



FLORIDA AFL-CIO
UNITED LABOR LOBBY



2005
Final Legislative Report

&
Legislator Rankings

A Publication of the Florida AFL-CIO
Cynthia Hall, President & Chief Lobbyist





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FLORIDA SENATE DISTRICTS AND SENATORS

| District #- Office | Senator | Counties |
|--------------------------|------------------------------------|---|
| S - 1 Jacksonville | Anthony C. "Tony" Hill, Sr. (D) | Duval, Flagler, Putnam, St. Johns, Volusia |
| S - 2 Crestview | Durrell Peaden, Jr. (R) | Bay, Escambia, Holmes, Okaloosa, Santa Rosa, Walton, Washington |
| S - 3 Crystal River | Nancy Argenziano (R) | Baker, Citrus, Columbia, Dixie, Hamilton, Jefferson, Lafayette, Leon, Levy, Madison, Marion, Suwannee, Taylor |
| S - 4 Destin | Charlie Clary (R) | Bay, Escambia, Okaloosa, Santa Rosa, Walton |
| S - 5 Jacksonville | Stephen R. Wise (R) | Clay, Duval, Nassau, St. Johns |
| S - 6 Tallahassee | Alfred "Al" Lawson, Jr. (D) | Bay, Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Wakulla |
| S - 7 Ormond Beach | Evelyn J. Lynn (R) | Clay, Marion, Putnam, Volusia |
| S - 8 Jacksonville | James E. "Jim" King, Jr. (R) | Duval, Flagler, Nassau, St. Johns, Volusia |
| S - 9 Winter Garden | Daniel Webster (R) | Orange, Osceola, Seminole |
| S - 10 Brandon | Tom Lee (R) | Hillsborough, Pasco, Polk |
| S - 11 New Port Richey | Mike Fasano (R) | Citrus, Hernando, Pasco, Pinellas |
| S - 12 Tampa | Victor D. Crist (R) | Hillsborough, Pasco |
| S - 13 Seminole | Dennis L. Jones (R) | Pinellas |
| S - 14 Gainesville | Rod Smith (D) | Alachua, Bradford, Columbia, Gilchrist, Levy, Marion, Putnam, Union |
| S - 15 Lakeland | Paula Dockery (R) | Hernando, Lake, Osceola, Polk, Sumter |
| S - 16 St Petersburg | Jim Sebesta (R) | Hillsborough, Pinellas |
| S - 17 Winter Haven | JD Alexander (R) | DeSoto, Glades, Hardee, Highlands, Okeechobee, Polk, St. Lucie |
| S - 18 Tampa | Lesley "Les" Miller, Jr. (D) | Hillsborough, Manatee, Pinellas |
| S - 19 Orlando | Gary Siplin (D) | Orange, Osceola |
| S - 20 Leesburg | Carey Baker (R) | Lake, Marion, Seminole, Sumter, Volusia |
| S - 21 Bradenton | Michael S. "Mike" Bennett (R) | Charlotte, DeSoto, Lee, Manatee, Sarasota |
| S - 22 Altamonte Springs | Lee Constantine (R) | Orange, Seminole |
| S - 23 Osprey | Lisa Carlton (R) | Charlotte, Manatee, Sarasota |
| S - 24 Rockledge | Bill Posey (R) | Brevard, Orange, Seminole |
| S - 25 Palm Bch Gardens | Jeffrey H. "Jeff" Atwater (R) | Broward, Palm Beach |
| S - 26 Melbourne | Mike Haridopolos (R) | Brevard, Indian River, Osceola, St. Lucie |
| S - 27 Greenacres | Dave Aronberg (D) | Charlotte, Glades, Hendry, Lee, Palm Beach |
| S - 28 Port St Lucie | Ken Pruitt (R) | Indian River, Martin, Okeechobee, Palm Beach, St. Lucie |
| S - 29 Ft Lauderdale | Mandy M. Dawson (D) | Broward, Palm Beach |
| S - 30 Delray Beach | Ron Klein (D) | Broward Palm Beach |
| S - 31 Hallandale Beach | Steven A. Geller (D) | Broward |
| S - 32 Tamarac | Walter G. "Skip" Campbell, Jr. (D) | Broward |
| S - 33 Miami | Frederica S. Wilson (D) | Miami-Dade |
| S - 34 Pembroke Pines | Nan Rich (D) | Broward, Miami-Dade |
| S - 35 Miami Beach | Gwen Margolis (D) | Broward, Miami-Dade |
| S - 36 Miami | Alex Diaz de la Portilla (R) | Miami-Dade |
| S - 37 Naples | Burt L. Saunders (R) | Collier, Lee |
| S - 38 Miami | Alex J. Villalobos (R) | Miami-Dade |
| S - 39 Miami | Larcenia J. Bullard (D) | Broward, Collier, Hendry, Miami-Dade, Monroe, Palm Beach |
| S - 40 Hialeah | Rudy Garcia (R) | Miami-Dade |

FLORIDA HOUSE DISTRICTS AND REPRESENTATIVES

| District # - Office | Representative | Counties |
|---------------------------|---------------------------------|---|
| H - 1 Milton | Greg Evers (R) | Escambia, Okaloosa, Santa Rosa |
| H - 2 Pensacola | Dave Murzin (R) | Escambia |
| H - 3 Pensacola | Holly Benson (R) | Escambia, Santa Rosa |
| H - 4 Fort Walton Beach | Ray Sansom (R) | Okaloosa, Santa Rosa |
| H - 5 DeFuniak Springs | Donald Brown (R) | Holmes, Jackson, Okaloosa, Walton, Washington |
| H - 6 Panama City | Allan Bense (R) | Bay, Franklin, Gulf |
| H - 7 Marianna | David Coley ® (Deceased) | Bay, Calhoun, Gadsden, Jackson, Leon, Liberty, Okaloosa, Wakulla, Walton |
| H - 8 Tallahassee | Curtis Richardson (D) | Gadsden, Leon |
| H - 9 Tallahassee | Loranne Ausley (D) | Gadsden, Jefferson, Leon |
| H - 10 Carrabelle | Will S. Kendrick (D) | Alachua, Columbia, Dixie, Franklin, Hamilton, Jefferson, Levy, Madison, Taylor, Wakulla |
| H - 11 Live Oak | Dwight Stansel (D) | Alachua, Columbia, Dixie, Gilchrist, Lafayette, Suwannee |
| H - 12 Fernandina Beach | Aaron Bean (R) | Baker, Bradford, Clay, Duval, Nassau, Union |
| H - 13 Jacksonville | Jennifer Carroll (R) | Clay, Duval |
| H - 14 Jacksonville | Terry Fields (D) | Duval |
| H - 15 Jacksonville | Audrey Gibson (D) | Duval |
| H - 16 Jacksonville | Mark Mahon (R) | Duval |
| H - 17 Jacksonville | Stan Jordan (R) | Duval |
| H - 18 Jacksonville Beach | Don Davis (R) | Duval, St. Johns |
| H - 19 Orange Park | Dick Kravitz (R) | Clay, Duval, St. Johns |
| H - 20 St Augustine | William "Bill" Proctor (R) | Clay, Flagler, St. Johns |
| H - 21 Palatka | Joe H. Pickens (R) | Bradford, Clay, Lake, Marion, Putnam, Volusia |
| H - 22 Ocala | Larry Cretul (R) | Alachua, Levy, Marion |
| H - 23 Gainesville | Ed Jennings (D) | Alachua, Marion |
| H - 24 Ocala | Dennis K. Baxley (R) | Marion |
| H - 25 Eustis | D. Alan Hays (R) | Lake, Seminole, Volusia |
| H - 26 DeLand | Pat Patterson (R) | Flagler, Volusia |
| H - 27 DeLand | Joyce Cusack (D) | Volusia |
| H - 28 New Smyrna Beach | Dorothy Hukill (R) | Volusia |
| H - 29 Titusville | L. Ralph Poppell (R) | Brevard, Indian River |
| H - 30 Melbourne | Thad Altman ® | Brevard |
| H - 31 Palm Bay | Mitch Needelman (R) | Brevard |
| H - 32 Merritt Island | Bob Allen (R) | Brevard, Orange |
| H - 33 Oviedo | Sandra "Sandy" Adams (R) | Orange, Seminole, Volusia |
| H - 34 Lake Mary | David J. Mealor (R) | Orange, Seminole |
| H - 35 Winter Park | Dean Cannon (R) | Orange |
| H - 36 Orlando | Sheri McInvale (D) | Orange |
| H - 37 Altamonte Springs | David Simmons (R) | Orange, Seminole |
| H - 38 Apopka | Frederick C. "Fred" Brummer (R) | Orange |
| H - 39 Orlando | Bruce Antone (D) | Orange |
| H - 40 Orlando | Andy Gardiner (R) | Orange |
| H - 41 Winter Garden | Randy Johnson (R) | Lake, Orange, Osceola |
| H - 42 The Villages | Hugh Gibson (R) | Lake, Marion, Sumter |
| H - 43 Inverness | Charles S. Dean Sr. (R) | Citrus, Hernando, Levy |
| H - 44 Spring Hill | David O. Russell, Jr. (R) | Hernando, Pasco, Sumter |
| H - 45 Holiday | Thomas Anderson (R) | Pasco, Pinellas |
| H - 46 New Port Richey | John Legg (R) | Pasco |
| H - 47 Tampa | Kevin C. Ambler (R) | Hillsborough |
| H - 48 Palm Harbor | Gus Michael Bilirakis (R) | Pasco, Pinellas |
| H - 49 Kissimmee | John Quinones (R) | Orange, Osceola |
| H - 50 Clearwater | Kim Berfield (R) | Pinellas |
| H - 51 St Petersburg | Leslie Waters (R) | Pinellas |
| H - 52 St Petersburg | Frank Farkas (R) | Pinellas |
| H - 53 St Petersburg | Charlie Justice (D) | Pinellas |
| H - 54 Largo | Everett Rice (R) | Pinellas |
| H - 55 St Petersburg | Frank Peterman, Jr. (D) | Hillsborough, Manatee, Pinellas, Sarasota |
| H - 56 Tampa | Anthony Traviesa (R) | Hillsborough |
| H - 57 Tampa | Faye Culp (R) | Hillsborough |
| H - 58 Tampa | Bob Henriquez (D) | Hillsborough |
| H - 59 Tampa | Arthenia L. Joyner (O) | Hillsborough |
| H - 60 Tampa | Ed Homan (R) | Hillsborough, Pasco |

