F	F	F			F	F			F	F	F		F		F
11	0	100	Sullivan (R)	F		F		F		F		F		F	F			F	F		F	F	F
15	0	100	Thomas (D)	F	F	F		F		F	F	F	F	F	F		F	F	F		F	F	F
11	1	92	Turner (D)		A	F		F		F		F	F	F			F	F	F		F		F
19	0	100	Williams (D)	F	F	F	F	F		F	F	F	F	F	F	F	F	F	F	F	F	F	F
<b>488</b>	<b>14</b>	<b>97</b>	<b>TOTAL</b>																				

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

**THE FLORIDA SENATE**

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**TELECOMMUNICATIONS**

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## TELECOMMUNICATIONS

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**CS/SB 640**  
**Telecommunications**  
**Services by Senate**  
**Committee on**  
**Regulated**  
**Industries**

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**T**his bill was initially filed as PCB RI 98-6. The committee substitute imposes a major workload on the Public Service Commission (PSC) to study telecommunications issues and report to the Legislature by February 15, 1999. The bill requires the Commission to address universal service to assist the Legislature in establishing a permanent mechanism to address services to low-income customers and high-cost service areas. The PSC is also required to report on long distance rates, business rates, and special services as they impact local phone rates; and provide conclusions as to a fair and reasonable rate for residential local phone service.

The bill further extends from 1999 to 2000 the caps on local phone rates for GTE and Sprint. The bill requires a total reduction of 15 percent in network access charges by GTE and Sprint.

The bill creates the "Telecommunications Consumer Protection Act" to address selected consumer rights.

- Record 1a: On April 21, 1998 the Senate Committee on Regulated Industries passed the bill as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted HB 4785 for CS/SB 640.

**CS/SB 640 was laid on the table; refer to HB 4785.**

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**HB 4785**  
**Telecommunications**  
**Services by House**  
**Committee on**  
**Utilities and**  
**Communications**  
**and Representative**  
**Joe Arnall**  
**(R-Jacksonville**  
**Beach)**

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**T**his bill was initially filed as PCB UCO 98-3. As substantially amended, the bill imposes a major workload on the Public Service Commission (PSC) to study telecommunications issues and report to the Legislature by February 15, 1999. The bill requires the Commission to address universal service to assist the Legislature in establishing a permanent mechanism to address services to low-income customers and high-cost service areas. The PSC is also required to report on long distance rates, business rates, and special services as they impact local phone rates; and provide conclusions as to a fair and reasonable rate for residential local phone service.

The bill further extends from 1999 to 2000 the caps on local phone rates for GTE and Sprint. The bill requires a total reduction of 15 percent in network access charges by GTE and Sprint.

The bill creates the "Telecommunications Consumer Protection Act" to ad-

**SENATE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	SENATOR	1a - Telecommunications Services	2a - Telecommunications Services
1	0	100	Geller (D)		F
1	0	100	Grant (R)		F
2	0	100	Gutman (R)	F	F
1	0	100	Hargrett (D)		F
1	0	100	Harris (R)		F
2	0	100	Holzendorf (D)	F	F
1	0	100	Horne (R)		F
0	0	0	Jennings (R)		
1	0	100	Jones (D)		F
1	0	100	Kirkpatrick (D)		F
2	0	100	Klein (D)	F	F
1	0	100	Kurth (D)		F
1	0	100	Latvala (R)		F
1	0	100	Laurent (R)		F

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

**SENATE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% OF VOTES WITH AIF</b>	<b>SENATOR</b>	<b>1a - Telecommunications Services</b>	<b>2a - Telecommunications Services</b>
2	0	100	Lee (R)	F	F
1	0	100	McKay (R)		F
2	0	100	Meadows (D)	F	F
1	0	100	Myers (R)		F
1	0	100	Ostalkiewicz (R)		F
1	0	100	Rossin (D)		F
2	0	100	Scott (R)	F	F
1	0	100	Silver (D)		F
1	0	100	Sullivan (R)		F
1	0	100	Thomas (D)		F
2	0	100	Turner (D)	F	F
1	0	100	Williams (D)		F
<b>47</b>	<b>0</b>	<b>100</b>	<b>TOTAL</b>		

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

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**THE FLORIDA HOUSE  
OF REPRESENTATIVES  
1998 REGULAR SESSION  
RANKING AND RECORD ON ISSUES**

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## HOUSE — BY RANK — 1998

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
36	0	100	Albright (R)	1
31	0	100	Alexander (R)	1
43	0	100	Bainter (R)	1
40	0	100	Barreiro (R)	1
39	0	100	Bitner (R)	1
41	0	100	Bronson (D)	1
38	0	100	Constantine (R)	1
48	0	100	Dockery (R)	1
40	0	100	Feeney (R)	1
49	0	100	Flanagan (R)	1
40	0	100	Fuller (R)	1
32	0	100	Garcia (R)	1
37	0	100	Harrington (R)	1
40	0	100	Livingston (R)	1
43	0	100	Maygarden (R)	1
40	0	100	Minton (D)	1
36	0	100	Morse (R)	1
48	0	100	Putnam (R)	1
37	0	100	Sanderson (R)	1
42	0	100	Sembler (R)	1

**HOUSE — BY RANK — 1998 (CONTINUED)**

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
45	0	100	Thrasher (R)	1
37	0	100	Trovillion (R)	1
38	0	100	Valdes (R)	1
29	0	100	Webster (R)	1
46	1	98	Arnall (R)	25
40	1	98	Ball (R)	25
39	1	98	Brooks (R)	25
48	1	98	Byrd (R)	25
39	1	98	Gay (R)	25
39	1	98	Jones (R)	25
40	1	98	Kelly (R)	25
40	1	98	Littlefield (R)	25
40	1	98	Merchant (R)	25
44	1	98	Peaden (R)	25
44	1	98	Starks (R)	25
51	1	98	Tamargo (R)	25
37	1	97	Andrews (R)	37
38	1	97	Casey (R)	37
36	1	97	Crady (D)	37
35	1	97	Culp (R)	37

**HOUSE — BY RANK — 1998 (CONTINUED)**

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
38	1	97	Edwards (D)	37
37	1	97	Futch (R)	37
38	1	97	Goode (R)	37
35	1	97	King (R)	37
37	1	97	Lynn (R)	37
36	1	97	Melvin (R)	37
33	1	97	Smith (D)	37
35	1	97	Spratt (D)	37
33	1	97	Villalobos (R)	37
36	1	97	Wallace (R)	37
34	1	97	Wise (R)	37
36	2	95	Mackey (D)	52
40	2	95	Rojas (R)	52
35	2	95	Safley (R)	52
35	2	95	Sindler (D)	52
38	2	95	Warner (R)	52
35	2	95	Westbrook (D)	52
48	4	92	Cosgrove (D)	58
35	3	92	Kosmas (D)	58
35	3	92	Lacasa (R)	58

**HOUSE — BY RANK — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
36	3	92	Stabins (R)	58
43	4	91	Bradley (D)	62
32	3	91	Crist (R)	62
32	3	91	Diaz del a Portilla (R)	62
43	4	91	Ziebarth (R)	62
35	4	90	Boyd (D)	66
37	4	90	Ogles (R)	66
36	4	90	Turnbull (D)	66
35	4	90	Wiles (D)	66
33	4	89	Bloom (D)	70
33	4	89	Carlton (R)	70
41	5	89	Fasano (R)	70
33	4	89	Lippman (D)	70
32	4	89	Rodriguez-Chomat (R)	70
31	4	89	Sublette (R)	70
43	6	88	Burroughs (R)	76
38	5	88	Clemons (D)	76
37	5	88	Eggelation (D)	76
43	6	88	Murman (R)	76
38	5	88	Pruitt (R)	76

**HOUSE — BY RANK — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
33	5	87	Betancourt (D)	81
26	4	87	Gottlieb (D)	81
34	5	87	Hafner (D)	81
40	6	87	Tobin (D)	81
30	5	86	Logan (D)	85
31	5	86	Mackenzie (D)	85
31	5	86	Morrone (R)	85
36	6	86	Posey (R)	85
39	7	85	Hill (D)	89
35	6	85	Saunders (R)	89
32	6	84	Roberts-Burke (D)	91
29	6	83	Bush (D)	92
34	7	83	Crow (R)	92
29	6	83	Dawson-White (D)	92
33	7	83	Stafford (D)	92
28	6	82	Bullard (D)	96
32	7	82	Dennis (D)	96
32	7	82	Greene (D)	96
32	7	82	Healey (D)	96
32	7	82	Reddick (D)	96

**HOUSE — BY RANK — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
30	7	81	Heyman (D)	101
38	9	81	Lawson (D)	101
29	7	81	Meek (D)	101
28	7	80	Brennan (D)	104
33	8	80	Jacobs (D)	104
30	8	79	Argenziano (R)	106
27	7	79	Brown (D)	106
30	8	79	Chestnut (D)	106
31	8	79	Miller (D)	106
30	8	79	Prewitt (D)	106
32	9	78	Wasserman-Schultz (D)	111
34	10	77	Ritter (D)	112
32	10	76	Effman (D)	113
29	9	76	Horan (D)	113
32	10	76	Rayson (D)	113
26	9	74	Arnold (D)	116
28	10	74	Fischer (D)	116
27	10	73	Ritchie (D)	118
31	12	72	Silver (D)	119
25	12	68	Frankel (D)	120
<b>4315</b>	<b>432</b>	<b>91</b>	<b>TOTAL</b>	

## HOUSE — BY ALPHABETICAL — 1998

TOTAL FOR POSITION OF AIF	TOTAL AGAINST POSITION OF AIF	% OF VOTES WITH AIF	REPRESENTATIVE	RANK
36	0	100	Albright (R)	1
31	0	100	Alexander (R)	1
37	1	97	Andrews (R)	37
30	8	79	Argenziano (R)	106
46	1	98	Arnall (R)	25
26	9	74	Arnold (D)	116
43	0	100	Bainter (R)	1
40	1	98	Ball (R)	25
40	0	100	Barreiro (R)	1
33	5	87	Betancourt (D)	81
39	0	100	Bitner (R)	1
33	4	89	Bloom (D)	70
35	4	90	Boyd (D)	66
43	4	91	Bradley (D)	62
28	7	80	Brennan (D)	104
41	0	100	Bronson (D)	1
39	1	98	Brooks (R)	25
27	7	79	Brown (D)	106
28	6	82	Bullard (D)	96
43	6	88	Burroughs (R)	76

**HOUSE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
29	6	83	Bush (D)	92
48	1	98	Byrd (R)	25
33	4	89	Carlton (R)	70
38	1	97	Casey (R)	37
30	8	79	Chestnut (D)	106
38	5	88	Clemons (D)	76
38	0	100	Constantine (R)	1
48	4	92	Cosgrove (D)	58
36	1	97	Crady (D)	37
32	3	91	Crist (R)	62
34	7	83	Crow (R)	92
35	1	97	Culp (R)	37
28	6	82	Dawson-White (D)	92
32	7	82	Dennis (D)	96
33	3	91	Diaz d e la Portilla (R)	62
48	0	100	Dockery (R)	1
38	1	97	Edwards (D)	37
32	10	76	Effman (D)	113
37	5	88	Eggelletion (D)	76
41	5	89	Fasano (R)	70

**HOUSE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
40	0	100	Feeney (R)	1
28	10	74	Fischer (D)	116
49	0	100	Flanagan (R)	1
25	12	68	Frankel (D)	120
40	0	100	Fuller (R)	1
37	1	97	Futch (R)	37
32	0	100	Garcia (R)	1
39	1	98	Gay (R)	25
38	1	97	Goode (R)	37
26	4	87	Gottlieb (D)	81
32	7	82	Greene (D)	96
34	5	87	Hafner (D)	81
37	0	100	Harrington (R)	1
32	7	82	Healey (D)	96
30	7	81	Heyman (D)	101
39	7	85	Hill (D)	89
29	9	76	Horan (D)	113
33	8	80	Jacobs (D)	104
39	1	98	Jones (R)	25
40	1	98	Kelly (R)	25

**HOUSE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
35	1	97	King (R)	37
35	3	92	Kosmas (D)	58
35	3	92	Lacasa (R)	58
38	9	81	Lawson (D)	101
33	4	89	Lippman (D)	70
40	1	98	Littlefield (R)	25
40	0	100	Livingston (R)	1
30	5	86	Logan (D)	85
37	1	97	Lynn (R)	37
31	5	86	Mackenzie (D)	85
36	2	95	Mackey (D)	52
43	0	100	Maygarden (R)	1
29	7	81	Meek (D)	101
36	1	97	Melvin (R)	37
40	1	98	Merchant (R)	25
31	8	79	Miller (D)	106
40	0	100	Minton (D)	1
31	5	86	Morrioni (R)	85
36	0	100	Morse (R)	1
43	6	88	Murman (R)	76

**HOUSE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
37	4	90	Ogles (R)	66
44	1	98	Peaden (R)	25
36	6	86	Posey (R)	85
30	8	79	Prewitt (D)	106
38	5	88	Pruitt (R)	76
48	0	100	Putnam (R)	1
32	10	76	Rayson (D)	113
32	7	82	Reddick (D)	96
27	10	73	Ritchie (D)	118
34	10	77	Ritter (D)	112
32	6	84	Roberts-Burke (D)	91
32	4	89	Rodriguez-Chomat (R)	70
40	2	95	Rojas (R)	52
35	2	95	Safley (R)	52
37	0	100	Sanderson (R)	1
35	6	85	Saunders (R)	89
42	0	100	Sembler (R)	1
31	12	72	Silver (D)	119
35	2	95	Sindler (D)	52
33	1	97	Smith (D)	37

**HOUSE — BY ALPHABETICAL — 1998 (CONTINUED)**

<b>TOTAL FOR POSITION OF AIF</b>	<b>TOTAL AGAINST POSITION OF AIF</b>	<b>% OF VOTES WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>RANK</b>
35	1	97	Spratt (D)	37
36	3	92	Stabins (R)	58
33	7	83	Stafford (D)	92
44	1	98	Starks (R)	25
31	4	89	Sublette (R)	70
51	1	98	Tamargo (R)	25
45	0	100	Thrasher (R)	1
40	6	87	Tobin (D)	81
37	0	100	Trovillion (R)	1
36	4	90	Turnbull (D)	66
38	0	100	Valdes (R)	1
33	1	97	Villalobos (R)	37
36	1	97	Wallace (R)	37
38	2	95	Warner (R)	52
32	9	78	Wasserman-Schultz (D)	111
29	0	100	Webster (R)	1
35	2	95	Westbrook (D)	52
35	4	90	Wiles (D)	66
34	1	97	Wise (R)	37
43	4	91	Ziebarth (R)	62
<b>4315</b>	<b>432</b>	<b>91</b>	<b>TOTAL</b>	

**THE FLORIDA HOUSE**

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**TORT REFORM**

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# 1998 HOUSE VOTING KEYS

## TORT REFORM

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**CS/SB 874 Tort  
Reform by the  
Senate Committee  
on Rules and  
Calendar and  
Senator  
John McKay  
(R-Bradenton)**

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**T**his bill is the comprehensive tort reform package. The bill includes modified provisions of the six House bills which made up the House tort reform package. CS/SB 874 reflects the final work product of the Senate and the House Tort Reform Conference Committee.

The provisions of the bill include the following:

- Provides a series of jury reform measures to inform and instruct jurors and allow greater participation by the jurors in civil trials;
- Authorizes more sanctions to deter litigation activities that are frivolous in nature or are designed to delay the process;
- Provides a safe harbor for employers when they hire new employees;
- Defines adequate security for premises liability;
- Defines clearly trespassers and the duty owed to them by the owners of property;
- Reforms punitive damages including, raising the burden of proof for entitlement to punitive damages to "clear and convincing" evidence, repealing vicarious liability for punitive damages, placing caps on punitive damages when they are imposed because of gross negligence, defining clearly the conduct necessary to impose punitive damages, and allowing for a single punitive damage award;
- Reforms joint and several liability for economic damages for defendants who are less than 20 percent at fault, requires that all defendants be joint and severally liable for \$300,000 in economic damages, and requires that all defendants be liable for their percentage of fault thereafter;
- Modifies vicarious liability for owners of vehicles by capping damages at \$800,000;
- Creates a government rules defense, which is a rebuttable presumption, and allows a jury to consider a manufacturer's adherence to government rules if a three-part test is met;

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**CS/SB 874 Continued**

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- Creates a 12 year statute of repose, but gives claimants five years to file cases.

On March 26, 1998, the Senate Rules and Calendar Committee passed the bill favorably as a committee substitute by a vote of 21 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

On April 9, 1998, the Senate passed the bill as amended by a vote of 30 yeas to 10 nays. A "yea" vote is a vote for the AIF position.

- Record 1a: On April 9, 1998, the House adopted a "strike-everything" amendment and passed the bill by a vote of 77 yeas to 21 nays. The House requested the Senate to concur. A "yea" vote is a vote for the AIF position.

On April 13, 1998, the Senate refused to concur with the House amendment and a Conference Committee was appointed.