FLORIDA HOUSE DISTRICTS AND REPRESENTATIVES

| District # - Office | Representative | Counties |
|---------------------------|----------------------------------|---|
| H - 61 Zephyrhills | Kenneth W. "Ken" Littlefield (R) | Hillsborough, Pasco |
| H - 62 Plant City | Richard "Rich" Glorioso (R) | Hillsborough, Pasco |
| H - 63 Lakeland | Dennis A. Ross (R) | Hillsborough, Polk |
| H - 64 Lakeland | John Stargel (R) | Polk |
| H - 65 Winter Haven | Marty Bowen (R) | Polk |
| H - 66 Winter Haven | Baxter G. Troutman (R) | Hardee, Highlands, Polk |
| H - 67 Sarasota | Ron Reagan (R) | Hillsborough, Manatee, Sarasota |
| H - 68 Bradenton | Bill Galvano (R) | Hillsborough, Manatee |
| H - 69 Sarasota | Donna Clarke (R) | Manatee, Sarasota |
| H - 70 Venice | Nancy C. Detert (R) | Sarasota |
| H - 71 Port Charlotte | Michael Grant (R) | Charlotte, Lee, Sarasota |
| H - 72 Punta Gorda | Paige Kreegel (R) | Charlotte, DeSoto, Lee |
| H - 73 Fort Myers | Bruce Kyle (R) | Lee |
| H - 74 Cape Coral | Jeff Kottkamp (R) | Charlotte, Lee |
| H - 75 Fort Myers | Trudi Williams (R) | Collier, Lee |
| H - 76 Naples | J. Dudley Goodlette (R) | Collier |
| H - 77 Sebring | Denise Grimsley (R) | Collier, Glades, Hendry, Highlands |
| H - 78 Delray Beach | Richard A. Machek (D) | Martin, Okeechobee, Palm Beach, St. Lucie |
| H - 79 Kissimmee | Frank Attkisson (R) | Okeechobee, Orange, Osceola, Polk |
| H - 80 Vero Beach | Stan Mayfield (R) | Brevard, Indian River, St. Lucie |
| H - 81 Port St Lucie | Gayle Harrell (R) | Martin, St. Lucie |
| H - 82 Stuart | Joe Negron (R) | Martin, Palm Beach, St. Lucie |
| H - 83 Palm Beach Gardens | Carl J. Domino (R) | Palm Beach |
| H - 84 West Palm Beach | Priscilla Taylor (D) | Palm Beach |
| H - 85 West Palm Beach | Shelley Vana (D) | Palm Beach |
| H - 86 Delray Beach | Ann "Annie" Gannon (D) | Palm Beach |
| H - 87 Delray Beach | Adam Hasner (R) | Broward, Palm Beach |
| H - 88 West Palm Beach | Susan Bucher (D) | Palm Beach |
| H - 89 Palm Beach | Mary Brandenburg (D) | Palm Beach |
| H - 90 Boca Raton | Irving L. Slosberg (D) | Broward, Palm Beach |
| H - 91 Ft Lauderdale | Ellyn Setnor Bogdanoff (R) | Broward, Palm Beach |
| H - 92 Pompano Beach | John P. Seiler (D) | Broward |
| H - 93 Ft Lauderdale | Christopher L. Smith (D) | Broward |
| H - 94 Lauderdale | Matthew Meadows (D) | Broward |
| H - 95 Coconut Creek | Ron Greenstein (D) | Broward |
| H - 96 Coral Springs | Ari Porth (D) | Broward |
| H - 97 Sunrise | Susan Goldstein (R) | Broward |
| H - 98 Plantation | Franklin Sands (D) | Broward |
| H - 99 Hollywood | Eleanor Sobel (D) | Broward |
| H - 100 Dania Beach | Timothy Ryan (D) | Broward |
| H - 101 Naples | Mike Davis (B) | Broward, Collier |
| H - 102 Hialeah | Rafael Arza (R) | Broward, Miami-Dade |
| H - 103 Miami | Wilbert Holloway (D) | Broward, Miami-Dade |
| H - 104 North Miami | Yolly Roberson (D) | Miami-Dade |
| H - 105 Miramar | Kenneth Allan Gottlieb (D) | Broward |
| H - 106 Miami Beach | Dan Gelber (D) | Miami-Dade |
| H - 107 Miami | Gustavo A. Barreiro (R) | Miami-Dade |
| H - 108 North Miami | Phillip J. Brutus (D) | Miami-Dade |
| H - 109 Miami | Dorothy Bendross-Mindingall (D) | Miami-Dade |
| H - 110 Hialeah | Rene Garcia (R) | Miami-Dade |
| H - 111 Miami | Marco Rubio (R) | Miami-Dade |
| H - 112 Miami | David Rivera (B) | Broward, Collier, Miami-Dade |
| H - 113 Miami | Carlos Lopez-Cantera (R) | Miami-Dade |
| H - 114 Miami | Anitere Flores (B) | Miami-Dade |
| H - 115 Miami | Juan-Carlos "J.C." Planas (R) | Miami-Dade |
| H - 116 Miami | Marcelo Llorente (R) | Miami-Dade |
| H - 117 Miami | Julio Robaina (R) | Miami-Dade |
| H - 118 Miami | Edward B. Bullard (D) | Miami-Dade |
| H - 119 Miami | Juan C. Zapata (R) | Miami-Dade |
| H - 120 Tavernier | Ken Sorensen (R) | Miami-Dade, Monroe |



The United Labor Lobby provides a way for unions to work together during the legislative session. The Florida AFL-CIO and its union affiliates form the core of the coalition. Others with similar interests sometimes join in the combined efforts.

Each year lobbyists who are sponsored by industrial, building trades, service and public employee unions work on legislation that relates specifically to their unions' interests, as well as general labor legislation. Through the United Labor Lobby, the union lobbyists share information, take specific lobbying assignments and coordinate committee testimony. Following is a list of the ULL lobbyists who participated in the entire 2005 Legislative Session.

| | |
|--|--|
| Florida AFL-CIO | Cynthia Hall, President & Chief Lobbyist Dwayne Sealy, Secretary-Treasurer L. W. Fowler, VIP Director Phyllis Garrett, Public Employee Director Rich Templin, PR/Communications Director Lori Weems |
| AFSCME Council 79 | Jeanette Wynn Mark Neimeiser |
| Brotherhood of Locomotive Engineers | David Lavery |
| CWA Council of Florida | Gail Marie Perry |
| Florida Education Association | Andy Ford Members of the FEA Lobbying Team |
| Duval Teachers United | Terrie Brady |
| United Teachers of Dade | Joe Minor |
| Florida Building Trades Council | Mike Williams |
| Florida Electrical Workers Assn. | J. B. Clark |
| IBEW System Council U-4 | Terry Kammer |
| Florida State Council of Machinists | Frank Ortis |
| Service Employees International Union | Dale Ewart John Ratliff |
| UAW/Jai Alai Players | Doug Russell |

In addition to these lobbyists, many others journey to Tallahassee to help with our issues. These dedicated union members spend time in Tallahassee and provide a valuable service for us all. We wish to thank all of you for your help.

STATE GOVERNMENT AND TAXATION

Citizens' Ballot Initiatives / Signature Gathering **Failed**

SB 1996 by Senators Alexander, Lynn, Baker, Posey, Haridopolos, Atwater, Bennett, Sebesta, Wise, Argenziano

HB 1471 by Goodlette, Ambler, Brummer, Cannon, Carroll, Kottkamp, Pickens, Sansom, Stargel

Florida AFL-CIO Position: **Oppose**

SB 1996 – Passed Senate Ethics and Election, Criminal Justice and Judiciary Committees. Substituted by HB 1471; **laid on the table**.

HB 1471 – Passed the House of Representatives, substituted for SB 1996 in the Senate; **died on Senate Calendar**.

Ever since the passage of the class size amendment, legislators from both sides of the political aisle have been working to restrict citizens' rights to change Florida's Constitution through the ballot initiative process. Over the past two years, this push has come in the form of joint resolutions seeking to place proposed constitutional amendments on the ballot to compress the time frame for the process (thereby making it more difficult), increasing the vote threshold needed for passage of the proposed amendment and to restrict the subject matter permissible for citizens' initiatives. While the Florida AFL-CIO opposes these new restrictions on the rights of voters, at least these efforts were out in the open and would have required voter approval. This year, following the passage of the minimum wage amendment, this effort took a much more devious turn.