On April 30, 1998, the Senate passed the Conference Committee Report by a vote of 24 yeas to 16 nays. A "yea" vote is a vote for the AIF position.

- Record 1b: On April 30, 1998, the House passed the Conference Committee Report by a vote of 70 yeas to 46 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 874 was Vetoed by the Governor on May 18, 1998.**

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**HB 3871 Product Liability by the House Committee on Civil Justice and Claims and Representative Tom Warner (R-Stuart)**

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**T**his bill was one of six bills which passed the House and made up the House tort reform package. This package was the result of extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3871, which was voted out of committee as PCB CJ 98-2, contains the statute of repose and the government rules defense. Both of these are affirmative defenses. This means that the defendant must plead and prove these defenses.

The bill creates a statute of repose for product liability by providing that no action may be brought more than 12 years after the sale or delivery of a product. In addition, the bill creates a "government rules defense." If the seller or manufacturer fully complies with government rules and regulations, there is a rebuttable presumption that no liability exists in connection with the product.

AIF supports the provisions of the bill.

- Record 2a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-2 favorably as amended by a vote of 8 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

PCB CJ 98-2 became HB 3871.

- Record 2b: On March 10, 1998, the House passed the bill as amended by a vote of 82 yeas to 34 nays. A "yea" vote is a vote for the AIF position.

**HB 3871 died in the Senate Committee on Rules and Calendar.**

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**HB 3873 Punitive Damages by the House Committee on Civil Justice and Claims and Representative Tom Warner (R-Stuart)**

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**T**his bill was one of six bills which passed the House and made up the House tort reform package. This package was the result of extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3873, which was voted out of committee as PCB 98-3, contains three changes to the punitive damages law. First, it changes the burden of proof in order to obtain punitive damages from the lowest possible standard to a middle standard of "clear and convincing" evidence. Many other states use a "clear and convincing" evidence standard for punitive damages. This is not new or radical. The bill contains a single punitive damage award provision which provides that a defendant will be punished one time for a course of action. The bill also cleans up the three times compensatory damage cap on punitive damages so that it is non-discretionary with the judge. Most states that have a punitive damages cap have a true punitive damages cap, as does this bill.

AIF supports the provisions of the bill.

- Record 3a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-3 as favorable by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

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**HB 3873 Continued**


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PCB CJ 98-3 became HB 3873.

- Record 3b: On March 10, 1998, the House passed the bill as amended by a vote of 68 yeas to 22 nays. A "yea" vote is a vote for the AIF position.

**HB 3873 died in the Senate Committee on Rules and Calendar.**

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**HB 3875 Premises  
Liability by the  
House Committee  
on Civil Justice and  
Claims and  
Representative  
Johnnie Byrd  
(R-Plant City)**


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**T**his is one of six bills which passed the House and made up the House tort reform package. This package was the result of extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3875, which was voted out of committee as PCB 98-1, limits the liability of property owners for injuries to trespassers and injuries caused by third parties. It creates a "safe harbor" for owners of commercial property by specifying what should be done to provide adequate security for customers and other members of the public on the premises. The bill also provides protection to land owners from suits by trespassers for injuries occurring on the property.

The bill contains a list of eight safety measures a person who operates a store or parking lot or other semi-public place can take to protect their customers. If six of the eight steps are taken, it is presumed that the person who controls the property is not liable for criminal acts that occurred on their property, as the actions taken would be an indication of their attempt to protect customers.

AIF supports the provisions of the bill.

- Record 4a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-1 as favorable by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB CJ 98-2 became HB 3875.

- Record 4b: On March 10, 1998, the House passed the bill as amended by a vote of 107 yeas to 8 nays. A "yea" vote is a vote for the AIF position.

**HB 3875 died in the Senate Committee on Rules and Calendar.**

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**HB 3877 Rental Car  
Liability by the  
House Committee  
on Civil Justice and  
Claims and  
Representative  
Mark Flanagan  
(R-Bradenton)**

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**T**his bill was one of six bills which passed the House and made up the House tort reform package. This package was the result of extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3877, which was voted out of committee as PCB CJ 98-4, provides financial limitations on liability for persons who lease motor vehicles under short-term leases. Under current law, if the owner of a motor vehicle gives express or implied permission to a third party to operate the motor vehicle, the owner can be held liable for the negligence of the operator, even if the owner exercised reasonable due care in giving permission to the third party. This is based on a court made doctrine which classifies automobiles as dangerous instrumentalities.

The bill limits the vicarious liability of rental car agencies to \$100,000/\$300,000 bodily injury and \$50,000 in property damage, plus an additional \$500,000 in coverage if the driver or lessee is uninsured or underinsured. The bill does not limit the liability of rental car agencies for their own negligence.

- Record 5a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-4 as favorable by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB CJ 98-4 became HB 3877.

- Record 5b: On March 10, 1998, the House passed the bill by a vote of 73 yeas to 42 nays. A "yea" vote is a vote for the AIF position.

**HB 3877 died in the Senate Committee on Rules and Calendar.**

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**HB 3879 Joint and  
Several Liability by  
House Committee  
on Civil Justice and  
Claims and  
Representative  
Scott Clemons  
(D-Panama City)**

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**T**his bill was one of six bills which passed the House and made up the House tort reform package. This package was the result of the extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3879, which was voted out of committee as PCB CJ 98-5, contains joint and several liability repeal language. This is the most important issue to the Florida business community. This bill repeals joint and several liability completely for damages under \$25,000. It also preserves joint and several liability for economic damages (lost wages, etc.) up to \$250,000. In cases involving over \$250,000 in economic damages, defendants would pay according to their share of fault.

AIF supports the complete repeal of joint and several liability; however, the provisions of the bill are a responsible compromise. Therefore, AIF supports HB 3879.

- Record 6a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-5 as favorable by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB CJ 98-5 became HB 3879.

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**HB 3879 Continued**


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- Record 6b: On March 10, 1998, the House passed the bill as amended by a vote of 74 yeas to 43 nays. A "yea" vote is a vote for the AIF position.

**HB 3879 died in the Senate Committee on Rules and Calendar.**

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**HB 3881 Litigation  
Reform by House  
Committee on Civil  
Justice and Claims  
and Representative  
Tom Warner  
(R-Stuart)**


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**T**his bill was one of six bills which passed the House and made up the House tort reform package. This package was the result of extensive hearings on tort reform conducted by the House Committee on Civil Justice and Claims.

HB 3881, which was voted out of committee as PCB 98-6, includes a number of issues relating to litigation reform aimed at promoting settlement and reducing the time, cost, and uncertainty of the litigation process. It establishes procedures for expedited trials, private judges, and jury reforms. It attacks frivolous claims and unnecessary expenses by providing standards for the award of expert witness fees and by imposing sanctions against parties and attorneys who file unfounded claims or defenses or take actions to delay a case. The bill also simplifies jury verdict forms and offers of judgment.

AIF supports the provisions of the bill.

- Record 7a: On February 17, 1998, the House Committee on Civil Justice and Claims passed PCB CJ 98-6 as favorable by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB CJ 98-6 became HB 3881.

- Record 7b: On March 10, 1998, the House passed the bill as amended by a vote of 115 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**HB 3881 died in the Senate Committee on Rules and Calendar.**

# HOUSE AVERAGE ON TORT REFORM ISSUES = 76%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
7	0	100	Albright (R)	F	F	F				F		F		F			F
2	0	100	Alexander (R)	F	F												
8	0	100	Andrews (R)	F	F	F		F		F		F		F			F
4	4	50	Argenziano (R)	F	A	A		A		F		A		F			F
8	0	100	Arnall (R)	F	F	F		F		F		F		F			F
1	6	14	Arnold (D)		A	A		A		A		A		A			F
8	0	100	Bainter (R)	F	F	F		F		F		F		F			F
6	1	86	Ball (R)	F	F	F				F		A		F			F
7	0	100	Barreiro (R)		F	F		F		F		F		F			F
6	2	75	Betancourt (D)	F	A	F		F		F		A		F			F
8	0	100	Bitner (R)	F	F	F		F		F		F		F			F
6	1	86	Bloom (D)		A	F		F		F		F		F			F
8	0	100	Boyd (D)	F	F	F		F		F		F		F			F
10	3	77	Bradley (D)		F	F	A	F	A	F	F	F	A	F	F	F	F
1	5	17	Brennan (D)	A		A				A		A		A			F

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

## HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
8	0	100	Bronson (D)	F	F	F	F	F	F	F	F	F	F	F	F	F	F
8	0	100	Brooks (R)	F	F	F	F	F	F	F	F	F	F	F	F	F	F
3	3	50	Brown (D)		A	F				F		A		A			F
4	3	57	Bullard (D)	A	A	F				F		A		F			F
9	5	64	Burroughs (R)	F	A	A	A	F	F	F	F	A	A	F	F	F	F
3	3	50	Bush (D)		A	F				F		A		A			F
13	0	100	Byrd (R)	F	F	F	F	F	F	F		F	F	F	F	F	F
5	3	63	Carlton (R)	F	F	F			A	F		A		A			F
8	0	100	Casey (R)	F	F	F			F	F		F		F			F
3	5	38	Chestnut (D)	A	A	F		A	F			A		A			F
11	2	85	Clemons (D)		F	F	F	A	F	A	F	F	F	F	F	F	F
8	0	100	Constantine (R)	F	F	F			F			F		F			F
13	1	93	Cosgrove (D)	F	A	F	F	F	F	F	F	F	F	F	F	F	F
8	0	100	Crady (D)	F	F	F			F			F		F			F
6	1	86	Crist (R)	F	F	F						F		A		F	F

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

## HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
2	6	25	Crow (R)	A	A	A		A		F		A		A		F	
8	0	100	Culp (R)	F	F	F		F		F		F		F		F	
4	3	57	Dawson-White (D)		A	F		F		F		A		A		F	
4	3	57	Dennis (D)		A	F		F		F		A		A		F	
6	1	86	Diaz de la Portilla (R)		F	F		F		F		A		F		F	
8	0	100	Dockery (R)	F	F	F		F		F		F		F		F	
7	0	100	Edwards (D)		F	F		F		F		F		F		F	
2	5	29	Effman (D)	A	A	A				A		F		A		F	
5	2	71	Eggelletion (D)		F	A		F		F		A		F		F	
3	4	43	Fasano (R)		A	A		A		F		F		A		F	
7	0	100	Feeney (R)	F	F	F				F		F		F		F	
1	6	14	Fischer (D)	A	A	A				A		A		A		F	
14	0	100	Flanagan (R)	F	F	F	F	F	F	F	F	F	F	F	F	F	F
1	7	13	Frankel (D)	A	A	A		A		A		A		A		F	
8	0	100	Fuller (R)	F	F	F		F		F		F		F		F	

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**HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
8	0	100	Futch (R)	F	F		F		F		F		F		F		F
7	0	100	Garcia (R)	F			F		F		F		F		F		F
8	0	100	Gay (R)	F	F		F		F		F		F		F		F
8	0	100	Goode (R)	F	F		F		F		F		F		F		F
0	2	0	Gottlieb (R)	A	A												
3	4	43	Greene (D)		A		F		A		F		A		A		F
6	2	75	Hafner (D)	F	F		A		F		F		A		F		F
7	0	100	Harrington (R)	F	F		F				F		F		F		F
5	3	63	Healey (D)	A	A		F		F		F		F		A		F
2	5	29	Heyman (D)	A	A		A		A				F		A		F
4	4	50	Hill (D)	A	A		F		F		F		A		A		F
3	5	38	Horan (D)	A	A		A		F		F		A		A		F
2	6	25	Jacobs (D)	A	A		A		A		F		A		A		F
7	0	100	Jones (R)	F	F		F				F		F		F		F
8	0	100	Kelly (R)	F	F		F		F		F		F		F		F

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

## HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
8	0	100	King (R)	F	F	F		F		F		F		F		F	
8	0	100	Kosmas (D)	F	F	F		F		F		F		F		F	
4	3	57	Lacasa (R)	F	F	A				F		A		A		A	
3	4	43	Lawson (D)		A	A		F		F		A		A		A	
4	3	57	Lippman (D)	F		A		F		A		F		A		A	
8	0	100	Littlefield (R)	F	F	F		F		F		F		F		F	
8	0	100	Livingston (R)	F	F	F		F		F		F		F		F	
4	2	67	Logan (D)	F	A	F				F						A	
8	0	100	Lynn (R)	F	F	F		F		F		F		F		F	
5	3	63	Mackenzie (D)	F	F	A		A		F		F		A		A	
7	0	100	Mackey (D)	F	F	F				F		F		F		F	
8	0	100	Maygarden (R)	F	F	F		F		F		F		F		F	
3	5	38	Meek (D)	A	A	F		A		F		A		A		A	
8	0	100	Melvin (R)	F	F	F		F		F		F		F		F	
8	0	100	Merchant (R)	F	F	F		F		F		F		F		F	

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

## HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
3	5	38	Miller (D)	A	A		A		F		F		A		A		F
8	0	100	Minton (D)	F	F		F		F		F		F		F		F
3	4	43	Morrone (R)		A		A		F		F		A		A		F
8	0	100	Morse (R)	F	F		F		F		F		F		F		F
3	5	38	Murman (R)	F	A		A		A		F		A		A		F
5	2	71	Ogles (R)		F		F		F		F		A		A		F
8	0	100	Peadar (R)	F	F		F		F		F		F		F		F
4	4	50	Posey (R)	F	A		F		F		A		F		A		A
3	5	38	Prewitt (D)	A	A		A		A		F		F		A		F
4	4	50	Prüitt (R)	F	A		A		F		F		A		A		F
7	0	100	Putnam (R)	F	F		F				F		F		F		F
2	5	29	Rayson (D)	A	A		A				F		A		A		F
2	4	33	Reddick (D)	A	A				A		F		F		A		
3	5	38	Ritchie (D)	A	A		A		F		F		A		A		F
7	6	54	Ritter (D)	F	A	F	F	A		A	F	A	A	F	A	F	F

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

## HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
4	3	57	Roberts-Burke (D)		A	F	F	F	F	A	A	F	F				
5	2	71	Rodriguez-Chomat (R)		F	A	A	F	F	F	F	F	F				
7	1	88	Rojas (R)	F	F	F	A	F	F	F	F	F	F				
7	0	100	Safley (R)		F	F	F	F	F	F	F	F	F				
8	0	100	Sanderson (R)	F	F	F	F	F	F	F	F	F	F				
3	5	38	Saunders (R)	F	A	A	A	F	A	A	A	F	F				
8	0	100	Semler (R)	F	F	F	F	F	F	F	F	F	F				
1	6	14	Silver (D)	A	A	A				A	A	A	A				
7	0	100	Sindler (D)		F	F	F	F	F	F	F	F	F				
2	0	100	Smith (D)	F	F												
8	0	100	Spratt (D)	F	F	F	F	F	F	F	F	F	F				
6	2	75	Stabins (R)	A	F	F	F	F	F	F	A	F	F				
4	4	50	Stafford (D)	F	A	A	A	F	F	F	A	F	F				
7	0	100	Starks (R)	F	F	F				F	F	F	F				
3	3	50	Sublette (R)		A	A				F	F	A	F				

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

**HOUSE AVERAGE ON TORT REFORM ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Tort Reform	1b - Tort Reform	2a - Product Liability	2b - Product Liability	3a - Punitive Damages	3b - Punitive Damages	4a - Premises Liability	4b - Premises Liability	5a - Rental Car Liability	5b - Rental Car Liability	6a - Joint and Several Liability	6b - Joint and Several Liability	7a - Litigation Reform	7b - Litigation Reform
7	0	100	Tamargo (R)	F	F		F	F		F					F		F
13	0	100	Thrasher (R)	F	F	F	F	F		F	F	F	F	F	F	F	F
5	3	63	Tobin (D)	F	A		A	F		F		F			A		F
8	0	100	Trovillion (R)	F	F		F	F		F		F			F		F
8	0	100	Turnbull (D)	F	F		F	F		F		F			F		F
8	0	100	Valdes (R)	F	F		F	F		F		F			F		F
7	0	100	Villalobos (R)	F	F		F			F		F			F		F
8	0	100	Wallace (R)	F	F		F	F		F		F			F		F
12	1	92	Warner (R)	F	A	F	F	F		F	F	F	F	F	F	F	F
2	5	29	Wasserman-Schultz (D)		A		A	A		F		A			A		F
8	0	100	Webster (R)	F	F		F	F		F		F			F		F
7	0	100	Westbrook (D)	F	F		F			F		F			F		F
6	2	75	Wiles (D)	F	F		A	F		F		A			F		F
7	0	100	Wise (R)	F	F		F			F		F			F		F
6	2	75	Ziebarth (R)	F	A		F	A		F		F			F		F
<b>713</b>	<b>224</b>	<b>76</b>	<b>TOTAL</b>														

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

# THE FLORIDA HOUSE

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## EDUCATION

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## EDUCATION

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**HB 1901 Jobs for  
Florida Graduates  
Program by the  
House Committee  
on Education  
Innovation and  
Representative  
Jerry Melvin (R-Ft.  
Walton Beach)**

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**T**his bill is a carry-over bill from the 1997 Legislative Session. AIF supports any assistance that can be given to Florida's college graduates that will aid their transition into the Florida workforce. HB 1901 by the House Committee on Education Innovation and Representative Melvin creates such an initiative.