Senator JD Alexander and Representative Dudley Goodlette filed bills in their respective chambers crafted by the Florida Chamber of Commerce that would have changed the process through which signatures are gathered to place initiatives on the ballot and the process through which individuals or groups can help register new voters. These changes would have made the signature gathering and voter registration nearly impossible by creating new onerous bureaucratic hurdles, overly harsh criminal penalties for mistakes and setting up ten different ways for valid signatures to be thrown out. To make matters worse, these changes would have been made in statute and would not require the approval of the voters. Some of the most glaring problems with the bills included:

- The major "fix" for any errors made in the gathering of signed petitions was to discard the signatures, whether they were valid or not. Supporters claimed that SB 1996 and HB 1471 were meant to punish signature gatherers who engaged in fraudulent practices, but the bills would not have only punished individuals who made mistakes (whether or not those mistakes were the result of fraud) in petition gathering, but also the well-meaning and innocent voters who signed the petitions. For example, the bills mandated a new 10-day deadline for turning in signed petitions. So, if a voter signed a petition but it was not turned in within ten days due to an administrative mistake by a circulator or an administrator, that petition would not count. Since it is illegal to sign a petition twice and the voter does not know the petition does not count, he/she would have been deprived of his right to support the initiative. So if your Central Labor Council handed out petitions at its monthly meeting so that members could collect signatures over the next month, none of those petitions would be valid. The bills contained ten such provisions for discarding valid signatures.
- These bills would have lent to excessive litigation and election year political shenanigans. Under these bills, any group or individual voter could have challenged each and every signature or voter registration in the Circuit Court. It takes over 600,000 signatures to put an initiative on the ballot. Under these bills 600,000 lawsuits could have been filed—drowning the court system in unnecessary litigation, leading to massive voter disenfranchisement.

- These bills would have criminalized activities that most of us consider to be good citizenship. In an effort to discourage union and other grass-roots political activities, the Florida Chamber of Commerce was pushing to create amazingly steep criminal penalties for simple mistakes. For example, a union member who collects petitions from his/her own neighborhood on an issue and turns them in 14 days later, would face time in prison equivalent to a third DUI conviction, or 5 years per offense under the provisions of these bills.
- The Chamber and other supporters of the bills argued that the changes were needed to combat “widespread fraud” in the signature gathering process. However, these bills were nothing but solutions looking for problems. Before taking a position on these bills, the Florida AFL-CIO researched the issue carefully and could find no evidence whatsoever of any “widespread” fraud. In fact, the only fraud case that has been filed was in response to potential fraud committed by the Derail the Bullet Train (DEBT) organization that successfully repealed the High Speed Rail amendment and the Florida Chamber of Commerce and Jeb Bush were both major supporters!

Florida’s union members are some of the most politically engaged citizens of our state. We are engaged and involved in efforts to improve our state and local communities for all working families and this legislation would have removed an avenue for our efforts. This legislation was never about fraud, it was about taking away the rights of citizens to amend their own constitution through the ballot initiative process. It was about class size, the minimum wage and all of the things our working families want and deserve but that the special interests who have taken total control of the legislature do not want them to have. These changes would have made true grass-roots citizens’ initiatives too expensive and too cumbersome. The only groups that would have been able to amend the constitution would have been the well-funded interest groups, like the Chamber.

We made this issue a priority this session to protect the rights of union members and all Floridians. We were successful in amending the bill, making a really bad bill just bad but continued to work with our allies in the Senate to ensure that the bill was not passed. We have no doubt that this legislation will be filed again next year and we are already working on crafting legislation that will ensure that fraud is not a part of the system and that citizens will still be able to participate in a reasonable process to place issues on the ballot through the petition process.

OUR POSITION “NO”
“N” - 22 “Y” - 96 “NV” - 2

| SIGNATURE GATHERING HOUSE VOTE | | | | | | | | | |
|--------------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | Y | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | N |
| Ambler(R) | Y | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | N | Rubio(R) | Y |
| Antone(D) | Y | Cretul(R) | Y | Greenstein(D) | N | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | Y | Sands(D) | Y |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | N | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | Y |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | N | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | Y | Needelman(R) | Y | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | N |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | Y | Jennings(D) | Y | Peterman(D) | N | Sorensen(R) | Y |
| Berfield(R) | Y | Fields(D) | N | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | Y |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | Y | Traviesa(R) | Y |
| Brandenburg(D) | Y | Garcia(R) | Y | Kendrick(D) | Y | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | N |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | Y | Reagan(R) | Y | Waters(R) | Y |
| Brutus(D) | NV | A. Gibson (D) | Y | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | Y | Richardson(D) | N | Zapata(R) | Y |

Constitutional Amendments / 60% Vote

Passed

SJR 6 by Senators King, Smith, Fasano, Haridopolos, Atwater, Posey

HJR 1723 by Representatives Simmons, Ambler, Baxley, Brummer, Cannon, Cretul, Galvano, Kottkamp, Pickens, Sansom, Stargel, Traviesa

Florida AFL-CIO / ULL Position: **Oppose**

SJR 6 –Passed Senate Ethics and Elections Committee, Judiciary, substituted by SJR 1723, laid on table.

HJR 1723 – Passed House, Senate, **ordered enrolled**.

During the 2004 Legislative Session over 50 bills were filed designed to make it more difficult for citizens to amend the Constitution. These bills all sought to implement one or more of three major changes. First, some Legislators wanted to increase the threshold by which constitutional amendments proposed by citizens' initiatives passed from a simple majority to a supermajority ranging from 60 to 75%. Second, the legislators wanted to impose a "subject filter" that would limit the subject matter of citizens' ballot initiatives. For example, issues dealing with fundamental rights would be permitted but issues such as class size or high speed rail, would not. Finally, the legislators wanted to compress the time period for the citizens' initiative process giving groups less time to get the required signatures and complete the Supreme Court review for placement on the ballot. The only amendment to pass was the joint resolution compressing the time period and it was approved by the voters.

This session, several new joint resolutions were proposed to make amending the constitution more difficult. SJR 6 and HJR 1723 proposed to raise the vote threshold required for the passage of citizens' initiatives to 60%. The required vote for amendments proposed by the Legislature, Constitutional Revision Commission, Taxation and Budget Reform Commission, and constitutional convention would remain at 50% plus 1. The hypocrisy of the different standards for average citizens versus legislators notwithstanding (the Legislature has proposed almost 70% of all constitutional amendments) this change is unnecessary and undemocratic. The Florida AFL-CIO worked with several other groups in the Save the Voters Voice Coalition to ensure that amendments were adopted standardizing the vote threshold for all proposed amendments regardless of the source, which was a major victory in its own right in that the bill sponsors had vehemently refused this change last year. Unfortunately, SJR 1723 passed the House and Senate and has been ordered enrolled. The proposed amendment will appear on the 2006 ballot and our position on this change will be discussed during the 2005 Biennial Convention.

OUR POSITION "NO" "N" - 3 "Y" - 37

| SENATE 60% VOTE | | | | | | | |
|-----------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | Y | Pruitt(R) | Y |
| Argenziano(R) | Y | Crist(R) | Y | King(R) | Y | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | Y |
| Atwater(R) | Y | Diaz de la Portilla(R) | Y | Lawson(D) | Y | Sebesta(R) | Y |
| Baker(R) | Y | Dockery(R) | Y | Lee(R) | Y | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | Y |
| Bullard(D) | Y | Garcia(R) | Y | Margolis(R) | Y | Villalobos(R) | Y |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | N | Webster(R) | Y |
| Carlton(R) | Y | Haridopolos(R) | Y | Peaden(R) | Y | Wilson(D) | N |
| Clary(R) | Y | Hill(D) | N | Posey(R) | Y | Wise(R) | Y |

| HOUSE 60% VOTE | | | | | | | | | |
|------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | N | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | N |
| Ambler(R) | NV | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | N | Rubio(R) | Y |
| Antone(D) | N | Cretul(R) | Y | Greenstein(D) | N | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | Y | Sands(D) | N |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | N | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | N |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | Y | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | N | Needelman(R) | Y | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | N |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | Y | Jennings(D) | N | Peterman(D) | N | Sorensen(R) | Y |
| Berfield(R) | Y | Fields(D) | N | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | N |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | Y | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | N | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | Y |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | Y | Reagan(R) | Y | Waters(R) | NV |
| Brutus(D) | NV | A. Gibson (D) | N | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | Y | Richardson(D) | N | Zapata(R) | Y |

OUR POSITION "NO" "Y" - 86 "NV" - 4

Constitutional Amendments / Subject Filter **Failed**

SJR 4 by Senators King, Smith, Atwater, Lynn

SJR 1727 by Representatives Simmons, Baxley, Brummer, Cannon, Galvano, Kottkamp, Needelman, Pickens, Sansom, Traviesa, Williams

Florida AFL-CIO / ULL Position: **Oppose**

SJR 4 - Passed Senate Ethics and Elections Committee, Judiciary, died on Senate Calendar

HJR 1727 – Passed the House of Representatives, died on Senate Calendar

These joint resolutions sought to create a new "subject filter" through which the Florida Supreme Court would be required to evaluate all citizen initiated constitutional amendments before they could be placed on the ballot. Currently, Under Art. XI, s. 3, of Florida's Constitution, citizens are guaranteed the right to propose constitutional amendments though citizen initiative, "except for those limiting the power of government to raise revenue" as long as the initiative "shall embrace but one subject and matter directly connected therewith." This right is fairly broad. The proposed amendment contained in these resolutions would place new limits on the subject matter of these initiatives. Had the joint resolutions passed, an amendment proposed by citizens' initiatives (legislators would not be covered by these restrictions) must:

- Alter, amend, or repeal an existing article of or amendment to the Constitution; 10
- Address a basic or fundamental right of a citizen of Florida; or
- Change the basic structure of state government as established in Articles II through V of the Constitution.