The bill would create the Florida Endowment Foundation for Florida's Graduates under the Department of Education. This foundation would be created as a direct-support organization of the Department of Education to encourage public and private support to enhance school-to-work transition for recent graduates.

This bill provides for the operation of the program in accordance with certain standards of the "Jobs for America's Graduates, Inc." The bill creates an endowment fund and provides for earnings on investment funds to be deposited in an operating account for use by the Foundation. The bill also creates a one-year pilot apprenticeship program at the Okaloosa-Walton Community College.

- Record 1a: On March 24, 1998, the House passed the carry-over bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1998, the Senate substituted HB 1901 for SB 1736. SB 1736 was laid on the table. The Senate passed HB 1901 by a vote of 38 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 1901 became Law without the Governor's signature on May 22, 1998; refer to Ch. #98-218, Laws of Florida.**

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**HB 3799**  
**Community**  
**Colleges/Bonding**  
**Equipment by the**  
**House Committee**  
**on Community**  
**Colleges and Career**  
**Preparation,**  
**Representative Bob**  
**Sindler (D-Apopka),**  
**and Representative**  
**Mike Fasano**  
**(R-New Port Richey)**

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**T**his bill was introduced as PCB CC 98-2 by the House Committee on Community College and Career Preparation. The bill expands the purposes for which student capital improvement fees may be bonded.

During the 1997 Special Session A, the Legislature authorized community colleges to bond capital improvement costs only for the purpose of new construction of educational facilities. This bill would expand the bonding authority of community colleges to include capital improvements and expansion of existing facilities and the purchase of equipment for educational facilities.

The concern with this proposal is that community colleges may use monies acquired from the bonding to purchase equipment and attempt improvements that are not related to education (i.e. lawn equipment and administration vehicles). If community colleges are going to leverage the future of their campus, it should be directly related to the education of students. This bill provides that equipment costs, which may be bonded, must be purchased as a part of the educational facilities.

- Record 2a: On February 18, 1998, the House Committee on Community Colleges passed PCB CC 98-2 as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB CC 98-2 became HB 3799.

- Record 2b: On March 18, 1998, the House Committee on Finance and Taxation passed the House bill as favorable by a vote of 14 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On March 26, 1998, the House Committee on Education passed the bill as favorable by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2d: On April 16, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 24, 1998, the Senate substituted HB 3799 for CS/SB 962. CS/SB 962 was laid on the table. The Senate passed HB 3799 by a vote of 36 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 3799 became Law without the Governor's signature on May 28, 1998; refer to Ch. #98-300, Laws of Florida.**

## HOUSE AVERAGE ON EDUCATION ISSUES = 100%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Jobs For Florida Graduates Program	2a - Community Colleges/Bonding Equipment	2b - Community Colleges/Bonding Equipment	2c - Community Colleges/Bonding Equipment	2d - Community Colleges/Bonding Equipment
2	0	100	Albright (R)	F				F
2	0	100	Alexander (R)	F				F
3	0	100	Andrews (R)	F			F	F
2	0	100	Argenziano (R)	F				F
3	0	100	Arnall (R)	F		F		F
2	0	100	Arnold (D)	F				F
2	0	100	Bainter (R)	F				F
2	0	100	Ball (R)	F				F
2	0	100	Barreiro (R)	F				F
2	0	100	Betancourt (D)	F				F
2	0	100	Bitner (R)	F				F
2	0	100	Bloom (D)	F				F
2	0	100	Boyd (D)	F				F
2	0	100	Bradley (D)	F				F
3	0	100	Brennan (D)	F			F	F
2	0	100	Bronson (D)	F				F
2	0	100	Brooks (R)	F				F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
2	0	100	Brown (D)	F				F
1	0	0	Bullard (D)	F				
2	0	100	Burroughs (R)	F				F
2	0	100	Bush (D)	F				F
3	0	100	Byrd (R)	F		F		F
2	0	100	Carlton (R)	F				F
3	0	100	Casey (R)	F				F
3	0	100	Chestnut (D)	F			F	F
2	0	100	Clemons (D)	F				F
3	0	100	Constantine (R)	F			F	F
3	0	100	Cosgrove (D)	F		F		F
2	0	100	Crady (D)	F				F
2	0	100	Crist (R)	F				F
2	0	100	Crow (R)	F				F
3	0	100	Culp (R)	F			F	F
1	0	100	Dawson-White (D)					F
2	0	100	Dennis (D)	F				F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
1	0	100	Diaz de la Portilla (R)	F				
3	0	100	Dockery (R)	F		F		F
2	0	100	Edwards (D)	F				F
2	0	100	Effman (D)	F				F
2	0	100	Eggelletion (D)	F				F
4	0	100	Fasano (R)	F	F	F		F
2	0	100	Feeney (R)	F				F
2	0	100	Fischer (D)	F				F
2	0	100	Flanagan (R)	F				F
2	0	100	Frankel (D)	F				F
2	0	100	Fuller (R)	F				F
3	0	100	Futch (R)	F	F			F
1	0	100	Garcia (R)					F
2	0	100	Gay (R)	F				F
2	0	100	Goode (R)	F				F
2	0	100	Gottlieb (D)	F				F
3	0	100	Greene (D)	F	F			F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
2	0	100	Hafner (D)	F				F
3	0	100	Harrington (R)	F	F			F
2	0	100	Healey (D)	F				F
2	0	100	Heyman (D)	F				F
3	0	100	Hill (D)	F		F		F
3	0	100	Horan (D)	F			F	F
3	0	100	Jacobs (D)	F		F		F
2	0	100	Jones (R)	F				F
3	0	100	Kelly (R)	F	F			F
2	0	100	King (R)	F				F
2	0	100	Kosmas (D)	F				F
2	0	100	Lacasa (R)	F				F
2	0	100	Lawson (D)	F				F
2	0	100	Lippman (D)	F				F
2	0	100	Littlefield (R)	F				F
2	0	100	Livingston (R)	F				F
2	0	100	Logan (D)	F				F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
3	0	100	Lynn (R)	F			F	F
3	0	100	Mackenzie (D)	F			F	F
2	0	100	Mackey (D)	F				F
2	0	100	Maygarden (R)	F				F
2	0	100	Meek (D)	F				F
2	0	100	Melvin (R)	F				F
2	0	100	Merchant (R)	F				F
4	0	100	Miller (D)	F	F		F	F
2	0	100	Minton (D)	F				F
2	0	100	Morrone (R)	F				F
2	0	100	Morse (R)	F				F
3	0	100	Murman (R)	F		F		F
3	0	100	Ogles (R)	F		F		F
2	0	100	Peaden (R)	F				F
2	0	100	Posey (R)	F				F
3	0	100	Prewitt (D)	F	F			F
3	0	100	Pruitt (R)	F	F			F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
3	0	100	Putnam (R)	F		F		F
2	0	100	Rayson (D)	F				F
2	0	100	Reddick (D)	F				F
2	0	100	Ritchie (D)	F				F
2	0	100	Ritter (D)	F				F
2	0	100	Roberts-Burke (D)	F				F
3	0	100	Rodriguez-Chomat (R)	F			F	F
2	0	100	Rojas (R)	F				F
1	0	100	Safley (R)	F				
2	0	100	Sanderson (R)	F				F
2	0	100	Saunders (R)	F				F
2	0	100	Sembler (R)	F				F
3	0	100	Silver (D)	F		F		F
3	0	100	Sindler (D)	F	F			F
2	0	100	Smith (D)	F				F
2	0	100	Spratt (D)	F				F
3	0	100	Stabins (R)	F			F	F

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

**HOUSE AVERAGE ON EDUCATION ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Jobs For Florida Graduates Program</b>	<b>2a - Community Colleges/Bonding Equipment</b>	<b>2b - Community Colleges/Bonding Equipment</b>	<b>2c - Community Colleges/Bonding Equipment</b>	<b>2d - Community Colleges/Bonding Equipment</b>
3	0	100	Stafford (D)	F	F			F
3	0	100	Starks (R)	F		F		F
3	0	100	Sublette (R)	F			F	F
3	0	100	Tamargo (R)	F		F		F
2	0	100	Thrasher (R)	F				F
3	0	100	Tobin (D)	F		F		F
2	0	100	Trovillion (R)	F				F
3	0	100	Turnbull (D)	F			F	F
2	0	100	Valdes (R)	F				F
1	0	100	Villalobos (R)					F
2	0	100	Wallace (R)	F				F
3	0	100	Warner (R)	F			F	F
3	0	100	Wasserman-Schultz (D)	F			F	F
2	0	100	Webster (R)	F				F
2	0	100	Westbrook (D)	F				F
2	0	100	Wiles (D)	F				F
2	0	100	Wise (R)	F				F
2	0	100	Ziebarth (R)	F				F
<b>274</b>	<b>0</b>	<b>100</b>	<b>TOTAL</b>					

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

**THE FLORIDA HOUSE**

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**ENVIRONMENTAL**

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## ENVIRONMENTAL

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**CS/SB 1202  
Brownfields  
Redevelopment  
by the Senate  
Committee on  
Natural Resources  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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In 1997, the Legislature passed the Brownfields Redevelopment Act, Sections 376.77-376.84, Florida Statutes. The Act authorizes local governments to designate brownfields areas by resolution if specified criteria are met. The Act establishes processes and provides for regulatory oversight of the clean-up process.

Cleanup language has now been passed to clarify these provisions. The Brownfields "glitch" bill addresses several issues that were identified since the passage of the 1997 Brownfields Redevelopment Act as "glitches." The Brownfields bill also provides a brownfields area loan and guarantee program and other economic incentives to encourage the redevelopment and reuse of these brownfields areas. The bill authorizes closed military bases to be designated as brownfields areas. Additionally, the bill revises eligibility criteria and liability protection provisions.

On March 5, 1998, the Senate Committee on Natural Resources passed the bill favorably as a committee substitute by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 12, 1998, the Senate Committee on Community Affairs passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is for the AIF position.

On April 1, 1998, the Senate Committee on Ways and Means passed the bill favorably as amended by a vote of 24 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 15, 1998, 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.

- Record 1a: On April 29, 1998, the House substituted CS/SB 1202 for HB 4435. HB 4435 was laid on the table. The House passed CS/SB 1202 by a vote of 113 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/SB 1202 was signed by the Governor and became Law on May 21, 1998; refer to Ch. #98-75, Laws of Florida.**

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**CS/HB 1377 Florida  
Clean Outdoor Air  
Act by the House  
Committee on  
Transportation and  
Representative  
Jim Fuller  
(R-Jacksonville  
Beach)**

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In 1997, the EPA adopted more stringent clean air standards and a new method of measurement of air quality. In the year 2000, the EPA will determine compliance with the new standards. Any area not meeting the standards will be declared in "non-attainment" and the state will be required to submit a "State Implementation Plan" (SIP) to bring the area into compliance by the year 2010 or beyond. During 1999 and 2000, each of Florida's MPO transportation plans for the period of 2000-2020, will be reviewed for conformity with the SIP. Any area not meeting the conformity requirements will be subject to having all federal transportation funding for new projects in the area withheld until the plan is brought into compliance. Current vehicle emissions inspection contracts expire in two years.

The Florida Legislature faced difficult choices in handling this EPA requirement. Under any scenario, if air quality deteriorates it would impact the health of citizens and medical costs and would impact the ability of industry to expand or relocate into Florida.

CS/HB 1377 is a reasonable compromise which would allow the careful consideration of choices available to Florida for compliance with the new EPA air standards. The bill prohibits the Department of Highway Safety and Motor Vehicles from entering into a contract for vehicle emissions inspections until directed by the Legislature to do so. The Department is directed to hire an independent consultant to make recommendations before January 1, 1999.

If the issue is not addressed by the Legislature in the 1999 Session, the Department is authorized to enter into contracts for no longer than two years for biennial inspection for vehicles five model years or older using the basic test. A ten dollar inspection fee is authorized if appropriated by the Legislature.

AIF's position is to support maintaining auto emissions testing to protect air quality attainment so that Florida businesses and industries are not unduly impacted by new EPA requirements. The Legislative action in CS/HB 1377 provides for the contemplative study of the issue and keeps the inspection program intact, which is to the benefit of Florida industry.

- Record 2a: On April 14, 1998, the House passed the committee substitute as amended by a vote of 113 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the Senate passed the bill as amended by a vote of 40 yeas to 0 nays and requested the House to concur. A "yea" vote is a vote for the AIF position.

- Record 2b: On April 30, 1998, the House concurred with the Senate amendments and passed the bill by a vote of 118 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

**CS/HB 1377 became Law without the Governor's signature on May 27, 1998; refer to Ch. #98-254, Laws of Florida.**

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**CS/SB 1458 Coastal  
Redevelopment  
by the Senate  
Committee on  
Community Affairs  
and Senator  
Jack Latvala  
(R-Palm Harbor)**

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**T**his bill expands the scope of the Community Redevelopment Act. It provides Legislative intent for redevelopment of coastal resort areas which are deteriorating or are economically distressed. The bill also contains a pilot project for the Daytona Beach area containing exemptions from certain coastal construction requirements and targeting the area for meaningful development.

The legislation is designed to establish pilot projects to encourage redevelopment of those areas to promote economic growth. Tax incentives, technical assistance to expedite permitting, and the EPA exemptions from certain siting and design criteria will be allowed, so long as the redevelopment meets other design and structural requirements.

If this concept works in pilot project areas, the implications for expanding into other coastal areas could provide a boost to economies of older, dilapidated coastal areas throughout the state.

On March 13, 1998, the Senate Committee on Natural Resources passed the bill favorably as amended by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On March 23, 1998, the Senate Committee on Community Affairs passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 15, 1998, the Senate passed the bill as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1998, the House substituted CS/SB 1458 for CS/HB 4107. CS/HB 4107 was laid on the table.

- Record 3a: On April 29, 1998, the House adopted amendments and passed CS/SB 1458 as amended by a vote of 118 yeas to 0 nays. The House requested the Senate to concur. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the Senate concurred with the House amendments and passed the bill by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1458 became Law without the Governor's signature on May 22, 1998; refer to Ch. #98-201, Laws of Florida.**

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**CS/HB 3549 Citizen  
Participation in  
Government Act  
by the House  
Committee on Civil  
Justice and Claims  
and Representative  
Carl Littlefield  
(R-Dade City)**

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**F**or several years, bills have been filed in the Legislature addressing what have become known as SLAPP suits. SLAPP stands for Strategic Lawsuits Against Public Participation and refer to civil lawsuits brought against persons that have participated in a public forum against a governmental action or commented against a governmental action. Recently, these suits have been used by governmental entities against private citizens who have taken action in a public forum.

AIF has long opposed legislation which limits access to courts and redresses of grievances by private citizens and private businesses. This bill addresses citizen participation and government action by limiting SLAPP suits brought only by governmental entities against its citizens by providing for expedited motions and sanctions against a governmental entity bringing suit.

- Record 4a: On March 11, 1998, the House Committee on Civil Justice and Claims passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 7, 1998, the House Committee on Governmental Operations passed the bill as favorable by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On April 22, 1998, the House passed the bill by a vote of 112 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 3549 died in the Senate Judiciary Committee.**

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**CS/HB 4107  
Coastal  
Redevelopment  
by the House  
Committee on  
Community Affairs  
and Representative  
Doug Wiles  
(D-St. Augustine)**

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**T**he bill expands the scope of the Community Redevelopment Act. It provides Legislative intent for redevelopment of coastal resort areas which are deteriorating or are economically distressed. The bill also contains a pilot project for the Daytona Beach area containing exemptions from certain coastal construction requirements and targeting the area for meaningful development.

The legislation is designed to establish pilot projects to encourage redevelopment of those areas to promote economic growth. Tax incentives, technical assistance to expedite permitting, and the EPA exemptions from certain siting and design criteria will be allowed, so long as the redevelopment meets other design and structural requirements.

If this concept works in pilot project areas, the implications for expanding into other coastal areas could provide a boost to economies of older, dilapidated coastal areas throughout the state.

- Record 5a: On March 24, 1998, the House Committee on Environmental Protection passed the bill favorably as amended by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

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**CS/HB 4107 Continued**


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- Record 5b: On March 30, 1998, the House Committee on Community Affairs passed the bill favorably as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 27, 1998, the House substituted CS/SB 1458 for CS/HB 4107.  
**CS/HB 4107 was laid on the table; refer to CS/SB 1458.**

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**HB 4435  
 Brownfields  
 Redevelopment by  
 Representative  
 Lee Constantine (R-  
 Altamonte Springs)**


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In 1997, the Legislature passed the Brownfields Redevelopment Act, Sections 376.77-376.84, Florida Statutes. The Act authorized local governments to designate brownfields areas by reevaluation if specified criteria are met. The Act establishes processes and provides for regulatory oversight of the clean-up process.

Cleanup language has now been passed to clarify these provisions. The Brownfields "glitch" bill addresses several issues that were identified since the passage of the 1997 Brownfields Redevelopment Act as "glitches." The Brownfields bill also provides a brownfields area loan and guarantee program and other economic incentives to encourage the redevelopment and reuse of these brownfields areas. The bill authorizes closed military bases to be designated as brownfields areas. Additionally, the bill revises eligibility criteria and liability protection provisions.

- Record 6a: On April 6, 1998, the House Committee on Environmental Protection passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6b: On April 14, 1998, the House Committee on Finance and Taxation passed the bill as favorable by a vote of 13 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6c: On April 21, 1998, the House Committee on General Government passed the bill favorably as amended by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the House substituted CS/SB 1202 for HB 4435.  
**HB 4435 was laid on the table; refer to CS/SB 1202.**

# HOUSE AVERAGE ON ENVIRONMENTAL ISSUES = 99%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
5	0	100	Albright (R)	F	F	F	F			F					
5	0	100	Alexander (R)	F	F	F	F			F					
6	0	100	Andrews (R)	F	F	F	F			F		F			
5	0	100	Argenziano (R)	F	F	F	F			F					
6	0	100	Arnall (R)	F	F	F	F			F				F	
5	0	100	Arnold (D)	F	F	F	F			F					
5	0	100	Bainter (R)	F	F	F	F			F					
5	0	100	Ball (R)	F	F	F	F			F					
6	0	100	Barreiro (R)	F	F	F	F			F					F
5	0	100	Betancourt (D)	F	F	F	F			F					
5	0	100	Bitner (R)	F	F	F	F			F					
5	0	100	Bloom (D)	F	F	F	F			F					
5	0	100	Boyd (D)	F	F	F	F			F					
6	0	100	Bradley (D)	F	F	F	F	F		F					
5	0	100	Brennan (D)	F	F	F	F			F					
5	0	100	Bronson (D)	F		F	F			F					F
5	0	100	Brooks (R)	F	F	F	F			F					

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
4	1	80	Brown (D)	F	F	F	F			A					
4	0	100	Bullard (D)	F		F	F			F					
6	1	86	Burroughs (R)	A	F	F	F	F		F	F				
5	0	100	Bush (D)	F	F	F	F			F					
6	0	100	Byrd (R)	F	F	F	F	F		F					
5	0	100	Carlton (R)	F	F	F	F			F					
5	0	100	Casey (R)	F	F	F	F			F					
5	0	100	Chestnut (D)	F	F	F	F			F					
6	0	100	Clemons (D)	F	F	F	F	F		F					
4	0	100	Constantine (R)	F		F	F			F					
7	0	100	Cosgrove (D)	F	F	F	F	F		F				F	
5	0	100	Crady (D)	F	F	F	F			F					
5	0	100	Crist (R)	F	F	F	F			F					
6	0	100	Crow (R)	F	F	F	F			F			F		
4	0	100	Culp (R)	F	F	F	F								
5	0	100	Dawson-White (D)	F	F	F	F			F					
5	0	100	Dennis (D)	F	F	F	F			F					

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
5	0	100	Diaz de la Portilla (R)	F	F	F	F			F					
8	0	100	Dockery (R)	F	F	F	F			F	F		F	F	
5	0	100	Edwards (D)	F	F	F	F			F					
6	0	100	Effman (D)	F	F	F	F			F		F			
8	0	100	Eggelation (D)	F	F	F	F			F	F		F		F
7	0	100	Fasano (R)	F	F	F	F		F	F				F	
5	0	100	Feeney (R)	F	F	F	F			F					
6	1	86	Fischer (D)	F	F	A	F			F	F		F		
5	0	100	Flanagan (R)	F	F	F	F			F					
5	0	100	Frankel (D)	F	F	F	F			F					
5	0	100	Fuller (R)	F	F	F	F			F					
5	0	100	Futch (R)	F	F	F	F			F					
5	0	100	Garcia (R)	F	F	F	F			F					
7	0	100	Gay (R)	F	F	F	F			F		F			F
5	0	100	Goode (R)	F	F	F	F			F					
6	0	100	Gottlieb (D)	F	F	F	F			F		F			
6	0	100	Greene (D)	F	F	F	F				F		F		

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
5	0	100	Hafner (D)	F	F	F	F			F					
5	0	100	Harrington (R)	F	F	F	F			F					
5	0	100	Healey (D)	F	F	F	F			F					
5	0	100	Heyman (D)	F	F	F	F			F					
6	0	100	Hill (D)	F	F	F	F			F				F	
5	0	100	Horan (D)	F	F	F	F			F					
6	0	100	Jacobs (D)	F	F	F	F			F				F	
5	0	100	Jones (R)	F	F	F	F			F					
6	0	100	Kelly (R)	F	F	F	F		F	F					
5	0	100	King (R)	F	F	F	F			F					
6	0	100	Kosmas (D)	F	F	F	F			F		F			
5	0	100	Lacasa (R)	F	F	F	F			F					
7	0	100	Lawson (D)	F	F	F	F		F	F					F
3	0	100	Lippman (D)	F	F					F					
5	0	100	Littlefield (R)	F	F	F	F			F					
6	0	100	Livingston (R)	F	F	F	F			F		F			
5	0	100	Logan (D)	F	F	F	F			F					

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
5	0	100	Lynn (R)	F	F	F	F			F					
5	0	100	Mackenzie (D)	F	F	F	F			F					
5	0	100	Mackey (D)	F		F	F			F					F
5	0	100	Maygarden (R)	F	F	F	F			F					
4	0	100	Meek (D)		F	F	F			F					
5	0	100	Melvin (R)	F	F	F	F			F					
5	0	100	Merchant (R)	F	F	F	F			F					
5	0	100	Miller (D)	F	F	F	F			F					
4	0	100	Minton (D)	F		F	F			F					
5	0	100	Morrone (R)	F	F	F	F			F					
4	0	100	Morse (R)	F	F	F	F								
7	0	100	Murman (R)	F	F	F	F			F			F	F	
5	0	100	Ogles (R)	F	F	F	F			F					
7	0	100	Peaden (R)	F	F	F	F			F	F				F
7	0	100	Posey (R)	F	F	F	F		F	F					F
5	0	100	Prewitt (D)	F	F	F	F			F					
7	0	100	Pruitt (R)	F	F	F	F		F	F					F

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
7	0	100	Putnam (R)	F	F	F	F			F	F			F	
5	0	100	Rayson (D)	F	F	F	F			F					
5	0	100	Reddick (D)	F	F	F	F			F					
4	1	80	Ritchie (D)	F	F	F	F			A					
6	0	100	Ritter (D)	F	F	F	F	F		F					
5	0	100	Roberts-Burke (D)	F		F	F			F					F
4	0	100	Rodriguez-Chomat (R)		F	F	F			F					
6	0	100	Rojas (R)	F	F	F	F					F		F	
4	0	100	Safley (R)	F		F	F			F					
5	0	100	Sanderson (R)	F	F	F	F			F					
6	0	100	Saunders (R)	F	F	F	F			F			F		
7	0	100	Sembler (R)	F	F	F	F			F	F		F		
4	1	80	Silver (D)		F	F	F			A				F	
5	0	100	Sindler (D)	F	F	F	F			F					
5	0	100	Smith (D)	F	F	F	F			F					
5	0	100	Spratt (D)	F	F	F	F			F					
4	0	100	Stabins (R)		F	F	F			F					
5	0	100	Stafford (D)	F	F	F	F			F					

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

**HOUSE AVERAGE ON ENVIRONMENTAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Brownfields Redevelopment	2a - Florida Clean Outdoor Air Act	2b - Florida Clean Outdoor Air Act	3a - Coastal Redevelopment	4a - Citizen Participation in Government Act	4b - Citizen Participation in Government Act	4c - Citizen Participation in Government Act	5a - Coastal Redevelopment	5b - Coastal Redevelopment	6a - Brownfields Redevelopment	6b - Brownfields Redevelopment	6c - Brownfields Redevelopment
6	0	100	Starks (R)	F	F	F	F			F				F	
5	0	100	Sublette (R)	F	F	F	F			F					
7	0	100	Tamargo (R)	F	F	F	F			F		F		F	
6	0	100	Thrasher (R)	F	F	F	F	F		F					
6	0	100	Tobin (D)	F	F	F	F			F				F	
5	0	100	Trovillion (R)	F	F	F	F			F					
6	0	100	Turnbull (D)	F	F	F	F			F		F			
5	0	100	Valdes (R)	F	F	F	F			F					
5	0	100	Villalobos (R)	F	F	F	F			F					
5	0	100	Wallace (R)	F	F	F	F			F					
4	0	100	Warner (R)		F	F	F	F							
5	0	100	Wasserman-Schultz (D)	F	F	F	F			F					
3	0	100	Webster (R)		F	F				F					
5	0	100	Westbrook (D)	F	F	F	F			F					
6	0	100	Wiles (D)	F	F	F	F			F	F				
5	0	100	Wise (R)	F	F	F	F			F					
6	0	100	Ziebarth (R)	F	F	F	F			F					F
<b>637</b>	<b>5</b>	<b>99</b>	<b>TOTAL</b>												

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

**THE FLORIDA HOUSE**

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**HEALTH CARE**

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## HEALTH CARE

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**HB 41 Mental  
Health Parity by  
Representative  
Mary Brennan  
(D-Pinellas Park)**

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**T**his is the Mental Health Parity bill. The bill mandates that all health insurance policies cover mental illness to the same extent that they cover physical illness. The bill has no limits on inpatient or outpatient days, no premium caps, and applies to all biologically-based mental illnesses.

In 1966, Congress passed the Kassebaum/Kennedy bill, which is the federal mental health parity law. If Florida passes its own version of parity, Florida employers and workers will be forced to pay more for coverage than employers and workers in other states.

AIF strongly opposes HB 41. Amendments adopted in the Senate would have made this bill acceptable; however, they were not adopted in the House.

- Record 1a: On March 18, 1998, the House passed the carry-over bill as amended by a vote of 82 yeas to 35 nays. A "yea" vote is a vote **against** the AIF position.

**HB 41 died in the Senate Committee on Banking and Insurance.**

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**CS/SB 228 Health  
Insurance/Cleft Lip/  
Cleft Palate by the  
Senate Committee  
on Health Care and  
Senator Alberto  
Gutman (R-Miami)**

---

**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

This bill requires an insurance policy that covers a child under age 18 to provide coverage for treatment of cleft lip and cleft palate for the child. Insurers must cover medical, dental, speech therapy, audiology, and nutrition services, if such services are prescribed by a treating physician or surgeon and the physician or surgeon certifies that such services are medically necessary and impact treatment of cleft lip or cleft palate. The bill specifies terms and conditions which may apply.

Under current law, treatment for cleft palate is covered under most insurance policies. This is considered a birth defect, and its treatment is covered. However, the bill mandates additional coverage for cleft palate birth defects. This bill would require insurance coverage when certified as medically necessary by the treating physician.

Due to amendments adopted in the Senate Committee on Health Care that allow the care to be managed, AIF supports the bill.

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**CS/SB 228 Continued**


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On March 31, 1998, the Senate Committee on Health Care passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 24, 1998, the Senate passed the bill by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 29, 1998, the House passed the bill by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 228 was signed by the Governor and became Law on May 21, 1998; refer to Ch. #98-66, Laws of Florida.**

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**CS/HB 3105 Health Insurance/Cleft Lip/Cleft Palate by the House Committee on Health Care Services and Representative Stacy Ritter (D-Tamarac)**


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**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

This bill requires an insurance policy that covers a child under age 18 to provide coverage for treatment of cleft lip and cleft palate for the child. Insurers must cover medical, dental, speech therapy, audiology, and nutrition services, if such services are prescribed by a treating physician or surgeon and the physician or surgeon certifies that such services are medically necessary and impact treatment of cleft lip or cleft palate. The bill specifies terms and conditions which may apply.

Under current law, treatment for cleft palate is covered under most insurance policies. This is considered a birth defect, and its treatment is covered. However, the bill mandates additional coverage for cleft palate birth defects. This bill would require insurance coverage when certified as medically necessary by the treating physician.

Due to amendments adopted in the House Committee on Health Care that allow the care to be managed, AIF supports the bill.

- Record 3a: On March 11, 1998, the House Committee on Health Care Services Appropriations voted the bill favorably as a committee substitute by a vote of 8 yeas to 2 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 21, 1998, the House Committee on Health and Human Services passed the bill as favorably as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 3105 died in the House Government Services Council pending ranking.**

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**CS/HB 3487 Dental  
Insurance Coverage  
by the House  
Committee on  
Health Care  
Standards and  
Regulatory Reform  
and Representative  
Sandy Safley  
(R-Clearwater)**

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**A**IF has consistently opposed additional mandated insurance coverage because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many small businesses.

At the present time, coverage for anesthesia for dental care is not a mandated covered benefit of subscribers of a health maintenance organization (HMO), an exclusive provider organization, or preferred provider.

This bill mandates coverage for anesthesia given to dental patients. As originally filed, this bill also had wide implications. A series of amendments were adopted that narrowed the scope of this bill. The amendments clarified this bill to say that the dental procedures must have implications to the patients general health and that there must be a joint consultation with a primary care physician. They also limited the provision of anesthesia to a hospital or ambulatory surgical center only. These amendments also make this bill much more acceptable, since the mandate is not as broad as it was in the original bill.

- Record 4a: On March 31, 1998, the House Committee on Health Care Standards and Regulatory Reform passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4b: On April 21, the House Committee on Health and Human Services Appropriations passed the bill favorably as amended by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On April 28, 1998, the House passed the bill as amended by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 1, 1998, the Senate substituted CS/HB 3487 for CS/SB 792. CS/SB 792 was laid on the table. The Senate passed CS/HB 3487 by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 3487 was signed by the Governor and became Law on May 29, 1998; refer to Ch. #98-312, Laws of Florida.**