Under these new restrictions, popular amendments like the one placing limits on class size would not have been permitted to be on the ballot. This change would be overly restrictive on the rights of Floridians to change their constitution and since the Legislature would not be covered by the restriction, would allow only the well funded special interest groups with access the Legislature the ability to place amendments on the ballot.

The Florida AFL-CIO worked with the Save the Voters Voice Coalition to raise the profile of this legislation both within the Legislature and in the media and succeeded in bottling up the legislation in the Senate. As negotiations between the House and Senate began to break down during the final 48 hours of session, this bill became lost in the mix and was never called up for a final vote. As with the other restrictions on citizens' initiatives that were not enacted this year, we expect this issue to come up again next session.

| HOUSE SUBJECT FILTER VOTE | | | | | | | | | |
|---------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | N | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | N |
| Ambler(R) | N | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | Y | Rubio(R) | Y |
| Antone(D) | N | Cretul(R) | Y | Greenstein(D) | Y | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | Y | Sands(D) | Y |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | N | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | Y |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | NV | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | N | Needelman(R) | Y | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | Y |
| Bense(R) | NV | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | N | Jennings(D) | N | Peterman(D) | N | Sorensen(R) | Y |
| Berfield(R) | Y | Fields(D) | Y | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | Y |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | N | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | Y | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | N |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | Y | Reagan(R) | Y | Waters(R) | NV |
| Brutus(D) | NV | A. Gibson (D) | N | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | N | Richardson(D) | N | Zapata(R) | Y |

OUR POSITION "N" "Y" - 27- "Y" - 88 "NV" - 5

Citizens' Statutory Initiative Amendment

Failed

Amendment to SJR 6 (barcode #610636) by Senator Campbell

Amendment to HJR 1727 (barcode # 321175) by Representative Ryan

Florida AFL-CIO / ULL Position: **Support**

Amendment to SJR 6 – No action

Amendment to HJR 1727 – Voted down in House on Second Reading by 34-82

The Legislature held a series of hearings in 2003 and 2004 about the process through which citizens can amend the constitution through ballot initiative. During these hearings, many of the constitutional experts argued that if the Legislature was concerned about protecting Florida's constitution from "frivolous" or inappropriate amendments, they should enact a process through which the people can pass new statutes through ballot initiative. Florida is one of only 6 states with voter initiative or referendum processes that restricts ballot initiatives to constitutional amendments. Fourteen states allow for direct citizen initiatives for the adoption of state statutes. Many of the constitutional amendments adopted through the citizen's initiative process may have been better suited as statutory changes, but Florida law does not allow for this process and the Legislature has refused to even consider such a change. This year, the Florida AFL-CIO and ULL worked with some of our allies in the House and Senate to introduce amendment language to two of the proposed joint resolutions dealing with restricting the current ballot initiative process that would have created a citizens' statutory initiative process. This would have given the people another option for changing state policy when the Legislature is unresponsive to the people's will without changing the constitution. The amendment introduced in the Senate was never considered, since SJR 6 was never brought up for a final vote. In the House however, Representative Ryan's amendment was considered during second reading for HJR 1727. A copy of the vote is included below for your information.

| HOUSE LEGISLATIVE INITIATIVE AMENDMENT | | | | | | | | | |
|--|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | N | Bullard(D) | Y | Glorioso(R) | N | Legg (R) | N | Rivera(R) | N |
| Allen(R) | N | Cannon(R) | N | Goldstein(R) | N | Littlefield(R) | N | Robaina(R) | N |
| Altman(R) | N | Carroll(R) | N | Goodlette(R) | N | Llorente(R) | N | Roberson(D) | Y |
| Ambler(R) | Y | Clarke(R) | N | Gottlieb(D) | Y | Lopez-Cantera(R) | N | Ross(R) | N |
| Anderson(R) | N | Coley(R) | NV | Grant(R) | N | Machek(D) | Y | Rubio(R) | N |
| Antone(D) | Y | Cretul(R) | N | Greenstein(D) | Y | Mahon(R) | N | Russell(R) | N |
| Arza(R) | N | Culp(R) | N | Grimsley(R) | N | Mayfield(R) | N | Ryan(D) | Y |
| Attkisson(R) | N | Cusack(D) | Y | Harrell(R) | N | McInvale(D) | Y | Sands(D) | Y |
| Ausley(D) | Y | D. Davis(R) | N | Hasner(R) | N | Meadows(D) | Y | Sansom(R) | N |
| Barreiro(R) | N | M. Davis(R) | N | Hays(R) | N | Mealor(R) | N | Seiler(D) | Y |
| Baxley(R) | N | Dean(R) | N | Henriquez(D) | Y | Murzin(R) | N | Simmons(R) | N |
| Bean(R) | N | Detert(R) | N | Holloway(D) | Y | Needelman(R) | N | Slosberg(D) | NV |
| Bendross-Mindingall(D) | Y | Domino(R) | N | Homan(R) | N | Negron(R) | N | Smith(D) | Y |
| Bense(R) | N | Evers (R) | N | Hukill(R) | N | Patterson(R) | N | Sobel(D) | NV |
| Benson(R) | N | Farkas(R) | N | Jennings(D) | Y | Peterman(D) | Y | Sorensen(R) | N |
| Berfield(R) | N | Fields(D) | Y | Johnson(R) | N | Pickens(R) | N | Stansel(D) | Y |
| Bilirakis(R) | N | Flores(R) | N | Jordan(R) | N | Planas(R) | N | Stargel(R) | N |
| Bogandoff(R) | N | Galvano(R) | N | Joyner(D) | Y | Poppell(R) | N | Taylor(D) | Y |
| Bowen(R) | N | Gannon(D) | Y | Justice(D) | Y | Porth(D) | Y | Traviesa(R) | N |
| Brandenburg(D) | Y | Garcia(R) | N | Kendrick(D) | Y | Procter(R) | N | Troutman(R) | N |
| Brown(R) | N | Gardiner(R) | N | Kottcamp (R) | N | Quinones(R) | N | Vana(D) | Y |
| Brummer(R) | N | Gelber (D) | Y | Kravitz(R) | N | Reagan(R) | N | Waters(R) | N |
| Brutus(D) | NV | A. Gibson (D) | Y | Kreegle(R) | N | Rice(R) | N | Willimas(R) | N |
| Bucher(D) | Y | H. Gibson(R) | N | Kyle(R) | N | Richardson(D) | Y | Zapata(R) | N |

OUR POSITION "N" - 82 "Y" - 34 "NV" - 4

SB 2086 by Senator Posey

HB 1567 by Reagan, Ambler, Bowen, Homan

Florida AFL-CIO / ULL Position: **Oppose**

SB 2086 – Passed Senate Ethics and Elections Committee, Judiciary, substituted by HB 1567, laid on the table.

HB 1567 – Passed House, Senate, **signed by the Governor on 6/20/05.**

The majority party in the Florida Legislature continued to “reform” the state’s election system this session but refused to take up any of the major reforms like the implemented of a paper receipt for touch-screen voting machines or the restoration of voting rights for felons who have satisfied the requirements of the their convictions. Instead the Legislature passed another bill designed to tweak the elections rules in ways that many people believe benefit the current party in power. HB 1567 passed the Legislature and makes the following changes to the system:

- **HB 1567 places new restrictions on groups that conduct voter registration drives. Organizations that conduct voter registration drives must now register with the state as “third-party voter registration organizations.”** These groups must submit quarterly reports to the division providing the date and location of any organized voter-registration drives conducted by the organization.
- **Completed voter registration forms collected by a third party must be submitted within ten days of their signing.** The organization’s board of directors, president, vice president, managing partner, or other individuals may be assessed fines of \$250 for each application received by the state or a supervisor more than ten days after the applicant submitted the application to the organization.
- **Provisional Ballots** - Permits a person casting a provisional ballot to present written evidence supporting his or her eligibility to vote to the supervisor no later than 5 p.m. on the third day following an election. It also permits any elector or poll watcher to challenge the right of any voter to vote 30 days or less before an election by filing a completed copy of the oath, and provides a penalty for a voter or poll watcher who files a frivolous challenge. However, an elector or poll watcher is not subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such elector or poll watcher by law. Each instance where any elector or poll watcher files a frivolous challenge of any person’s right to vote constitutes a separate offense.
- **Absentee Ballots** - Requires a voter’s request for an absentee ballot to be received by the supervisor no later than 5 p.m. on the sixth day prior to the election, and requires a supervisor to mail an absentee ballot to the voters requesting ballots no later than four days before the election.
- **Early Voting** - Early voting sites are to be designated no later than 30 days before an election. All early voting sites in a county must be open on the same days for the same amount of time. In addition, the bill permits poll watchers at early voting areas, and allows political committees registered to support or oppose a ballot issue to have one watcher in each polling room and early voting area.
- **The bill prohibits anyone from soliciting a voter at a polling place, early voting site, or within 100 feet of such locations, in an effort to provide the voter with assistance in casting their vote.** The bill also prohibits the solicitation of voters inside the polling place or within 100 feet of the entrance to a polling place or early voting site, and removes all exceptions to the no-solicitation zone.
- **Political parties will be able to replace candidates on the ballot** following the primary if the original candidate withdraws from the race for any reason.
- Manual recounts can only be conducted in cases where the number of overvotes, undervotes, and provisional ballots is fewer than the number of votes needed to change the outcome of the election.