## HOUSE AVERAGE ON HEALTH CARE ISSUES = 78%

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Mental Health Parity	2a - Health Insurance/Cleft Lip/Cleft Palate	3a - Health Insurance/Cleft Lip/Cleft Palate	3b - Health Insurance/Cleft Lip/Cleft Palate	4a - Dental Insurance Coverage	4b - Dental Insurance Coverage	4c - Dental Insurance Coverage
4	0	100	Albright (R)	F	F	F				F
3	0	100	Alexander (R)	F	F					F
1	1	50	Andrews (R)	A	F					
2	1	67	Argenziano (R)	A	F					F
3	1	75	Arnall (R)	F	F	A				F
2	1	67	Arnold (D)	A	F					F
3	0	100	Bainter (R)	F	F					F
3	0	100	Ball (R)	F	F					F
3	0	100	Barreiro (R)	F	F					F
2	1	67	Betancourt (D)	A	F					F
3	0	100	Bitner (R)	F	F					F
3	1	75	Bloom (D)	A	F	F				F
2	1	67	Boyd (D)	A	F					F
3	0	100	Bradley (D)	F	F					F
2	1	67	Brennan (D)	A	F					F
3	0	100	Bronson (D)	F	F					F
4	1	80	Brooks (R)	A	F		F		F	F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Mental Health Parity</b>	<b>2a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3b - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>4a - Dental Insurance Coverage</b>	<b>4b - Dental Insurance Coverage</b>	<b>4c - Dental Insurance Coverage</b>
2	1	67	Brown (D)	A	F					F
2	1	67	Bullard (D)	A	F					F
3	0	100	Burroughs (R)	F	F					F
2	1	67	Bush (D)	A	F					F
4	0	100	Byrd (R)	F	F	F				F
2	1	67	Carlton (R)	A	F					F
3	1	75	Casey (R)	A	F	F				F
2	1	67	Chestnut (D)	A	F					F
3	0	100	Clemons (D)	F	F					F
3	0	100	Constantine (R)	F	F					F
2	1	67	Cosgrove (D)	A	F					F
2	1	67	Crady (D)	A	F					F
2	1	67	Crist (R)	A	F					F
2	1	67	Crow (R)	A	F					F
2	1	67	Culp (R)	A	F					F
3	1	75	Dawson-White (D)	A	F			F		F
4	1	80	Dennis (D)	A	F		F		F	F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Mental Health Parity</b>	<b>2a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3b - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>4a - Dental Insurance Coverage</b>	<b>4b - Dental Insurance Coverage</b>	<b>4c - Dental Insurance Coverage</b>
2	1	67	Diaz de la Portilla (R)	A	F					F
3	0	100	Dockery (R)	F	F					F
2	0	100	Edwards (D)		F					F
2	1	67	Effman (D)	A	F					F
2	1	67	Eggelletion (D)	A	F					F
2	1	67	Fasano (R)	A	F					F
3	0	100	Feeney (R)	F	F					F
2	1	67	Fischer (D)	A	F					F
3	0	100	Flanagan (R)	F	F					F
4	1	80	Frankel (D)	A	F		F		F	F
3	0	100	Fuller (R)	F	F					F
2	1	67	Futch (R)	A	F					F
3	0	100	Garcia (R)	F	F					F
2	1	67	Gay (R)	A	F					F
3	1	75	Goode (R)	F	F	A				F
2	1	67	Gottlieb (D)	A	F					F
2	1	67	Greene (D)	A	F					F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Mental Health Parity</b>	<b>2a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3b - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>4a - Dental Insurance Coverage</b>	<b>4b - Dental Insurance Coverage</b>	<b>4c - Dental Insurance Coverage</b>
4	1	80	Hafner (D)	A	F		F		F	F
3	0	100	Harrington (R)	F	F					F
2	1	67	Healey (D)	A	F					F
3	1	75	Heyman (D)	A	F	F				F
2	1	67	Hill (D)	A	F					F
2	1	67	Horan (D)	A	F					F
2	1	67	Jacobs (D)	A	F					F
5	1	83	Jones (R)	A	F		F	F	F	F
3	1	75	Kelly (R)	A	F			F		F
3	0	100	King (R)	F	F					F
2	1	67	Kosmas (D)	A	F					F
5	0	100	Lacasa (R)	F	F		F		F	F
2	1	67	Lawson (D)	A	F					F
3	1	75	Lippman (D)	A	F			F		F
4	1	80	Littlefield (R)	A	F		F		F	F
3	0	100	Livingston (R)	F	F					F
2	1	67	Logan (D)	A	F					F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Mental Health Parity</b>	<b>2a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3b - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>4a - Dental Insurance Coverage</b>	<b>4b - Dental Insurance Coverage</b>	<b>4c - Dental Insurance Coverage</b>
2	1	67	Lynn (R)	A	F					F
2	1	67	Mackenzie (D)	A	F					F
2	1	67	Mackey (D)	A	F					F
6	0	100	Maygarden (R)	F	F		F	F	F	F
2	1	67	Meek (D)	A	F					F
2	1	67	Melvin (R)	A	F					F
2	1	67	Merchant (R)	A	F					F
2	1	67	Miller (D)	A	F					F
4	0	100	Minton (D)	F	F			F		F
2	1	67	Morrone (R)	A	F					F
3	0	100	Morse (R)	F	F					F
2	1	67	Murman (R)	A	F					F
2	1	67	Ogles (R)	A	F					F
3	1	75	Peaden (R)	A	F	F				F
2	1	67	Posey (R)	A	F					F
2	1	67	Prewitt (D)	A	F					F
2	1	67	Pruitt (R)	A	F					F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% WITH AIF	REPRESENTATIVE	1a - Mental Health Parity	2a - Health Insurance/Cleft Lip/Cleft Palate	3a - Health Insurance/Cleft Lip/Cleft Palate	3b - Health Insurance/Cleft Lip/Cleft Palate	4a - Dental Insurance Coverage	4b - Dental Insurance Coverage	4c - Dental Insurance Coverage
3	0	100	Putnam (R)	F	F					F
2	1	67	Rayson (D)	A	F					F
2	1	67	Reddick (D)	A	F					F
2	1	67	Ritchie (D)	A	F					F
2	1	67	Ritter (D)	A	F					F
2	1	67	Roberts-Burke (D)	A	F					F
3	1	75	Rodriguez-Chomat (R)	A	F	F				F
2	0	100	Rojas (R)		F					F
2	1	67	Safley (R)	A	F					F
3	0	100	Sanderson (R)	F	F					F
3	1	75	Saunders (R)	A	F			F		F
3	0	100	Sembler (R)	F	F					F
2	1	67	Silver (D)	A	F					F
2	1	67	Sindler (D)	A	F					F
2	1	67	Smith (D)	A	F					F
3	0	100	Spratt (D)	F	F					F
2	1	67	Stabins (R)	A	F					F

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

**HOUSE AVERAGE ON HEALTH CARE ISSUES (CONTINUED)**

<b>TOTAL FOR</b>	<b>TOTAL AGAINST</b>	<b>% WITH AIF</b>	<b>REPRESENTATIVE</b>	<b>1a - Mental Health Parity</b>	<b>2a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3a - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>3b - Health Insurance/Cleft Lip/Cleft Palate</b>	<b>4a - Dental Insurance Coverage</b>	<b>4b - Dental Insurance Coverage</b>	<b>4c - Dental Insurance Coverage</b>
2	1	67	Stafford (D)	A	F					F
2	1	67	Starks (R)	A	F					F
3	0	100	Sublette (R)	F	F					F
3	1	75	Tamargo (R)	A	F	F				F
3	0	100	Thrasher (R)	F	F					F
2	1	67	Tobin (D)	A	F					F
3	0	100	Trovillion (R)	F	F					F
2	1	67	Turnbull (D)	A	F					F
2	0	100	Valdes (R)		F					F
2	1	67	Villalobos (R)	A	F					F
2	1	67	Wallace (R)	A	F					F
2	1	67	Warner (R)	A	F					F
3	1	75	Wasserman-Schultz (D)	A	F			F		F
2	0	100	Webster (R)	F						F
3	0	100	Westbrook (D)	F	F					F
2	1	67	Wiles (D)	A	F					F
2	1	67	Wise (R)	A	F					F
2	1	67	Ziebarth (R)	A	F					F
<b>305</b>	<b>84</b>	<b>78</b>	<b>TOTAL</b>							

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

# **THE FLORIDA HOUSE**

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## **LEGAL AND JUDICIAL**

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## LEGAL AND JUDICIAL

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**CS/HB 767 Bad  
Check Charges  
by the House  
Committee on Crime  
and Punishment  
and Representative  
Tony Hill  
(D-Jacksonville)**

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**A**IF supports greater remedies made available to businesses seeking recovery from dishonored checks. This bill provides for the imposition of treble damages when a stop-payment order is placed on a check by the issuer with the intent to defraud. The bill also removes "race" as an identifying background feature that can be used to determine the identity of the issuer.

- Record 1a: On March 17, 1998, the House passed the carry-over bill as amended by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 24, 1998, the Senate substituted CS/HB 767 for SB 212. SB 212 was laid on the table. The Senate passed CS/HB 767 by a vote of 32 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/HB 767 became Law without the Governor's signature on May 28, 1998; refer to Ch. #98-297, Laws of Florida.

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**CS/SB 1402  
Elections by the  
Senate Committee  
on Executive  
Business, Ethics,  
and Elections and  
Senator  
Jack Latvala  
(R-Palm Harbor)**

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**T**his bill as adopted by the House and Senate substantially rewrites areas of the Florida Election Law with an emphasis on absentee balloting. This is in response to issues of voter fraud which arose in the 1997 City Commission race in Miami Beach.

The bill tightens the law primarily in voter registration and absentee voting procedures. It enhances the penalties for existing crimes, creates penalties for new crimes, expands Supervisor of Elections authority and creates a voter fraud hotline.

AIF has continued to demand tighter controls over absentee ballots to prevent voter fraud and has opposed efforts to allow fax ballots to overseas electors. CS/SB 1402 goes a long way in guaranteeing election integrity.

On April 24, 1998, the Senate passed the conference committee report for CS/SB 1402 by a vote of 30 yeas to 9 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 28, 1998, the House passed the conference committee report for CS/SB 1402 by a vote of 73 yeas to 42 nays. A "yea" vote is a vote for the AIF position.

CS/SB 1402 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-129, Laws of Florida.

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**HB 3077 Medicaid  
Third-Party Liability  
by Representative  
Harry Goode  
(R-Melbourne) and  
Representative  
Paula Dockery  
(R-Lakeland)**

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**T**his bill repeals the 1994 amendments to Florida's Medicaid Third-Party Liability Act. During the final hours of the 1994 Legislative Session, CS/CS/SB 2110 was amended, which drastically altered the scope of the bill. Prior to the last-minute floor amendment, the bill was a non-controversial bill that merely sought to transfer the Medicaid Fraud-Control Unit of the Auditor General to the Department of Legal Affairs. As amended, the bill removes the defenses of third parties who are sued by the State to recover Medicaid expenditures. The State has used the removal of these defenses to sue the tobacco industry.

AIF supports the repeal of the amendments to the Medicaid Third-Party Liability Law.

- Record 3a: On April 9, 1998, the House passed the bill by a vote of 112 yeas to 2 nays. A "yea" vote is a vote **for** the AIF position.

On April 23, 1998, the Senate substituted HB 3077 for CS/SB 1192. CS/SB 1192 was laid on the table.

On April 24, 1998, the Senate passed HB 3077 as amended by a vote of 39 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

- Record 3b: On April 28, 1998, the House adopted an amendment to the Senate amendments, concurred with the Senate amendments as amended, and passed the bill by a vote of 117 yeas to 1 nay. The House requested the Senate to concur. A "yea" vote is a vote **for** the AIF position.

On May 1, 1998, the Senate refused to concur and requested the House to recede.

- Record 3c: On May 1, 1998, the House receded and passed the bill by a vote of 113 yeas to 0 nays. A "yea" vote is a vote **for** the AIF position.

**HB 3077 was received by the Governor on June 1, 1998; deadline of June 16, 1998.**

# HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES = 92%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
4	0	100	Albright (R)	F		F	F	F
5	0	100	Alexander (R)	F	F	F	F	F
5	0	100	Andrews (R)	F	F	F	F	F
4	1	80	Argenziano (R)	F	A	F	F	F
5	0	100	Arnall (R)	F	F	F	F	F
4	1	80	Arnold (D)	F	A	F	F	F
5	0	100	Bainter (R)	F	F	F	F	F
4	0	100	Ball (R)	F	F	F	F	
5	0	100	Barreiro (R)	F	F	F	F	F
4	1	80	Betancourt (D)	F	A	F	F	F
5	0	100	Bitner (R)	F	F	F	F	F
4	1	80	Bloom (D)	F	A	F	F	F
4	1	80	Boyd (D)	F	A	F	F	F
4	0	100	Bradley (D)	F	F		F	F
5	0	100	Brennan (D)	F	F	F	F	F
5	0	100	Bronson (D)	F	F	F	F	F
5	0	100	Brooks (R)	F	F	F	F	F

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

**HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
4	1	80	Brown (D)	F	A	F	F	F
4	1	80	Bullard (D)	F	A	F	F	F
5	0	100	Burroughs (R)	F	F	F	F	F
4	1	80	Bush (D)	F	A	F	F	F
5	0	100	Byrd (R)	F	F	F	F	F
5	0	100	Carlton (R)	F	F	F	F	F
5	0	100	Casey (R)	F	F	F	F	F
4	1	80	Chestnut (D)	F	A	F	F	F
3	1	75	Clemons (D)	F	A	F	F	
5	0	100	Constantine (R)	F	F	F	F	F
4	1	80	Cosgrove (D)	F	A	F	F	F
5	0	100	Crady (D)	F	F	F	F	F
4	0	100	Crist (R)		F	F	F	F
5	0	100	Crow (R)	F	F	F	F	F
5	0	100	Culp (R)	F	F	F	F	F
4	1	80	Dawson-White (D)	F	A	F	F	F
3	1	75	Dennis (D)	F	A	F	F	

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

**HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
3	1	75	Diaz de la Portilla (R)	F	A		F	F
5	0	100	Dockery (R)	F	F	F	F	F
4	1	80	Edwards (D)	F	A	F	F	F
5	0	100	Effman (D)	F	F	F	F	F
3	1	75	Eggelletion (D)	F	A		F	F
5	0	100	Fasano (R)	F	F	F	F	F
5	0	100	Feeney (R)	F	F	F	F	F
4	0	100	Fischer (D)	F		F	F	F
5	0	100	Flanagan (R)	F	F	F	F	F
2	3	40	Frankel (D)	F	A	A	A	F
5	0	100	Fuller (R)	F	F	F	F	F
5	0	100	Futch (R)	F	F	F	F	F
5	0	100	Garcia (R)	F	F	F	F	F
5	0	100	Gay (R)	F	F	F	F	F
5	0	100	Goode (R)	F	F	F	F	F
3	0	100	Gottlieb (D)		F	F		F
4	1	80	Greene (D)	F	A	F	F	F

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

**HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
5	0	100	Hafner (D)	F	F	F	F	F
5	0	100	Harrington (R)	F	F	F	F	F
4	1	80	Healey (D)	F	A	F	F	F
5	0	100	Heyman (D)	F	F	F	F	F
4	1	80	Hill (D)	F	A	F	F	F
4	1	80	Horan (D)	F	A	F	F	F
4	0	100	Jacobs (D)	F		F	F	F
5	0	100	Jones (R)	F	F	F	F	F
5	0	100	Kelly (R)	F	F	F	F	F
5	0	100	King (R)	F	F	F	F	F
4	1	80	Kosmas (D)	F	A	F	F	F
5	0	100	Lacasa (R)	F	F	F	F	F
4	1	80	Lawson (D)	F	A	F	F	F
4	0	100	Lippman (D)	F	F	F	F	
5	0	100	Littlefield (R)	F	F	F	F	F
5	0	100	Livingston (R)	F	F	F	F	F
4	1	80	Logan (D)	F	A	F	F	F

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

**HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
5	0	100	Lynn (R)	F	F	F	F	F
3	0	100	Mackenzie (D)	F		F	F	
4	1	80	Mackey (D)	F	A	F	F	F
5	0	100	Maygarden (R)	F	F	F	F	F
5	0	100	Meek (D)	F	F	F	F	F
5	0	100	Melvin (R)	F	F	F	F	F
5	0	100	Merchant (R)	F	F	F	F	F
4	1	80	Miller (D)	F	A	F	F	F
5	0	100	Minton (D)	F	F	F	F	F
5	0	100	Morrone (R)	F	F	F	F	F
5	0	100	Morse (R)	F	F	F	F	F
5	0	100	Murman (R)	F	F	F	F	F
4	1	80	Ogles (R)	F	A	F	F	F
5	0	100	Peaden (R)	F	F	F	F	F
4	0	100	Posey (R)	F	F	F	F	
4	1	80	Prewitt (D)	F	A	F	F	F
5	0	100	Pruitt (R)	F	F	F	F	F

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

## HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
5	0	100	Putnam (R)	F	F	F	F	F
4	1	80	Rayson (D)	F	A	F	F	F
4	1	80	Reddick (D)	F	A	F	F	F
4	1	80	Ritchie (D)	F	A	F	F	F
4	1	80	Ritter (D)	F	A	F	F	F
4	1	80	Roberts-Burke (D)	F	A	F	F	F
4	1	80	Rodriguez-Chomat (R)	F	A	F	F	F
4	1	80	Rojas (R)	F	A	F	F	F
4	0	100	Safley (R)	F	F		F	F
3	0	100	Sanderson (R)	F		F		F
5	0	100	Saunders (R)	F	F	F	F	F
5	0	100	Sembler (R)	F	F	F	F	F
3	2	60	Silver (D)	F	A	A	F	F
5	0	100	Sindler (D)	F	F	F	F	F
4	0	100	Smith (D)	F		F	F	F
4	1	80	Spratt (D)	F	A	F	F	F
5	0	100	Stabins (R)	F	F	F	F	F

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

## HOUSE AVERAGE ON LEGAL AND JUDICIAL ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Bad Check Charges	2a - Elections	3a - Medicaid Third-Party Liability	3b - Medicaid Third-Party Liability	3c - Medicaid Third-Party Liability
4	1	80	Stafford (D)	F	A	F	F	F
5	0	100	Starks (R)	F	F	F	F	F
3	1	75	Sublette (R)	F	A		F	F
5	0	100	Tamargo (R)	F	F	F	F	F
5	0	100	Thrasher (R)	F	F	F	F	F
4	1	80	Tobin (D)	F	A	F	F	F
5	0	100	Trovillion (R)	F	F	F	F	F
4	1	80	Turnbull (D)	F	A	F	F	F
4	0	100	Valdes (R)		F	F	F	F
5	0	100	Villalobos (R)	F	F	F	F	F
4	0	100	Wallace (R)	F	F	F	F	
5	0	100	Warner (R)	F	F	F	F	F
4	0	100	Wasserman-Schultz (D)	F	F	F	F	
5	0	100	Webster (R)	F	F	F	F	F
4	1	80	Westbrook (D)	F	A	F	F	F
5	0	100	Wiles (D)	F	F	F	F	F
4	0	100	Wise (R)	F	F		F	F
5	0	100	Ziebarth (R)	F	F	F	F	F
<b>530</b>	<b>45</b>	<b>92</b>	<b>TOTAL</b>					

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

# THE FLORIDA HOUSE

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## TAXATION

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## TAXATION

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**CS/SB 1450  
Intangible Personal  
Property Tax by the  
Senate Committee  
on Ways and  
Means and Senator  
Bill Bankhead  
(R-Jacksonville)**

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**T**he intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable. The term "accounts receivable" is not currently defined by statute.

The major provisions of the bill include the following:

- Raises the minimum amount of tax due before a return and payment are required from \$5.00 to \$60.00 dollars. This equates to an exemption of taxable securities of \$80,000 for a single taxpayer, \$100,000 exemption for a married taxpayer filing a joint return, and a \$30,000 exemption of taxable assets for business;
- Defines "accounts receivable" as a "business debt that is owed by another to the taxpayer on the taxpayer's assignee in the ordinary course of trade or business and is not supported by negotiable instruments";
- Begins a three year phase out of the tax on accounts receivable;
- Exempts banks, savings associations, and insurance companies from the tax;
- Reduces penalties significantly.

On March 26, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 19 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate passed the bill as amended by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 1a: On April 30, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1450 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-132, Laws of Florida.**

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**CS/HB 3171 Sales  
Tax Exemptions/  
Aircraft by the  
House Committee  
on Finance and  
Taxation and  
Representative  
Bob Starks  
(R-Casselberry)**

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**C**urrently, the State of Florida imposes a sales tax on parts and equipment used in the repair and maintenance of commercial aircraft. Consequently, the airline industry performs only such repair or maintenance that must be performed in this state, since other states exempt aircraft parts from taxation. Any planned or scheduled maintenance is performed in other states, even though Florida is better suited for performing year round maintenance because of its climate.

This bill exempts from sales tax the purchase or lease of certain commercial aircraft for use by a common carrier. The bill also exempts replacement engines, parts, and equipment used in the repair and maintenance of certain aircraft, including rotary wing aircraft.

- Record 2a: On December 4, 1997 the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On February 19, 1998, the House Committee on Transportation and Economic Development passed the bill as favorable by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2c: On March 24, 1998, the House passed the bill as amended by a vote of 116 yeas to 3 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/HB 3171 for CS/SB 328. CS/SB 328 was laid on the table. The Senate passed CS/HB 3171 by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/HB 3171 was signed by the Governor and became Law on May 15, 1998; refer to Chapter #98-60, Laws of Florida.**

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**CS/CS/HB 3229  
Sales Tax  
Exemption/  
Pollution Control  
Equipment by the  
House Committee  
on Finance and  
Taxation, the  
Committee on  
Environmental  
Protection, and  
Representative  
John Thrasher  
(R-Orange Park)**

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**A**IF supports removal of the sales tax on pollution control and prevention equipment devices. Providing tax incentives for business and industry on the purchase and construction of pollution control and prevention facilities is good public policy, since it will encourage business to go beyond the minimum requirements for pollution control.

This bill provides an exemption for certain facilities, devices, fixtures, equipment, machinery, and structures used for pollution prevention or control in manufacturing, processing, compounding, or producing for sale certain items of personal property. The bill also provides an exemption for certain machinery, equipment, or materials purchased for use at privately owned or operated waste management facilities.

- Record 3a: On February 4, 1998, the House Committee on Environmental Protection passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On March 5, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3c: On April 14, 1998, the House Committee on General Government passed the bill favorably as amended by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3d: On April 28, 1998, the House passed the bill as amended by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3229 for CS/SB 434. CS/SB 434 was laid on the table. The Senate passed CS/CS/HB 3229 as amended by a vote of 39 yeas to 0 nays and requested the House to concur. A "yea" vote is a vote for the AIF position.

- Record 3e: On April 29, 1998, the House concurred with the Senate amendments and passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3229 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-317, Laws of Florida.**

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**CS/CS/HB 3249**  
**Sales Tax**  
**Exemption on**  
**Electricity by the**  
**House Committee**  
**on Finance and**  
**Taxation, the**  
**Committee on**  
**Business**  
**Development and**  
**International Trade,**  
**Representative**  
**Mike Fasano**  
**(R-New Port**  
**Richey), and**  
**Representative**  
**Jerry Burroughs**  
**(R-Pace)**

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**A**IF supports certain changes to the previously passed electric energy sales tax exemption to include steam energy and to clarify the threshold for qualifying for the exemption.

This bill clarifies the provisions of the exemption for electricity used in manufacturing that was granted in 1996. The new provision does not require separate metering of electricity use, but requires at least 75 percent of the use to be for manufacturing to receive a 100 percent exemption. It also grants a 50 percent exemption if more than 50 percent, but less than 75 percent of the electricity is used in manufacturing. Steam energy is also granted the same sales tax exemption as electrical energy.

- Record 4a: On March 4, 1998, the House Committee on Business Development combined the HB 3249 with HB 3305 and passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. This action created CS/HB 3249. A "yea" vote is a vote for the AIF position.
- Record 4b: On March 18, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 15 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4c: On April 21, 1998, the House Committee on General Government passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 4d: On April 28, 1998, the House passed the bill by a vote of 116 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3249 for CS/SB 338. CS/SB 338 was laid on the table. The Senate passed CS/CS/HB 3249 by a vote of 39 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3249 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-318, Laws of Florida.**

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**CS/CS/HB 3351**  
**Sponsored Research**  
**and Development**  
**by the House**  
**Committee on**  
**Finance and**  
**Taxation, the**  
**Committee on**  
**Colleges and**  
**Universities, and**  
**Representative**  
**Mike Fasano**  
**(R-New Port Richey)**

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**A**IF supports legislation that would encourage the development of high technology industry by making available a business climate more receptive to research and development.

The bill provides that any company willing to contract with a state university or certain private universities to conduct sponsored research in connection with its research and development activities would be able to have property or payroll involved with that research and development excluded from the apportionment formula used to apportion income among the various states in which the company operates. This exclusion would ignore any expenses in the state related to research and development and, therefore, not increase the amount of corporate tax due to the State of Florida as a result of research and development activities done in conjunction with the universities. Further, any expense for property and payroll would not subject a company to Florida's corporate tax if it is otherwise not subject to Florida's tax. The property and payroll would become transparent to the State of Florida.

- Record 5a: On March 5, 1998, the House Committee on Colleges and Universities passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5b: On March 18, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 14 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5c: On April 21, 1998, the House Committee on General Government passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 5d: On April 28, 1998, the House passed the bill by a vote of 119 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted CS/CS/HB 3351 for CS/CS/SB 742. CS/CS/SB 742 was laid on the table. The Senate passed CS/CS/HB 3351 by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3351 became Law without the Governor's signature on May 29, 1998; refer to Ch. #98-325, Laws of Florida.**

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**CS/CS/HB 3899**  
**Intangible Personal**  
**Property Tax by the**  
**House Committee**  
**on Finance and**  
**Taxation, the**  
**Committee on**  
**Financial Services,**  
**and Representative**  
**Bob Starks**  
**(R-Casselberry)**

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**T**he intangibles tax is one of the biggest deterrents in Florida to attracting new business to the state. Intangible personal property to which the tax applies includes among other things, stocks, bonds, notes, other obligations to pay money, and accounts receivable. The term "accounts receivable" is not currently defined by statute.

The major provisions of the bill include the following:

- Raises the minimum amount of tax due before a return and payment are required from \$5.00 to \$60.00 dollars. This equates to an exemption of taxable securities of \$80,000 for a single taxpayer, \$100,000 exemption for a married taxpayer filing a joint return, and a \$30,000 exemption of taxable assets for business;
- Defines "accounts receivable" as a "business debt that is owed by another to the taxpayer on the taxpayer's assignee in the ordinary course of trade or business and is not supported by negotiable instruments";
- Begins a three year phase out of the tax on accounts receivable;
- Exempts banks, savings associations, and insurance companies from the tax;
- Reduces penalties significantly.

- Record 6a: On February 19, 1998, the House Committee on Finance and Taxation passed PCB FT-98-3 as favorable by a vote of 12 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB FT 98-3 became HB 3899.

- Record 6b: On March 23, 1998, the House Committee on Financial Services passed the bill favorably as a committee substitute by a vote of 7 yeas to 2 nays. A "yea" vote is a vote for the AIF position.
- Record 6c: On April 2, 1998, the House Committee on Finance and Taxation passed the bill favorably as a committee substitute by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 6d: On April 21, 1998, the House Committee on General Government passed the bill favorably as amended by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/CS/HB 3899 died on the House Calendar.**

# HOUSE AVERAGE ON TAXATION ISSUES = 99%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax
6	0	100	Albright (R)	F			F				F	F				F					F			
6	0	100	Alexander (R)	F			F				F	F				F					F			
6	0	100	Andrews (R)	F			F				F	F				F					F			
5	0	100	Argenziano (R)	F							F	F				F					F			
11	0	100	Arnall (R)	F	F		F	F			F	F		F		F	F				F			F
5	0	100	Arnold (D)	F			F				F					F					F			
7	0	100	Bainter (R)	F			F				F	F				F					F		F	
7	0	100	Ball (R)	F			F				F	F				F	F				F			
8	0	100	Barreiro (R)	F			F				F	F			F	F			F	F				
7	0	100	Betancourt (D)	F			F				F	F				F	F				F			
6	0	100	Bitner (R)	F			F				F	F				F					F			
6	0	100	Bloom (D)	F			F				F	F				F					F			
6	0	100	Boyd (D)	F			F				F	F				F					F			
8	0	100	Bradley (D)	F	F		F				F	F				F	F				F			
6	0	100	Brennan (D)	F			F				F	F				F					F			
10	0	100	Bronson (D)	F			F			F	F	F			F	F				F	F			F
7	0	100	Brooks (R)	F			F				F	F				F	F				F			

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

## HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax
6	0	100	Brown (D)	F		F					F	F				F					F			
6	0	100	Bullard (D)	F		F					F	F				F					F			
8	0	100	Burroughs (R)	F		F	F		F	F	F					F					F			
6	0	100	Bush (D)	F		F					F	F				F					F			
10	0	100	Byrd (R)	F		F					F	F		F		F	F			F	F		F	
6	0	100	Carlton (R)	F		F					F					F	F				F			
7	0	100	Casey (R)	F		F					F	F				F	F				F			
6	0	100	Chestnut (D)	F		F					F	F				F					F			
6	0	100	Clemons (D)	F		F					F	F				F					F			
7	0	100	Constantine (R)	F		F					F	F				F	F				F			
11	0	100	Cosgrove (D)	F		F		F			F	F		F		F		F			F	F		F
6	0	100	Crady (D)	F		F					F	F				F					F			
6	0	100	Crist (R)	F		F					F	F				F					F			
7	0	100	Crow (R)	F	F	F					F	F				F					F			
6	0	100	Culp (R)	F		F					F	F				F					F			
5	0	100	Dawson-White (D)	F		F						F				F					F			
5	0	100	Dennis (D)	F		F					F	F									F			

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

**HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax
6	0	100	Diaz de la Portilla (R)	F			F			F	F					F				F				
12	0	100	Dockery (R)	F			F	F	F		F	F		F		F		F		F	F		F	
7	0	100	Edwards (D)	F			F				F	F				F				F		F		
5	2	71	Effman (D)	F			A				F	F				F				F		A		
10	0	100	Eggelletion (D)	F			F	F		F		F		F	F			F	F		F			F
12	0	100	Fasano (R)	F	F		F		F		F	F		F		F		F		F	F		F	
7	0	100	Feeny (R)	F		F	F				F	F				F				F				
6	1	86	Fischer (D)	F			A	F			F	F				F				F				
7	0	100	Flanagan (R)	F			F				F	F				F				F		F		
6	0	100	Frankel (D)	F			F				F	F				F				F				
7	0	100	Fuller (R)	F		F	F				F	F				F				F				
6	0	100	Futch (R)	F			F				F	F				F				F				
6	0	100	Garcia (R)	F			F				F	F				F				F				
7	0	100	Gay (R)	F			F		F	F	F					F				F				
7	0	100	Goode (R)	F			F				F	F				F	F			F				
6	0	100	Gottlieb (D)	F			F				F	F				F				F				
7	0	100	Greene (D)	F			F	F			F	F				F				F				

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

## HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax
6	0	100	Hafner (D)	F			F				F	F				F					F			
6	0	100	Harrington (R)	F			F				F	F				F					F			
5	1	83	Healey (D)	F			F				F	F				A					F			
6	0	100	Heyman (D)	F			F				F	F				F					F			
12	0	100	Hill (D)	F	F		F	F			F	F		F		F					F	F		F
6	0	100	Horan (D)	F			F				F	F				F					F			
10	1	91	Jacobs (D)	F	F		F	F			F	F		F		F					F	A		
6	0	100	Jones (R)	F			F				F	F				F					F			
6	0	100	Kelly (R)	F			F				F	F				F					F			
5	0	100	King (R)	F			F				F					F					F			
6	0	100	Kosmas (D)	F			F				F	F				F					F			
6	0	100	Lacasa (R)	F			F				F	F				F					F			
10	0	100	Lawson (D)	F			F			F	F	F		F	F					F	F		F	
5	0	100	Lippman (D)				F				F	F				F					F			
6	0	100	Littlefield (R)	F			F				F	F				F					F			
7	0	100	Livingston (R)	F	F	F					F	F				F					F			
6	0	100	Logan (D)	F			F				F	F				F					F			

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**HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax	
6	0	100	Lynn (R)	F			F				F	F				F					F				
7	0	100	Mackenzie (D)	F			F				F	F	F			F					F				
10	0	100	Mackey (D)	F			F			F	F	F			F	F				F	F				F
6	0	100	Maygarden (R)	F			F				F	F				F					F				
6	0	100	Meek (D)	F			F				F	F				F					F				
6	0	100	Melvin (R)	F			F				F	F				F					F				
7	0	100	Merchant (R)	F		F	F				F	F				F					F				
6	0	100	Miller (D)	F			F				F	F				F					F				
6	0	100	Minton (D)	F			F				F	F				F					F				
6	0	100	Morrone (R)	F			F				F	F				F					F				
7	0	100	Morse (R)	F			F		F		F	F				F					F				
14	0	100	Murman (R)	F	F		F	F	F		F	F	F	F		F		F		F	F	F		F	F
10	0	100	Ogles (R)	F			F		F		F	F		F		F		F		F	F				
11	0	100	Peaden (R)	F			F	F		F	F	F			F	F			F	F					F
10	0	100	Posey (R)	F			F			F	F	F			F	F				F	F				F
6	0	100	Prewitt (D)	F			F				F	F				F					F				
10	0	100	Pruitt (R)	F			F			F	F	F			F	F				F	F				F

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## HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax	6d - Intangible Personal Property Tax
14	0	100	Putnam (R)	F	F		F	F	F		F	F	F	F		F		F		F	F		F	
7	1	88	Rayson (D)	F			F				F	F				F	F			F		A		
8	0	100	Reddick (D)	F		F	F				F	F	F			F				F				
6	0	100	Ritchie (D)	F			F				F	F				F				F				
6	1	86	Ritter (D)	F			A				F	F				F	F			F				
9	0	100	Roberts-Burke (D)	F			F			F	F	F			F	F			F	F				
5	0	100	Rodriguez-Chomat (R)				F				F	F				F				F				
10	0	100	Rojas (R)	F			F	F			F	F	F		F	F			F	F				
7	0	100	Safley (R)	F			F				F	F				F				F		F		
7	0	100	Sanderson (R)	F			F				F	F				F				F		F		
7	0	100	Saunders (R)	F			F	F			F	F				F				F				
7	0	100	Sembler (R)	F			F	F			F	F				F				F				
10	1	91	Silver (D)	F	F		F	F			F	F	F		F	F	F		F	F	A			
6	0	100	Sindler (D)	F			F				F	F				F				F				
7	0	100	Smith (D)	F		F	F				F	F				F				F				
6	0	100	Spratt (D)	F			F				F	F				F				F				
6	0	100	Stabins (R)	F			F				F	F				F				F				

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## HOUSE AVERAGE ON TAXATION ISSUES (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE																				
				1a - Intangible Personal Property Tax	2a - Sales Tax Exemptions/Aircraft	2b - Sales Tax Exemptions/Aircraft	2c - Sales Tax Exemptions/Aircraft	3a - Sales Tax Exemption/Pollution Control Equip.	3b - Sales Tax Exemption/Pollution Control Equip.	3c - Sales Tax Exemption/Pollution Control Equip.	3d - Sales Tax Exemption/Pollution Control Equip.	3e - Sales Tax Exemption/Pollution Control Equip.	4a - Sales Tax Exemption on Electricity	4b - Sales Tax Exemption on Electricity	4c - Sales Tax Exemption on Electricity	4d - Sales Tax Exemption on Electricity	5a - Sponsored Research and Development	5b - Sponsored Research and Development	5c - Sponsored Research and Development	5d - Sponsored Research and Development	6a - Intangible Personal Property Tax	6b - Intangible Personal Property Tax	6c - Intangible Personal Property Tax
6	0	100	Stafford (D)	F		F			F	F			F					F					
12	0	100	Starks (R)	F	F	F	F	F	F	F		F		F	F	F	F	F	F	F	F		F
6	0	100	Sublette (R)	F		F			F	F				F				F					
12	0	100	Tamargo (R)	F	F	F	F	F	F	F		F		F	F	F	F	F	F	F	F		F
6	0	100	Thrasher (R)	F		F			F	F				F				F					
12	0	100	Tobin (D)	F	F	F	F	F	F	F		F		F	F	F	F	F	F	F	F		F
6	0	100	Trovillion (R)	F		F			F	F				F				F					
6	1	86	Turnbull (D)	F		F			F	F	F			A				F					
7	0	100	Valdes (R)	F		F			F	F	F			F				F					
6	0	100	Villalobos (R)	F		F			F	F				F				F					
7	0	100	Wallace (R)	F		F			F	F	F			F				F					
6	0	100	Warner (R)	F		F			F	F				F				F					
6	0	100	Wasserman-Schultz (D)	F		F			F	F				F				F					
4	0	100	Webster (R)	F		F			F	F													
5	0	100	Westbrook (D)			F			F	F				F				F					
7	0	100	Wiles (D)	F		F	F		F	F				F				F					
6	0	100	Wise (R)	F		F			F	F				F				F					
10	0	100	Ziebarth (R)	F		F			F	F			F	F				F	F		F	F	F
<b>861</b>	<b>9</b>	<b>99</b>	<b>TOTAL</b>																				

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

**THE FLORIDA HOUSE**

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**WORKERS  
COMPENSATION**

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## WORKERS COMPENSATION

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**CS/SB 1092**  
**Workers**  
**Compensation/**  
**Benefits by the**  
**Senate Committee**  
**on Banking and**  
**Insurance and**  
**Senator**  
**Jack Latvala**  
**(R-Palm Harbor)**

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**T**his bill corrects the Burger King decision by the First District Court of Appeals and the Grice decision by the Supreme Court of Florida. AIF supports clarification of both decisions.