The bill also removes the provision allowing a candidate who was defeated by between one-quarter and one-half percent of the votes from requesting a manual recount.

- **The Secretary of State's office is given more power.** Employees of the Secretary will have full access to all premises, records, equipment, and staff of a supervisor of elections, upon the written direction of the Secretary of State.

The Florida AFL-CIO is still investigating how these changes will impact union campaign efforts, especially in terms of our voter registration programs. While the bill is sweeping in its scope, the original version made even more drastic changes. For example, in the original version, the Secretary of State (a political appointee) would have been given the power to issue binding directives controlling the operations of local elections supervisors (constitutionally elected officers). It is widely believed that this legislation will overwhelmingly benefit the majority party and the bill passed each chamber with a largely partisan vote. Whether or not this is the case remains to be seen, however it does seem that this bill marks another effort by the current party in power to change the system in an effort to cement their hold on state government for the foreseeable future.

Florida Voter Registration

Passed

SB 2176 by Senators Posey, Baker and Lynn

HB 1589 by Representative Brown

Florida AFL-CIO / ULL Position: **Watch**

SB 2176 – Passed Senate Ethics and Elections Committee, Governmental Oversight and Productivity, Transportation and Economic Development, substituted by HB 1589, laid on table.

HB 1589 – Passed House, Senate, **signed by the Governor on 6/20/05.**

HB 1589 was passed in order to bring the new Florida Voter Registration System (FVRS) in full compliance with the Help America Vote Act of 2002 (HAVA). For the most part, this bill was fairly non-controversial. However, some elements were included that seem to be deigned to provide still more advantages to the current political party in power. Some of these provisions include:

- Similar to HB 1567, this bill gives broad new power to the Secretary of State, a political appointee, over local elections supervisors, who are constitutionally elected officers. According to the House analyses of HB 1567 and HB 1589, the need for the Secretary of State to have increased power over local elections supervisors is in response to some supervisors who refused to purge voters included on the now completely debunked "felon list" created by the Governor and Secretary of State Glenda Hood. Numerous press reports indicated that this list was suspect and seemed to be more about purging likely democrats from the voter rolls. Under public pressure, the list was later withdrawn. In the future, the Secretary of State will be able to force our local elected supervisors to do whatever he/she says.
- Rulemaking authority for the implementation and/or interpretation of any provision of the Election Code now rests solely with the Department of State.
- Increases the expenditure limit in the Public Matching Funds Program to \$2 per voter for gubernatorial candidates and \$1 per voter for candidates for cabinet races. Under this formula, the spending limit for a gubernatorial candidate will be approximately \$20 million and \$10 million for candidates for cabinet offices.
- Increases the contribution limit from political parties to statewide candidates from \$50,000 to \$250,000, pursuant to section 106.08, Florida Statutes.

The implications of these provisions are clear. They benefit the party that currently appoints the Secretary of State, the party that has more money to spend and the party that typically is able to collect more money from wealthy out of state donors.

Elections / Restoration of Voting Rights

Failed

SJR 1190 by Senators Wilson, Lawson and Hill

SJR 130 by Senators Dawson, Geller, Siplin, Campbell, Bullard and Wilson

HJR 271 by Representative Bendross-Mindingall

HJR 1363 by Representative Roberson

HB 269 by Representative Bendross-Mindingall

Florida AFL-CIO / ULL Position: **Support**

SJR 1190 – Passed the Senate Ethics and Elections Committee, Criminal Justice, **died in Senate Judiciary Committee**

SJR 130 – No action

HJR 271 – No action

HJR 1363 – No action

HB 269 – No action

The law that prohibits former felons from voting is an antiquated holdover from the Civil War and Reconstruction. Florida is currently one of the only states in the nation that does not immediately grant citizens with felony convictions the right to vote once they have satisfied all of the requirements of those convictions. In spite of the common misconception, most felons do not re-offend. These are citizens who have paid their debt to society for their crimes and who are actively working to make a better life for themselves and their families. Once they have paid for their crimes, they deserve to be able to participate in the democratic process. The right to vote is the cornerstone of our society. Prohibiting American citizens who committed a crime 10, 20 or even 30 years ago and who have committed no crimes since, is unjust and stands in opposition to everything this country stands for. Recent experiences with the Governor's "voter purge list" have shown that this antiquated provision in Florida law is being used as nothing more than a partisan tool to suppress the rights of voters who may vote against the current majority party.

SJR 1190 sought to place a proposed constitutional amendment on the ballot to immediately restore the voting rights for felons who have satisfied all of the requirements of their criminal sentences. The proposed amendment would have also repealed provisions regarding term limits for members of Congress and the U.S. Senate that U.S. Supreme Court have found to be unconstitutional. It is important to note that Republican Senators Posey, King and Haridopolis all voted against the measure in committee. This is an important voting reform issue and the Florida AFL-CIO will continue to work to see that this injustice is corrected, bringing Florida into the 21st century.

Minimum Wage Implementation

Failed

SB 2638 by Senators Alexander, Lynn, Crist

HB 1709 by Representatives Simmons, Ambler, Baxley, Bullard, Roberson, Ross

Florida AFL-CIO / ULL Position: **Support as amended**

SB 2638 – Passed Senate Commerce and Consumer Services Committee, Judiciary, died in Transportation and Economic Development Committee

HB 1709 – Passed the House, received in Senate, **died in Senate Commerce and Consumer Services Committee.**

In 2004, 71% of all Florida voters approved a constitutional amendment creating the state's first minimum wage, setting that wage level at \$6.15 per hour and indexing the wage to the inflation rate to provide guaranteed cost of living raises for Florida's low wage workers. Opponents to the amendment waged a vigorous campaign against its passage, claiming that the change would cost thousands of jobs

as Florida's businesses fled the state. The voters knew better. Increasing the minimum wage is an invaluable economic development tool. Minimum wage increases translate directly into increased purchasing power for the people most likely to spend, the lower-wage workers. This increases business activity, pumps millions of dollars into local communities and helps create jobs. The minimum wage opponents were not dissuaded by the vote however, and used their considerable power and influence in the Legislature to craft enacting language that would have significantly weakened the intent of the voters and made it very difficult for these workers to get the wage guaranteed them by Florida's Constitution. The original legislation would have actually encouraged employers to break the law and would have placed the burden for enforcement on the backs of the workers. The bill would have:

- Forced employees to notify employers of the new wage and given employers 15 days to comply. Employers who did not pay the proper wage during this time would not suffer any penalty.
- Created a "Good Faith" clause allowing employers to ignore the new wage without penalty if they claimed that they did not know about the new law.
- Amendment 5 to the Constitution states that employees who are not paid the new minimum wage are entitled to damages and attorneys fees "without limitation". This bill would have unconstitutionally limited attorneys' fees, damages, and fines required under the law.
- The bill would have made it impossible for employees to file class-action lawsuits by requiring each individual employee to identify himself/herself upon filing a claim. This nullifies the very purpose and definition of a class action suit. The right to file a class action suit is specifically granted in the constitutional amendment.
- The bill would have denied workers damages and legal costs in the event a suit had to be filed. This would have discouraged enforcement by eliminating economic incentives for these often powerless workers to stand up for their rights.

The Florida AFL-CIO worked with representatives from ACORN (the group that spearheaded the petition drive for the amendment) to get the worst provisions amended from the bill.

- The "good faith" provision was made more objective, making it much more difficult for employers to use ignorance of the law as an excuse for not paying their workers the constitutionally mandated minimum wage.
- The bill set forth the southern regional consumer price index to be used in adjusting the minimum wage rate each year, instead of using a national index. Business interests had attempted to weaken the indexing provision. This compromise ensures that workers will still get annual raises.
- The amendment states that employees have a right to file a civil suit if they do not receive the minimum wage. The original bill contained a provision that required employees to notify their employer in writing before filing a law suit if they did not receive their raise. In the compromise bill, the advocates added language that did not necessarily lay the burden of record keeping on the employee and allowed them to estimate the amount of unpaid wages they were due.
- The compromise bill contained language that stated that employees have a right to file class action law suits as specified in the civil procedures of Florida.

While the Florida AFL-CIO did support the amended version, the fact that the final bill did not pass is not a negative development. ACORN and its legal team contend that the amendment is "self-implementing" meaning that the language provides for its own implementation. The lack of statutory legislation means that minimum wage workers will receive their raise and all of the rights approved by the voters, which is the best possible outcome. Special interest groups like the Florida Retail Federation, Florida Chamber of Commerce and Florida Restaurant Association may challenge the enforcement of the amendment in court, arguing that the lack of statutory language means that the amendment can't be enforced. However, the language in the amendment is clear, concise and enforceable on its own.