In the case of Burger King Corporation/Cigna Insurance Company v. Moreno, the District Court of Appeals held that the workers compensation supplemental benefits ceased at age 62, if the claimant is eligible for social security retirement benefits and social security benefits. The bill corrects the interpretation of the Appeals Court so that supplemental benefits will cease at age 62 when the claimant is receiving either social security retirement benefits or social security disability benefits. An injured worker cannot collect both, thereby, rendering the 1994 amendment ineffective.

In the case of Escambia County Sheriff's Department v. Grice, the Supreme Court held that the employer could offset a claimant's workers compensation benefits to the extent that the total of the compensation benefits, disability retirement, and social security disability benefits exceeded his "average weekly wage." The bill clarifies the interpretation of the Court by: allowing the employer to take offsets to allow 100 percent of the employee's average weekly wage, including supplemental benefits to age 62, to be calculated by combining workers compensation benefits, social security benefits, and employer-funded benefits provided to the employee and his dependents for which the employer has contributed more than 50 percent of the costs of benefits. This includes: retirement benefits; disability benefits; and any other payment of wages by the employer. Supplemental benefits are excluded from the definition of benefits. The language is stronger for business than in the House bill.

On March 31, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 16, 1998, the Senate passed the bill as amended by a vote of 26 yeas to 11 nays. A "yea" vote is a vote for the AIF position.

On April 22, 1998, the House substituted CS/SB 1092 for HB 4781. HB 4781 was laid on the table.

- Record 1a: On April 27, 1998, the House passed CS/SB 1092 as amended by a vote of 116 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On May 1, 1998, the Senate adopted an amendment to the House amend-

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**CS/SB 1092 Continued**


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ments, concurred with the House amendments as amended, and passed the bill by a vote of 36 yeas to 2 nays. The Senate requested the House to concur. A "yea" vote is a vote for the AIF position.

**CS/SB 1092 died in messages to the House.**

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**CS/SB 1346**  
**Division of Safety**  
**by the Senate**  
**Committee on**  
**Banking and**  
**Insurance and**  
**Senator Mario Diaz-**  
**Balart (R-Miami)**

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**T**his bill authorizes the Division of Safety of the Department of Labor and Employment Security to adopt rules in relation to public-sector employers and employees. These areas include: investigations of public sector employees; record-keeping requirements for public-sector employers; and regulation of public-sector employees. The bill also requires temp agencies to enact workplace safety programs.

In the four years since becoming a Division, the Division of Safety has quadrupled in size and now has an annual budget approaching \$11 million. In a recent report by OPPAGA, the Division is cited as not following statutory guidelines and wasting taxpayer money. AIF believes much of the Division's services are duplicative of federal agencies, and the past four years have not justified such a large bureaucracy and budget. AIF also believes the private consultation program by the Division is ineffective and not cost-productive.

Further, AIF believes that the Division's functions should be focused in the public-sector, and not the private-sector, where the Division has no power to independently investigate or penalize employers.

On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 1, 1998, the Senate passed the bill by a vote of 36 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2a: On April 9, 1998, the House Committee on Financial Services passed the bill as favorable by a vote of 10 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 2b: On April 28, 1998, the House passed the bill by a vote of 118 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**CS/SB 1346 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-126, Laws of Florida.**

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**SB 1348 AHCA/  
Workers  
Compensation  
Managed Care by  
Senator Ginny  
Brown-Waite  
(R-Brooksville)**

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**A**IF believes the current administrative rules enacted by the Agency for Health Care Administration (AHCA) do not work. This bill delegates the rule-making authority to AHCA for the sufficient oversight of the workers compensation managed care arrangements, under which the current workers compensation law requires individual self-insured companies to provide coverage. The bill directs the agency to adopt rules that specify procedures for the following: the authorization and examination of managed care arrangements by AHCA; the authorization of provider networks; the authorization of exceptions from the accessibility of services; case management, utilization management, and peer review; quality assurance and medical records; dispute resolution; provider education; and data reporting relating to the grievance procedure, return-to-work outcomes, and provider networks. AIF supports amending AHCA's rules to require the use of nationally recognized guidelines for devising practice parameters.

On March 17, 1998, the Senate Committee on Health Care passed the bill as favorable by a vote of 6 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 1, 1988, the Senate passed the bill by a vote of 35 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 3a: On April 15, 1998, the House Committee on Health Care Reform passed the bill as favorable by a vote of 7 yeas to 0 nays. A "yea" vote is a vote for the AIF position.
- Record 3b: On April 28, 1998, the House passed the bill by a vote of 117 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**SB 1348 became Law without the Governor's signature on May 21, 1998; refer to Ch. #98-127, Laws of Florida.**

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**CS/CS/SB 1406  
Workers  
Compensation  
Insurance Fraud  
by the Senate  
Committee on Ways  
and Means, the  
Committee on  
Banking and  
Insurance, and  
Senator Charlie  
Clary (R-Destin)**

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**T**his bill addresses the fraud issues in the workers compensation construction industry. Hundreds of thousands of dollars are lost each year due to the many ways construction workers can be exempt from carrying workers compensation coverage. AIF believes that by requiring all employees in the construction industry to carry workers compensation insurance, overall rates for employers in the construction industry would decrease. AIF estimates this at a 10 percent reduction in one year.

This bill allows an independent contractor to elect to be exempt as an employee for workers compensation by affidavit and by an exemption. The person acknowledges they are not an employee and cannot recover benefits. The bill gives authority to the Division of Workers Compensation to revoke the exemption certificates and limits their validity to two years.

AIF believes that the penalties for insurance fraud are not tough enough to deter employers from committing fraud. The bill starts to remedy this by increasing penalties against employers who are found not providing the required workers compensation coverage for their employees. It increases criminal penalties for workers compensation fraud to match the criminal penalties for general theft for first, second, and third degree felonies. The statute of limitations for bringing action against a person for fraud is increased to five years. The Division would also be required to issue an order when an employer is suspected to be committing fraud. The employer would have 24 hours to produce documentation that he is in compliance with coverage; neglecting to do so would result in the issuing of a stop-work order by the Division.

AIF supports increasing the investigatory powers for state officials seeking to confirm an employer's compliance with workers compensation coverage requirements. This bill allows the Division of Workers Compensation to monitor compliance by inspecting business records and to utilize subpoena authority of these records.

On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 8 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 8, 1998, the Senate Committee on Ways and Means passed the bill favorably as a committee substitute by a vote of 29 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 16, 1998, 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 4a: On April 28, 1998, the House substituted CS/CS/SB 1406 for HB 4523. HB 4523 was laid on the table. The House passed CS/CS/SB 1406 as amended by a vote of 118 yeas to 0 nays and requested the Senate to concur. A "yea" vote is a vote for the AIF position.

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**CS/CS/SB 1406 Continued**


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On April 30, 1998, the Senate concurred with the House amendments and passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/CS/SB 1406 was signed by the Governor and became Law on May 22, 1998; refer to Ch. #98-174, Laws of Florida.

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**CS/SB 1408**  
**Confidentiality of**  
**Workers**  
**Compensation**  
**Records by the**  
**Senate Committee**  
**on Banking and**  
**Insurance and**  
**Senator Charlie**  
**Clary (R-Destin)**

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**T**he bill provides that investigatory records, obtained by the subpoena power given to the Division of Workers Compensation to insure compliance with coverage requirements by employers, be held confidential and exempt from public records. This applies if the disclosure would jeopardize the integrity of another investigation; reveal investigative techniques or procedures; reveal a trade secret; reveal business or personal information; reveal the identity of a confidential source; defame or cause unwarranted damage to a good name or reputation of an individual; or jeopardize the safety of an individual. This bill is tied to CS/CS/SB 1406, which contains the substantive provisions relating to the subpoena power of the Division of Workers Compensation.

On March 17, 1998, the Senate Committee on Banking and Insurance passed the bill favorably as a committee substitute by a vote of 9 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 7, 1998, the Senate Committee on Governmental Reform passed the bill favorably as amended by a vote of 5 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 16, 1998, the Senate passed the bill as amended by a vote of 35 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 5a: On April 29, 1998, the House adopted amendments and passed the bill as amended by a vote of 119 yeas to 0 nays. The House requested the Senate to concur. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the Senate adopted an amendment to the amendment, concurred with the House amendments as amended, and passed the bill by a vote of 40 yeas to 0 nays. The Senate requested the House to concur. A "yea" vote is a vote for the AIF position.

On April 30, 1998, the House refused to concur with the Senate amendment and requested the Senate to recede.

On May 1, 1998, the Senate concurred with the House amendments and passed the bill by a vote of 40 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

CS/SB 1408 was received by the Governor on June 1, 1998; deadline of June 16, 1998.

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**HB 3907 Continued**

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On April 27, 1998, the House substituted SB 1626 for HB 3907.  
HB 3907 was laid on the table; refer to CS/SB 1626.

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**HB 4523 Workers  
Compensation  
Insurance Fraud  
by the House  
Committee on  
Financial Services,  
Representative  
Sandy Safley  
(R-Clearwater),  
Representative  
Fred Lippman  
(D-Hollywood),  
and Representative  
John Cosgrove  
(D-Miami)**

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**T**his bill addresses the fraud issues in the workers compensation construction industry. Hundreds of thousands of dollars are lost each year due to the many ways construction workers can be exempt from carrying workers compensation coverage. AIF believes that by requiring all employees in the construction industry to carry workers compensation insurance, overall rates for employers in the construction industry would decrease. AIF estimates this at a 10 percent reduction in one year.

This bill allows an independent contractor to elect to be exempt as an employee for workers compensation by affidavit and by an exemption. The person acknowledges they are not an employee and cannot recover benefits. The bill gives authority to the Division of Workers Compensation to revoke the exemption certificates and limits their validity to two years.

AIF believes that the penalties for insurance fraud are not tough enough to deter employers from committing fraud. The bill starts to remedy this by increasing penalties against employers who are found not providing the required workers compensation coverage for their employees. It increases criminal penalties for workers compensation fraud to match the criminal penalties for general theft for first, second, and third degree felonies. The statute of limitations for bringing action against a person for fraud is increased to five years. The Division would also be required to issue an order when an employer is suspected to be committing fraud. The employer would have 24 hours to produce documentation that he is in compliance with coverage; neglecting to do so would result in the issuing of a stop-work order by the Division.

AIF supports increasing the investigatory powers for state officials seeking to confirm an employer's compliance with workers compensation coverage requirements. This bill allows the Division of Workers Compensation to monitor compliance by inspecting business records and to utilize subpoena authority of these records.

- Record 9a: On March 18, 1998, the House Committee on Financial Services passed PCB FS 98-6 as favorable by a vote of 11 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB FS 98-6 became HB 4523.

- Record 9b: On April 21, 1998, the House Committee on Finance and Taxation passed the bill favorably as amended by a vote of 12 yeas to 1 nay. A "yea" vote is a vote for the AIF position.

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**HB 4523 Continued**


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- Record 9c: On April 23, 1998, the House Committee on Transportation and Economic Development passed the bill as favorable by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

On April 28, 1998, the House substituted CS/CS/SB 1406 for HB 4523.

**HB 4523 was laid on the table; refer to CS/CS/SB 1406.**

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**HB 4705 Workers  
Compensation/  
Intoxication/Drugs  
by the House  
Committee on  
Financial Services,  
Representative  
Sandy Safley  
(R-Clearwater), and  
Representative  
Fred Lippman  
(D-Hollywood)**


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**A**IF supports the adoption of a rebuttable presumption for drug-free workplace injuries. In the case, *Hall v. Recchi American, Inc.* and *Palmer and Cay Carswell*, the Supreme Court held that the presumption of Chapter 440 of the Florida Statutes that any employee who had an injury on a drug-free workplace premise was automatically denied workers compensation benefits was unconstitutional. This bill establishes that employees of drug-free workplaces found to be intoxicated or under the influence of drugs at the time of an injury, must show "that there is no reasonable hypothesis supporting the possibility that the intoxication or drug use contributed to the injury." This bill is necessary in order to keep the protection of the Drug-Free Workplace Program in the workers compensation system in place.

- Record 10a: On March 30, 1998 the House Committee on Financial Services passed PCB FS 98-8 as favorable by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

PCB FS 98-8 became HB 4705.

On April 20, 1998, the House substituted SB 1972 for HB 4705.

**HB 4705 was laid on the table; refer to SB 1972.**

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**HB 4781 Workers  
Compensation/  
Benefits by the  
House Committee  
on Financial  
Services and  
Representative  
Sandy Safley  
(R-Clearwater)**


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**T**his bill corrects the Burger King decision by the First District Court of Appeals and the Grice decision by the Supreme Court of Florida. AIF supports clarification of both decisions.

In the case of *Burger King Corporation/Cigna Insurance Company v. Moreno*, the District Court of Appeals held that the workers compensation supplemental benefits ceased at age 62, if the claimant is eligible for social security retirement benefits and social security benefits. The bill corrects the interpretation of the appeals court so that supplemental benefits will cease at age 62 when the claimant is receiving either social security retirement benefits or social security disability benefits. An injured worker cannot collect both, thereby, rendering the 1994 amendment ineffective.

In the case of *Escambia County Sheriff's Department v. Grice*, the Supreme

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**HB 4781 Continued**

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Court held that the employer could offset a claimant's workers compensation benefits to the extent that the total of the compensation benefits, disability retirement, and social security disability benefits exceeded his "average weekly wage." The bill clarifies the interpretation of the Court by: allowing the employer to take offsets to allow 100 percent of the employee's average weekly wage, including supplemental benefits to age 62, to be calculated by combining workers compensation benefits, social security benefits, and employer-funded benefits provided to the employee and his dependents for which the employer has contributed more than 50 percent of the costs of benefits. This includes: retirement benefits; disability benefits; and any other payment of wages by the employer. Supplemental benefits are excluded from the definition of benefits.

- Record 11a: On April 2, 1998, the House Committee on Financial Services passed PCB FS 98-11 favorably as amended by a vote of 6 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB FS 98-11 became HB 4781.

On April 22, 1998, the House substituted CS/SB 1092 for HB 4781.