SB 360 by Senator Bennett

Florida AFL-CIO / ULL Position: **Watch**

SB 360 – Passed the House, Senate, **signed by the Governor on 6/24/05 (vetoed \$30.3 M in appropriations.)**

In 2001 and 2002, Governor Bush presented several proposals to the Legislature to change Florida's growth management system. This year, the Governor made growth management a priority, calling for serious growth management reform this session during his state of the state address. The state's growth management laws affect every aspect of life for Floridian's. Issues such as tax give-ways to corporations for development, road building, school funding formulas, water management, environmental protection and local zoning ordinances are all impacted by growth management laws. Due to the importance of this issue, the Florida AFL-CIO and ULL carefully monitored eight different bills that were filed on the issue. SB 360 by Senator Bennett and the Senate Community Affairs Committee became the primary vehicle for growth management overhaul. The final version of SB 360 contained the following provisions (information taken from the *2005 Senate Summary of Legislation Passed*)

- The bill appropriates \$1.5 billion, consisting of \$750 million nonrecurring and \$750 million recurring, for 2005-2006 to fund specified transportation, school, and water projects. It appropriates \$750 million annually, thereafter, to fund these types of projects.
- The bill requires a local government's comprehensive plan to be financially feasible and the capital improvements element in a local comprehensive plan to include a schedule of improvements that ensure the adopted level-of-service standards are achieved and maintained. SB 360 requires an annual review of the capital improvements element to maintain a financially feasible 5-year schedule of capital improvements.
- The bill strengthens the link between development approval and water supply planning. Developments must incorporate water supply projects identified by the local government from the regional water supply plan or proposed by the local government within 18 months after the update of the regional water supply plan. Prior to the approval of a building permit or its functional equivalent, a local government is required to consult with the applicable water supplier to determine whether adequate water supplies will be available to serve the new development at the certificate of occupancy.
- Adequate school facilities must be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval.
- Transportation facilities must be in place or under actual construction within 3 years from the local government's approval of a building permit or its functional equivalent that results in traffic generation. A developer may choose to satisfy transportation concurrency requirements by contributing or paying proportionate fair-share mitigation for those facilities or segments that are identified in the 5-year schedule of capital improvements.
- The bill revises the rural land stewardship area program to require a plan amendment establishing such an area to provide a process for mixed land uses that include adequate available work force housing and affordable housing.
- SB 360 encourages each local government to develop a community vision. The process of developing a community vision requires the local government to hold a workshop with stakeholders and two public hearings.
- Local governments are encouraged to adopt urban service boundaries. These areas must be appropriate for compact, contiguous urban development within a 10-year planning timeframe. The establishment of an urban service boundary does not preclude development outside the boundary.
- The Office of Program Policy Analysis and Government Accountability is directed to perform a study by December 31, 2005, regarding adjustments to the boundaries of the Florida Regional Planning

Councils, Florida Water Management Districts, and Florida Department of Transportation Districts. The written report will be submitted to the Governor and the Legislature by January 15, 2006.

- The bill creates the 15-member Century Commission for a Sustainable Florida with its members to be appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives. One member will be designated by the Governor as Chairman. The members will represent diverse interests, with the first meeting to be held not later than December 1, 2005. Beginning January 16, 2007, the Century Commission will send an annual written report to the Governor and the Legislature. The President of the Senate and the Speaker of the House of Representatives will create a joint select committee in 2007 to review the findings and recommendations of the commission.
- In addition, the bill creates the Florida Impact Fee Review Task Force to be composed of 15 members who are charged with surveying and reviewing the current use of impact fees as a method of financing local infrastructure to accommodate new growth and current case law controlling the use of impact fees.
- The bill establishes the Transportation Regional Incentive Program for the purpose of providing funds to improve regionally significant facilities in regional transportation areas. Funding awarded for projects under this program require a 50-percent local match from funds other than a state-funded infrastructure bank loan.

While these provisions will begin the process of the growth management reform, smart growth advocates and members of the House and Senate leadership agree that this is just a first step. Growth management has become a critical issue for unions across the country and as Florida continues to wrestle with this complicated issue, the Florida AFL-CIO will continue to monitor the process with the goal of becoming an active participant in the development of growth policies that benefit both union members and all of Florida's working families.

Florida Enterprise Zones

Passed

SB 1770 by Senate Commerce and Consumer Services Committee

HB 1725 by House Economic Development Committee

Florida AFL-CIO / ULL Position: **support as amended**

SB 1770 - Substituted by HB 1725, laid on the table

HB 1725 – Passed the Legislature, **signed by the Governor on 6/22/05.**

Enterprise zones were originally designed to provide tax breaks and other incentives to developers and corporations who increase business activity in economically depressed communities defined by geographic areas. The idea is quite simple and on the surface make sense. By increasing economic activity in a given area, you increase the number of jobs thus increasing the amount of money in the area that can be pumped back into the community helping small businesses grow, thus creating more jobs in a positive spiral that would in theory raise the area out of poverty. Unfortunately, many economic analyses of these programs over the last ten years have shown that many of the enterprise zone programs have become nothing more than corporate welfare. In order for enterprise zones to work, incentives must be tied directly to NEW job creation. There must be programs to help keep the communities' original residents from being forced out of the area due to rising property values and accountability measures must be in place to ensure that incentives are yielding positive results. Over the years, many of these elements have been weakened in Florida's enterprise zone programs. Also, there must be what are known as "Claw Back" provisions that allow the state to recoup its losses if new jobs are not created. In spite of the efforts of the Florida AFL-CIO and others, Florida's enterprise zone laws contain no such Claw Back provisions.

Florida's enterprise zone laws are scheduled to "sunset" soon, so this session the legislature had to re-

authorize the programs. There were several bills filed that deal with various aspects of Florida's enterprise zone programs and the Florida AFL-CIO monitored these bills carefully. Enterprise zones have proven to be wildly popular with the business community and the interest this session was simply on reauthorizing the enterprise zone act rather than making any substantive reforms. Unfortunately, the one major change that was being pushed this session was the elimination of the language requiring job creation for tax credits or other subsidies. Specifically, SB 1770 and HB 1725 would have:

- Deleted all references to job creation requirements for tax breaks.
- Allowed business to qualify for tax breaks for "new hires" rather than for "new jobs created" meaning that businesses could fire workers, re-hire new workers for the same job and get the tax breaks.
- Increase the number of tax credits available for business purchases.

The Florida AFL-CIO was strongly opposed to these changes for the obvious reason that they moved the enterprise zone program in the wrong direction. While we still have some reservations about the use of enterprise zones as economic development tools, our success at keeping job creation as a central component was a major victory

Jai Alai

Passed

SB 342 by Senator Argenziano

HB 181 by Representative Cretul

Florida AFL-CIO Position: **Oppose**

SB 342 – Passed Senate Regulated Industries Committee, Governmental Efficiency Appropriations, substituted by HB 181, laid on table.

HB 181 – Passed House, Senate, **signed by the Governor on 6/23/05.**

There are currently five jai alai frontons operating in the State of Florida employing approximately 300 unionized players and support staff. Jai alai frontons may simulcast and allow wagering on other pari-mutuel activities such as horse and greyhound racing, but only if they have a minimum of 100 live jai alai games per year. One hundred live performances can easily be accomplished in less than 90 days with matinee and evening schedules, currently providing the players with about 3 months of work per year. The two frontons in Orlando and Ocala are not doing well financially and have been working to change the law so that they can reduce the number of jai alai matches and increase the amount of other gambling activities. Last year, the Florida Senate passed a bill that would have reduced the number of jai alai performances but the Florida AFL-CIO worked with the Jai Alai Players' Association (UAW Local # 8868) to stop the bill in the House. This session the same legislation was filed.

SB 342 and HB 181 lower the minimum number of live performances from 100 to 40 in order to simulcast wager other pari-mutuel events. This will reduce jai alai players' work schedules to less than 30 days. These players are professional athletes playing a difficult and dangerous game, but they are not well paid. They do not have the shoe contracts and clothing endorsements enjoyed by other athletes in more mainstream professional sports. This bill will essentially kill the sport in Florida as jai alai will no longer be able to retain existing players or recruit new players to Florida if they are only guaranteed 30 days of work. This bill will transform an exciting professional sport into nothing more than televised gambling, which is much cheaper. The Florida AFL-CIO and jai alai players worked with House members to garner enough opposition in the House Finance and Tax Committee to stall HB 181. However, former House Speaker John Thrasher (currently a lobbyist for the gambling industry amongst other groups) added a card room amendment to the bill which had more support. With the Thrasher amendment, Jacksonville members Jennifer Carroll and Terry Fields changed their vote in support of the bill and it passed 6-3. The Jai Alai Players Association is currently working to get the bill vetoed by the Governor. This is an important issue directly affecting a unique, unionized work force.

OUR POSITION "N" "Y" - 6 "Y" - 34

| SENATE JAI ALAI VOTE | | | | | | | |
|----------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | Y | Pruitt(R) | Y |
| Argenziano(R) | Y | Crist(R) | Y | King(R) | Y | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | Y |
| Atwater(R) | Y | Diaz de la Portilla(R) | Y | Lawson(D) | Y | Sebesta(R) | Y |
| Baker(R) | N | Dockery(R) | Y | Lee(R) | Y | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | Y |
| Bullard(D) | Y | Garcia(R) | N | Margolis(R) | Y | Villalobos(R) | N |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | Y | Webster(R) | N |
| Carlton(R) | N | Haridopolos(R) | Y | Peaden(R) | Y | Wilson(D) | Y |
| Clary(R) | Y | Hill(D) | Y | Posey(R) | Y | Wise(R) | N |

OUR POSITION "N" "Y" - 12 "Y" - 99 "NV" - 9

| HOUSE JAI ALAI VOTE | | | | | | | | | |
|------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | N | Bullard(D) | Y | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | Y |
| Ambler(R) | Y | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | Y | Rubio(R) | Y |
| Antone(D) | Y | Cretul(R) | Y | Greenstein(D) | N | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | Y | Harrell(R) | NV | McInvale(D) | Y | Sands(D) | Y |
| Ausley(D) | Y | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | Y | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | Y |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | NV | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | Y | Needelman(R) | Y | Slosberg(D) | NV |
| Bendross-Mindingall(D) | Y | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | N |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | Y | Jennings(D) | Y | Peterman(D) | Y | Sorensen(R) | NV |
| Berfield(R) | Y | Fields(D) | Y | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | Y |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | Y | Porth(D) | Y | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | Y | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | N | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | NV |
| Brummer(R) | Y | Gelber (D) | Y | Kravitz(R) | NV | Reagan(R) | Y | Waters(R) | Y |
| Brutus(D) | NV | A. Gibson (D) | Y | Kreegle(R) | NV | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | Y | Richardson(D) | N | Zapata(R) | Y |

General Appropriations

Passed

SB 2600 by the Senate Way and Means Committee

HB 1885 by Representative Negron

The following is a brief look at some of the major areas of the 2005-2006 budget. We have selected the areas we feel are of most interest to our members. If you would like to see a general re-cap of the entire budget, please check out our web site at www.flaficio.org.

2005-2006 Annual Budget

As reported in the "2005 Regular Session: Summary of Legislation Passed" published by the Florida Senate.

EDUCATION

- Total Education Budget - \$25.4 billion, including:
 - \$17.8 billion in direct appropriations, and
 - \$7.6 billion in local effort & student tuition & fees
- This is an increase in the operating budget of \$1.8 billion (7.8 percent) over the current year.

The Education Budget Includes:

- \$387.1 million in new General Revenue to implement the new voluntary Pre-K program for 4 year olds.
- An increase of \$1.33 billion (8.85 percent) for the FEFP. This increase: Includes \$556.2 million in additional state funds to continue reducing class size by 2 students annually until the constitutionally required maximum class sizes are achieved; and provides an increase of \$355.41, or 6.15 percent in funds per student.
- Provides \$56.8 million to reduce the large disparity in funds per student from the discretionary .51 mill operating levy within the FEFP. State funds are provided to ensure that all districts will receive at least \$200 per student from the .51 mill levy and supplemental state funds.
- Provides a \$70.6 million (5 percent) increase in community college operating funds.
- Provides \$311.8 million for the Bright Futures program, an increase of \$35.8 million (13 percent).
- Restores \$18 million in current year nonrecurring funds for Florida Student Assistance Grants and increases funding for this needs-based student financial aid program by \$8.3 m (9.1 percent).
- Provides enrollment growth funding for 66,275 new students in public schools.
- Provides \$10 million for capitalization incentive grants to expand opportunities for access to vocational training in high demand jobs.
- Provides \$21 million for competitive grants to expand job training in high demand areas, including teaching & nursing.
- Provides funding for the enrollment of 7,292 new full time equivalent students in our state universities.
- Provides a \$14.1 m (17.7 percent) increase in the FRAG program to continue to support affordable access to private colleges and universities by Florida residents. The level of the FRAG per student will be \$2,850.
- Provides a 22.6 percent increase to expand recruitment and retention efforts by our Historically Black Private Colleges and Universities.
- Limits tuition increases by state universities and community colleges to 5 percent.

Major Consumer Protection & Accountability Issues Funded:

- **Department of Agriculture & Consumer Services** - \$115,724 and 2 FTE for the nonregulated consumer complaint clearinghouse in the Division of Consumer Protection.
- **Law Enforcement Officers to combat Personal Injury Protection (PIP) Fraud** - 9 FTE and \$915,138 for investigation of PIP fraud.

- **Workers' Compensation Fraud** - 10 FTE and \$724,433 for law enforcement officers to investigate workers' compensation fraud and staff to ensure medical bills are paid timely.
- **Workers' Compensation Office of Judges of Compensation Claims** - \$1.6 million and 20 FTE for 4 new judges and associated staff to address case workloads and hearing delays.
- **Bank Examinations** - \$1.5 million for additional resources to examine Florida financial institutions.
- **Condominium Complaints** - \$258,260 and 4 FTE for the Condominium Ombudsman's Office.
- **Funeral and Cemetery Regulation** - \$1,521,075 and 17 FTE for the establishment of the Division of Funeral, Cemetery, and Consumer Services within the Department of Financial Services.
- **Child Support Initiative** - \$2.2 million to improve Florida's Child Support Enforcement Program to ensure non-custodial parents take responsibility for their children and meet their financial obligations.
- **Statewide Electronic Procurement System** - \$15.5 million in budget authority for payment of the MyFloridaMarketPlace contract contingent on deposit of transaction fee revenue into the State treasury.
- **Tenant Improvement Funds** - \$1.6 million in budget authority for improvements to office space rented by state agencies. \$9.4 million in improvement funds held outside the state treasury have been deposited into the Department of Management Services' Grants and Donations Trust Fund.
- **New State Office Building** - \$1 million provided for planning and architectural design of a new state office building at the Capital Circle Office Complex in order to meet the deadline for the St. Joe property reverter clause.

Reductions:

- Reduced 131 Positions - \$3.6 million GR and \$24.1 million TF in governmental efficiencies.

HEALTH AND HUMAN SERVICES

AGENCY FOR HEALTH CARE ADMINISTRATION

Additions:

- **Medicaid Price Level and Workload - \$1,862.1 million** - Provides \$725.9 for Medicaid workload because of changes in caseloads and utilization of services and \$1,146.5 million related to price level increases in reimbursement rates for institutional facilities, rural health clinics, federally qualified health centers, county health departments, prescription drugs, and other services. The Medicaid caseload for FY 2005-2006 is projected to be 2.3 million people.
- **Restore Medically Needy Program – \$393.3 million** - Restores all Medicaid services to an estimated 36,000 Medically Needy program eligibles, effective July 1, 2005. The Medically Needy program would have been limited to prescribed drugs only beginning July 1, 2005.
- **Restore Medicaid Coverage for Adult Dentures - \$20.7 million** - Restores funding to continue coverage for Medicaid adult denture services to an estimated 25,000 indigent adults. This program would have been eliminated July 1, 2005.
- **Restore Medicaid Pregnant Women with Incomes between 150 - 185 percent of the Federal Poverty Level - \$60.8 million** - Restores funding to provide Medicaid services to an estimated 3,400 Medicaid eligible pregnant women with incomes between 150 percent-185 percent of the federal poverty level. This program would have been eliminated July 1, 2005.
- **Increase Reimbursement for Kidney Dialysis - \$2.7 million** - Increases reimbursement for kidney dialysis treatment in freestanding dialysis centers from \$85 to \$125 per treatment.
- **Continue Goldstandard Multimedia Hand-Held PDA Device - \$3.4 million** – Provides funding for the operation and maintenance for 3,000 hand-held devices that provide physicians with information related to a Medicaid recipient's drug history and utilization. The device provides physicians with various clinical references to complement their practices and includes the most recent Medicaid preferred drug list.

Reductions:

- **Maintain Institutional Provider Reimbursement Rates - (\$390.0 million)** - Reduces the price level increase for Hospital Inpatient, Hospital Outpatient, Nursing Home, ICF/DD's and Health Maintenance Organization reimbursement rates for FY 2005-2006.

Reduction Amount by Provider Type

| | GR | TF | Total |
|----------------------------------|------------------|------------------|------------------|
| Nursing Home Rates | (\$54.3) | (\$77.8) | (\$132.1) |
| Inpatient Hospital Rates | (\$41.3) | (\$59.3) | (\$100.5) |
| Outpatient Hospital Rates | (\$6.9) | (\$9.9) | (\$16.8) |
| Prepaid Health Plans | (\$51.9) | (\$75.2) | (\$127.1) |
| ICF/DD's | (\$2.0) | (\$2.9) | (\$5.0) |
| | (\$159.9) | (\$230.1) | (\$390.0) |

- **Impact to Hospice Rates - (\$8.5 million)** - Reduces hospice rates as a direct result of modifying nursing home reimbursement rates. Medicaid hospice room and board rates are paid at a discounted percentage of nursing home rates; therefore, if nursing home rates are modified, a corresponding savings in hospice will occur.
- **Delay Nursing Home Staffing Increase - (\$67.8 million)** – Delays the increase in nursing home staffing from 2.6 hours of direct care per resident per day to 2.9 hours until July 1, 2006.
- **Revised Medicaid Preferred Drug List - (\$292.0 million)** - Reduces prescribed drug services as a result of modifications to the Medicaid preferred drug list which includes cost-effective therapeutic options, step therapies, and prior authorization of drugs not on the preferred drug list.
- **Set HMO Rates Using Two Infant Groups - (\$75.0 million)** - Age grouping is currently used as part of the methodology in calculating HMO capitation rates. This proposal will divide the current age group for infants (0-12 months) into two separate groups; ages 0-3 months and 4-12 months.
- **Expand Nursing Home Diversion Program - (\$23.1 million)** - This issue will expand the current nursing home diversion program by 3,000 slots. This program currently serves approximately 6,000 individuals through a fully capitated program.
- **MEDS AD - (\$84.7 million)** - Eliminates full Medicaid coverage for an estimated 77,000 non-institutionalized Medicare eligible recipients in the Medicaid Aged and Disabled (MEDS AD) eligibility category, effective January 1, 2006.