**HB 4781 was laid on the table; refer to CS/SB 1092.**

# HOUSE AVERAGE ON WORKERS COMPENSATION = 94%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs	11a - Workers Compensation Benefits
7	0	100	Albright (R)	F		F		F	F	F	F							
7	0	100	Alexander (R)	F		F		F	F	F	F							
7	0	100	Andrews (R)	F		F		F	F	F	F							
7	0	100	Argenziano (R)	F		F		F	F	F	F							
7	0	100	Arnall (R)	F		F		F	F	F		F			F			
6	1	86	Arnold (D)	F		F		F	F	F	A	F						
12	0	100	Bainter (R)	F	F	F		F	F	F	F	F	F	F			F	F
12	0	100	Ball (R)	F	F	F		F	F	F	F	F	F	F			F	F
7	0	100	Barreiro (R)	F		F		F	F	F	F							
6	1	86	Betancourt (D)	F		F		F	F	F	A	F						
8	0	100	Bitner (R)	F		F		F	F	F	F	F	F					
6	1	86	Bloom (D)	F		F		F	F	F	A	F						
6	1	86	Boyd (D)	F		F		F	F	F	A	F						
7	0	100	Bradley (D)	F		F		F	F	F		F				F		
6	1	86	Brennan (D)	F		F		F	F	F	A	F						
7	0	100	Bronson (D)	F		F		F	F	F	F	F						
7	0	100	Brooks (R)	F		F		F	F	F	F	F						

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

**HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE														
				1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs
6	1	86	Brown (D)	F		F		F	F	F	A	F					
6	1	86	Bullard (D)	F		F		F	F	F	A	F					
7	0	100	Burroughs (R)	F		F		F	F	F	F	F					
6	1	86	Bush (D)	F		F		F	F	F	A	F					
6	1	86	Byrd (R)	F		F		F	F	F	F			A			
7	0	100	Carlton (R)	F		F		F	F	F	F	F					
7	0	100	Casey (R)	F		F		F	F	F	F	F					
6	1	86	Chestnut (D)	F		F		F	F	F	A	F					
5	1	83	Clemons (D)	F		F		F	F	F	A						
7	0	100	Constantine (R)	F		F		F	F	F	F	F					
7	1	88	Cosgrove (D)	F		F		F	F	F	A	F		F			
7	0	100	Crady (D)	F		F		F	F	F	F	F					
6	1	86	Crist (R)	F		F		F	F	F	A	F					
8	0	100	Crow (R)	F		F		F	F	F	F	F			F		
6	0	100	Culp (R)	F		F		F	F	F	F						
6	1	86	Dawson-White (D)	F		F		F	F	F	A	F					
8	2	80	Dennis (D)	F		F		F	F	F	A	F	A	F			F

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

## HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs	11a - Workers Compensation Benefits
8	0	100	Diaz de la Portilla (R)	F		F	F	F	F	F	F							
8	0	100	Dockery (R)	F		F		F	F	F	F				F			
10	0	100	Edwards (D)	F	F	F		F	F	F	F	F					F	
9	2	82	Effman (D)	F	F	F		F	F	F	A	F	A	F			F	
6	1	86	Eggelletion (D)	F		F		F	F	F	A	F						
7	0	100	Fasano (R)	F		F		F	F	F	F					F		
7	0	100	Feeney (R)	F		F		F	F	F	F	F						
6	1	86	Fischer (D)	F		F		F	F	F	A	F						
12	0	100	Flanagan (R)	F	F	F		F	F	F	F	F	F	F			F	F
4	1	80	Frankel (D)			F		F	F	F	A							
8	0	100	Fuller (R)	F		F		F	F	F	F	F				F		
7	0	100	Futch (R)	F		F		F	F	F	F	F						
6	0	100	Garcia (R)	F		F		F	F	F	F							
7	0	100	Gay (R)	F		F		F	F	F	F	F						
7	0	100	Goode (R)	F		F		F	F	F	F	F						
6	1	86	Gottlieb (D)	F		F		F	F	F	A	F						
6	1	86	Greene (D)	F		F		F	F	F	A	F						

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

## HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs	11a - Workers Compensation Benefits
6	1	86	Hafner (D)	F		F		F	F	F	A	F						
7	0	100	Harrington (R)	F		F		F	F	F	F	F						
7	1	88	Healey (D)	F		F		F	F	F	A	F				F		
6	1	86	Heyman (D)	F		F		F	F	F	A	F						
7	1	88	Hill (D)	F		F		F	F	F	A	F			F			
6	1	86	Horan (D)	F		F		F	F	F	A	F						
5	0	100	Jacobs (D)			F		F	F	F					F			
8	0	100	Jones (R)	F		F	F	F	F	F	F	F						
8	0	100	Kelly (R)	F		F	F	F	F	F	F	F						
6	1	86	King (R)	F		F		F	F	F	A	F						
6	1	86	Kosmas (D)	F		F		F	F	F	A	F						
7	0	100	Lacasa (R)	F		F		F	F	F	F	F						
9	3	75	Lawson (D)	F	F	F		F	F	F	A	F	A	F			F	A
11	0	100	Lippman (D)	F	F	F		F	F	F		F	F	F			F	F
7	0	100	Littlefield (R)	F		F		F	F	F	F	F						
7	0	100	Livingston (R)	F		F		F	F	F	F				F			
4	1	80	Logan (D)	F		F				F	A	F						

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

**HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs	11a - Workers Compensation Benefits
7	0	100	Lynn (R)	F		F		F	F	F	F	F						
6	1	86	Mackenzie (D)	F		F		F	F	F	A	F						
5	0	100	Mackey (D)			F		F	F	F		F						
8	0	100	Maygarden (R)	F		F	F	F	F	F	F	F						
6	1	86	Meek (D)	F		F		F	F	F	A	F						
7	0	100	Melvin (R)	F		F		F	F	F	F	F						
8	0	100	Merchant (R)	F		F		F	F	F	F	F				F		
6	1	86	Miller (D)	F		F		F	F	F	A	F						
9	0	100	Minton (D)	F		F	F	F	F	F	F	F				F		
7	0	100	Morrone (R)	F		F		F	F	F	F	F						
6	0	100	Morse (R)	F				F	F	F	F	F						
8	0	100	Murman (R)	F		F		F	F	F	F	F			F			
7	0	100	Ogles (R)	F		F		F	F	F	F	F						
7	0	100	Peaden (R)	F		F		F	F	F	F	F						
6	1	86	Posey (R)	F		F		F	F	F	A	F						
6	1	86	Prewitt (D)	F		F		F	F	F	A	F						
6	0	100	Pruitt (R)	F		F		F	F	F	F							

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

**HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE														
				1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs
8	0	100	Putnam (R)	F		F		F	F	F	F	F			F		
9	2	82	Rayson (D)	F	F	F		F	F	F	A	F	A	F			F
7	1	88	Reddick (D)	F		F		F	F	F	A	F				F	
6	1	86	Ritchie (D)	F		F		F	F	F	A	F					
6	1	86	Ritter (D)	F		F		F	F	F	A	F					
5	1	83	Roberts-Burke (D)			F		F	F	F	A	F					
7	0	100	Rodriguez-Chomat (R)	F		F		F	F	F	F	F					
8	0	100	Rojas (R)	F		F		F	F	F	F	F				F	
10	0	100	Safley (R)	F		F		F	F	F	F	F		F			F F
8	0	100	Sanderson (R)	F		F		F	F	F	F	F	F				
8	0	100	Saunders (R)	F		F	F	F	F	F	F	F					
8	0	100	Sembler (R)	F		F		F	F	F	F	F				F	
7	1	88	Silver (D)	F		F		F	F	F	A	F		F			
6	1	86	Sindler (D)	F		F		F	F	F	A	F					
8	0	100	Smith (D)	F		F		F	F	F	F	F				F	
6	0	100	Spratt (D)	F		F		F	F	F		F					
7	0	100	Stabins (R)	F		F		F	F	F	F	F					

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

**HOUSE AVERAGE ON WORKERS COMPENSATION (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE														
				1a - Workers Compensation Benefits	2a - Division of Safety	2b - Division of Safety	3a - AHCA/Workers Compensation Managed Care	3b - AHCA/Workers Compensation Managed Care	4a - Workers Compensation Insurance Fraud	5a - Confidentiality of WC Public Records	6a - Division of Safety	7a - Workers Compensation/Intoxication/Drugs	8a - Division of Safety	9a - Workers Compensation Insurance Fraud	9b - Workers Compensation Insurance Fraud	9c - Workers Compensation Insurance Fraud	10a - Workers Compensation/Intoxication/Drugs
6	1	86	Stafford (D)	F		F		F	F	F	A	F					
8	0	100	Starks (R)	F		F		F	F	F	F	F		F			
7	0	100	Sublette (R)	F		F		F	F	F	F	F					
13	0	100	Tamargo (R)	F	F	F		F	F	F	F	F	F	F	F	F	F
7	0	100	Thrasher (R)	F		F		F	F	F	F	F					
7	1	88	Tobin (D)	F		F		F	F	F	A	F		F			
7	0	100	Trovillion (R)	F		F		F	F	F	F	F					
6	1	86	Turnbull (D)	F		F		F	F	F	A	F					
8	0	100	Valdes (R)	F		F		F	F	F	F	F		F			
7	0	100	Villalobos (R)	F		F		F	F	F	F	F					
7	0	100	Wallace (R)	F		F		F	F	F	F	F					
5	0	100	Warner (R)	F				F	F	F	F						
7	1	88	Wasserman-Schultz (D)	F		F	F	F	F	F	A	F					
4	0	100	Webster (R)	F		F					F	F					
6	1	86	Westbrook (D)	F		F		F	F	F	A	F					
6	1	86	Wiles (D)	F		F		F	F	F	A	F					
7	0	100	Wise (R)	F		F		F	F	F	F	F					
11	1	92	Ziebarth (R)	F	F	F		F	F	F	F	F	F	F		F	A
<b>845</b>	<b>54</b>	<b>94</b>	<b>TOTAL</b>														

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

**THE FLORIDA HOUSE**

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**TELECOMMUNICATIONS**

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## TELECOMMUNICATIONS

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**HB 3775**  
**Telecommunications**  
**Services by the**  
**House Committee**  
**on Utilities and**  
**Communications**  
**and Representative**  
**Joe Arnall (R-**  
**Jacksonville Beach)**

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**A**IF supports passage of legislation unanimously endorsed by the telecommunications industry which addresses access fees, universal service, and rate re-balancing as basic components. Proposed committee legislation, PCB UCO 98-1, addressed these concepts. The proposal would create support for universal service to ensure continued availability of affordable basic local telecommunications service, especially in high-cost and low-income areas.

The proposal allows rebalancing of basic telecommunications service rates to achieve self-sufficiency and foster effective competition. This is provided for by allowing for increases in local residential rates. Long distance rates for all customers would be lowered through mandatory reductions in access fees charged by local providers to all long distance providers.

The proposal creates the "Telecommunications Consumer Protection Act" to provide methodology for consumers rights, provide remedies for violations of those rights, and establish billing practices requirements.

- Record 1a: On February 17, 1998 the House Committee on Utilities and Communications passed PCB UCO 98-1 by a vote of 14 yeas to 2 nays. A "yea" vote is a vote for the AIF position.

PCB UCO 98-1 was filed and became HB 3775.

**HB 3775 died in the House Committee on Utilities and Communications.**

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**HB 4785**  
**Telecommunications**  
**Services by House**  
**Committee on**  
**Utilities and**  
**Communications**  
**and Representative**  
**Joe Arnall (R-**  
**Jacksonville Beach)**

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**T**his bill was initially filed as PCB UCO 98-3. As substantially amended, the bill imposes a major workload on the Public Service Commission (PSC) to study telecommunications issues and report to the Legislature by February 15, 1999. The bill requires the Commission to address universal service to assist the Legislature in establishing a permanent mechanism to address services to low-income customers and high-cost service areas. The PSC is also required to report on long distance rates, business rates, and special services as they impact local phone rates; and provide conclusions as to a fair and reasonable rate for residential local phone service.

The bill further extends from 1999 to 2000 the caps on local phone rates for GTE and Sprint. The bill requires a total reduction of 15 percent in network access charges by GTE and Sprint.

The bill creates the "Telecommunications Consumer Protection Act" to ad-

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**HB 4785 Continued**

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dress selected consumer rights.

- Record 2a: On April 9, 1998, the House Committee on Utilities and Communications passed PCB UCO 98-3 as favorable by a vote of 11 yeas to 5 nays. A "yea" vote is a vote for the AIF position.

PCB UCO 98-3 became HB 4785.

- Record 2b: On April 23, 1998, the House Committee on Transportation and Economic Development passed the bill favorably as amended by a vote of 12 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

- Record 2c: On April 28, 1998, the House passed the bill as amended by a vote of 111 yeas to 4 nays. A "yea" vote is a vote for the AIF position.

On April 29, 1998, the Senate substituted HB 4785 for CS/SB 640. CS/SB 640 was laid on the table. The Senate passed HB 4785 by a vote of 37 yeas to 0 nays. A "yea" vote is a vote for the AIF position.

**HB 4785 became Law without the Governor's signature on May 27, 1998; refer to Ch. #98-277, Laws of Florida.**

# HOUSE AVERAGE ON TELECOMMUNICATIONS = 93%

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
1	0	100	Albright (R)				F
1	0	100	Alexander (R)				F
1	0	100	Andrews (R)				F
1	2	33	Argenziano (R)	A	A		F
3	0	100	Arnall (R)	F	F		F
1	0	100	Arnold (D)				F
1	0	100	Bainter (R)				F
1	0	100	Ball (R)				F
1	0	100	Barreiro (R)				F
1	0	100	Betancourt (D)				F
2	0	100	Bitner (R)		F		F
1	0	100	Bloom (D)				F
2	1	67	Boyd (D)	F	A		F
3	1	75	Bradley (D)	F	A	F	F
0	0	0	Brennan (D)				
1	0	100	Bronson (D)				F
1	0	100	Brooks (R)				F

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

## HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
0	0	0	Brown (D)				
1	0	100	Bullard (D)				F
3	0	100	Burroughs (R)	F	F		F
1	0	100	Bush (D)				F
1	0	100	Byrd (R)				F
1	0	100	Carlton (R)				F
1	0	100	Casey (R)				F
1	0	100	Chestnut (D)				F
2	1	67	Clemons (D)	F	A		F
1	0	100	Constantine (R)				F
1	0	100	Cosgrove (D)				F
1	0	100	Crady (D)				F
1	0	100	Crist (R)				F
2	0	100	Crow (R)			F	F
1	0	100	Culp (R)				F
	0	100	Dawson-White (D)				F
	0	100	Dennis (D)				F

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

**HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
1	0	100	Diaz de la Portilla (R)				F
1	0	100	Dockery (R)				F
1	0	100	Edwards (D)				F
1	0	100	Effman (D)				F
1	0	100	Eggelletion (D)				F
1	0	100	Fasano (R)				F
4	0	100	Feeney (R)	F	F	F	F
1	0	100	Fischer (D)				F
1	0	100	Flanagan (R)				F
1	0	100	Frankel (D)				F
2	0	100	Fuller (R)			F	F
1	0	100	Futch (R)				F
0	0	0	Garcia (R)				
1	0	100	Gay (R)				F
1	0	100	Goode (R)				F
1	0	100	Gottlieb (D)				F
1	0	100	Greene (D)				F

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

## HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
0	1	0	Hafner (D)				A
1	0	100	Harrington (R)				F
2	0	100	Healey (D)			F	F
1	0	100	Heyman (D)				F
1	0	100	Hill (D)				F
0	1	0	Horan (D)				A
1	0	100	Jacobs (D)				F
1	0	100	Jones (R)				F
1	0	100	Kelly (R)				F
1	0	100	King (R)				F
1	0	100	Kosmas (D)				F
1	0	100	Lacasa (R)				F
1	0	100	Lawson (D)				F
1	0	100	Lippman (D)				F
3	0	100	Littlefield (R)	F	F		F
2	0	100	Livingston (R)			F	F
3	0	100	Logan (D)	F	F		F

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

**HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
1	0	100	Lynn (R)				F
0	0	0	Mackenzie (D)				
1	0	100	Mackey (D)				F
3	0	100	Maygarden (R)	F	F		F
1	0	100	Meek (D)				F
1	0	100	Melvin (R)				F
3	0	100	Merchant (R)	F		F	F
1	0	100	Miller (D)				F
2	0	100	Minton (D)			F	F
1	0	100	Morrone (R)				F
1	0	100	Morse (R)				F
1	0	100	Murman (R)				F
1	0	100	Ogles (R)				F
1	0	100	Peaden (R)				F
1	0	100	Posey (R)				F
1	0	100	Prewitt (D)				F
1	0	100	Pruitt (R)				F

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

**HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
1	0	100	Putnam (R)				F
1	0	100	Rayson (D)				F
2	0	100	Reddick (D)			F	F
0	1	0	Ritchie (D)				A
1	0	100	Ritter (D)				F
1	0	100	Roberts-Burke (D)				F
1	0	100	Rodriguez-Chomat (R)				F
1	0	100	Rojas (R)				F
0	1	0	Safley (R)				A
1	0	100	Sanderson (R)				F
1	0	100	Saunders (R)				F
2	0	100	Sembler (R)			F	F
1	0	100	Silver (D)				F
1	0	100	Sindler (D)				F
2	0	100	Smith (D)			F	F
1	0	100	Spratt (D)				F
3	0	100	Stabins (R)	F	F		F

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

**HOUSE AVERAGE ON TELECOMMUNICATIONS (CONTINUED)**

TOTAL FOR	TOTAL AGAINST	% OF VOTES WITH AIF	REPRESENTATIVE	1a - Telecommunications Services	2a - Telecommunications Services	2b - Telecommunications Services	2c - Telecommunications Services
3	0	100	Stafford (D)	F	F		F
1	0	100	Starks (R)				F
1	0	100	Sublette (R)				F
1	0	100	Tamargo (R)				F
3	0	100	Thrasher (R)	F	F		F
1	0	100	Tobin (D)				F
1	0	100	Trovillion (R)				F
1	0	100	Turnbull (D)				F
2	0	100	Valdes (R)			F	F
0	0	0	Villalobos (R)				
1	0	100	Wallace (R)				F
1	0	100	Warner (R)				F
1	2	33	Wasserman-Schultz (D)	A	A		F
1	0	100	Webster (R)				F
3	0	100	Westbrook (D)	F	F		F
1	0	100	Wiles (D)				F
1	0	100	Wise (R)				F
1	0	100	Ziebarth (R)				F
<b>148</b>	<b>11</b>	<b>93</b>	<b>TOTAL</b>				

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