DEPARTMENT OF CHILDREN AND FAMILIES

- **Adoption Subsidies - \$2 million** - Increases funding for maintenance adoption subsidies for an additional 1,700 hard-to-place children who would linger in costly foster care arrangements for long periods of time if not adopted.
- **Equity Funding for Community-Based Care Providers - \$10.5 million** - Provides additional funding to achieve a more equitable distribution of child protection resources among community based care lead agencies.
- **Expand Crisis Stabilization Units - \$6.4 million** - Funds additional mental health crisis beds in districts with the greatest need.
- **Substance Abuse Services - \$5 million** - Provides \$5 million to achieve a more equitable distribution of substance abuse funds among districts. The General Appropriations Act provides \$3.6 million for adults and \$1.4 million for children.

Reductions:

- **Economic Self-Sufficiency - (\$12.5 million)** - Reduces staff in Economic Self-Sufficiency by 245 full-time equivalent positions to implement efficiencies in the eligibility determination activities related to cash assistance, Medicaid and food stamps.
- **Cash Assistance Caseload - (\$11.5 million)** - Reduces the temporary cash assistance appropriation due to the decline in the cash assistance caseload estimated by the January 2005 Social Services Estimating Conference.

DEPARTMENT OF HEALTH

- **Capital Improvements for County Health Departments - \$25.7 million** - Provides funds for county health department buildings in Manatee, Walton, Brevard, Jefferson, Jackson, Gulf, and Charlotte counties.
- **Capital Improvement Plan - \$2.0 million** - Provides funds for maintenance and repair of state owned buildings.
- **Children's Medical Services - \$7.7 million** - Provides funding to restore \$4.7 million of non-recurring general revenue funds and provides \$3 million to provide services to an additional 2,000 children.
- **Area Health Education Centers - \$7.4 million** - Provides funds to fully restore the area health education centers.
- **Rural Hospitals - \$3.5 million** - Provides funds for a rural hospital capital improvement grant program.

EMPLOYEE COMPENSATION

Salary Increases and Bonuses:

- 3.6 percent across the board pay increases for state employees, including university personnel, effective August 1, 2005.

Health Insurance:

- The overall health insurance premiums will be increased 6.75 percent. However, the employee share of that premium increases by about 2.75 percent (\$1.32 per month for single coverage and \$4.86 per month for family coverage).
- The Department of Management Services is directed to offer four health plans: a PPO standard plan, an HMO standard plan, a PPO high deductible plan, and an HMO high deductible plan.
- The high deductible plans offer low premiums but higher out of pocket costs.
- For those employees choosing to participate in either high deductible plan, the employee can receive up to \$500 for individual coverage or up to \$1000 for family coverage for deposit into a health savings account. If these amounts are unused for a given year, the funds roll over into the next year to help offset medical costs.
- Co-payments and other out-of-pocket expenses for the standard plans are maintained at the current levels.

Other Pay Issues:

- Security service personnel with at least 5 years of service will receive a 2 percent adjustment to their base rate of pay.
- Law enforcement personnel assigned to the Florida Highway Patrol with more than 5 years of service will receive an annual pay adjustment based on years of service of:
 - 5 to 8 years of service - \$600
 - 8 to 12 years of service - \$900
 - 12 or more years of service - \$1200
- Critical class adjustments requested by the professional health care unit were funded. These adjustments will assist the state in recruiting and retaining qualified health care professionals in the public health departments and in the correctional and institutional settings.
- Supreme Court support personnel receive an additional pay increase to enable the court to recruit and retain qualified staff.
- County judges receive an additional \$5,000 pay increase.
- The salaries of all state attorneys and public defenders are adjusted to be equal regardless of the size of the population served.

PUBLIC EDUCATION

Repealing the Class Size Amendment Failed

SJR 2090 by Senators Lynn, Sebesta, Baker, Haridopolos, Peaden, Bennett

HJR 1843 by Representatives Stargel, Brown, Brummer, Kottkamp, Sansom, Zapata

Florida AFL-CIO / ULL Position: **Oppose**

SJR 2090 – Passed Senate Education Committee, Education Appropriations, subsituted by HJR 1843, laid on the table.

HJR 1843 – Passed House, **voted down in the Senate**

The Governor has opposed the Class Size Amendment from the moment the ballot initiative petition first began circulating around the state. He waged a fierce campaign against it, telling the voters how expensive it would be and that it did not belong in the Constitution. The people voted and the Governor lost. This year, Jeb hit upon an ingenious scheme (perhaps the devious plan he spoke of two years ago) to try again to convince the people to repeal this groundbreaking education policy initiative. This time, the Governor tried to divide the supporters of public education by promising to increase starting teacher salaries in return for repealing the amendment.

Specifically, this proposed amendment would have implemented class size district average caps instead of per class caps, immediately increase starting teacher salaries to \$35,000 and ensure that starting salaries in Florida remain above the national average. These proposed changes were unacceptable. First, using district average caps would not have addressed the class size problem. Consider this, if you fill a room with 20 people, 19 of whom make less than \$20,000 a year and one who makes \$1 million, the average salary would be \$69,000 a year. Is that an accurate picture of the group? Teachers and education policy experts argued that if an average number was used, wealthy suburban schools with smaller class sizes could have compensated for poorer urban schools with larger classes. Second, while the Florida AFL-CIO has always supported raising teacher salaries, the raises called for in this amendment were not the across-the-board, comprehensive raises our teachers need. This plan would have done nothing to address the inadequate salaries of veteran teachers, would have created possible pay inequities between veteran and beginning teachers, and did nothing to reduce class size. This part of the plan was a divisive tactic designed to erode support for the full implementation of the Class Size Amendment.

Fortunately, bi-partisan opposition in the Senate cancelled the Governor’s devious plan before it could get off the ground.

OUR POSITION “NO” “N” - 21 “Y” 19

| SENATE CLASS SIZE AMENDMENT VOTE | | | | | | | |
|----------------------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | N | Pruitt(R) | Y |
| Argenziano(R) | N | Crist(R) | Y | King(R) | Y | Rich(D) | N |
| Aronberg(D) | N | Dawson(D) | N | Klein(D) | N | Saunders(R) | Y |
| Atwater(R) | Y | Diaz de la Portilla(R) | N | Lawson(D) | N | Sebesta(R) | Y |
| Baker(R) | Y | Dockery(R) | N | Lee(R) | Y | Siplin(D) | N |
| Bennett(R) | N | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | N |
| Bullard(D) | N | Garcia(R) | N | Margolis(R) | N | Villalobos(R) | N |
| Campbell(D) | N | Geller(R) | N | Miller(D) | N | Webster(R) | Y |
| Carlton(R) | Y | Haridopolos(R) | Y | Peaden(R) | Y | Wilson(D) | N |
| Clary(R) | Y | Hill(D) | N | Posey(R) | Y | Wise(R) | Y |

OUR POSITION "NO" "N" - 76 "Y" - 34 "NV" - 10

| HOUSE CLASS SIZE AMENDMENT VOTE | | | | | | | | | |
|---------------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | N | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | N |
| Ambler(R) | NV | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | N | Rubio(R) | Y |
| Antone(D) | N | Cretul(R) | Y | Greenstein(D) | N | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | N | Sands(D) | N |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | N | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | N |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | NV | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | N | Needelman(R) | Y | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | N | Negron(R) | Y | Smith(D) | N |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | N | Jennings(D) | N | Peterman(D) | N | Sorensen(R) | NV |
| Berfield(R) | Y | Fields(D) | N | Johnson(R) | NV | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | N |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | N | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | N | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | NV | Quinones(R) | Y | Vana(D) | NV |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | NV | Reagan(R) | Y | Waters(R) | Y |
| Brutus(D) | NV | A. Gibson (D) | N | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | NV | Richardson(D) | N | Zapata(R) | Y |

Vouchers for Military Personnel **Failed**

SB 876 by Senators Baker, Fasano, Diaz de la Portilla, Garcia, Posey, Sebesta, Villalobos, Peaden, Haridopolos, Clary, Wise, Webster, Dockery, Bennett, Alexander, Atwater

HB 439 by Representatives Attkisson, Stargel, Homan, Murzin

HB 6007 by Representatives Attkisson, Bean, Glorioso, Quinones, Traviesa, Altman, Ambler, Baxley, Bogdanoff, Bowen, Brown, Brummer, Cannon, Carroll, Cretul, Culp, Farkas, Flores, Galvano, Goldstein, Goodlette, Grant, Harrell, Hasner, Hays, Homan, Jordan, Kottkamp, Kreegel, Legg, Littlefield, Llorente, Lopez-Cantera, Mayfield, Murzin, Needelman, Patterson, Pickens, Planas, Procter, Reagan, Rivera, Robaina, Sansom, Stargel, Troutman, Williams, Zapata

Florida AFL-CIO / ULL Position: **Oppose**

SB 876 – Passed the Senate Education Committee, died in Community Affairs

HB 439 – Passed House Choice and Innovation Committee, Education Appropriations, Education Council, died on House Calendar

HB 6007 (combined H91,1021,1223,1323,1365,1737,1791,1847) – Passed House, Senate, died in House returning messages.

This legislation was one of the slickest attempts devised thus far to engender the public's support for the privatization of the public school system. These bills sought to expand the voucher program to include the children of all active-duty members of the U.S. Armed Forces, Florida National Guard or Armed Forces Reserves. This legislation represented a shameful attempt to take advantage of the public's good-will toward members of the armed forces during a time of war in order to take precious resources from our public schools and give them to private schools. Each of the bills stated that they were being introduced to "Recognize, honor, and reward the courage and sacrifices made by an active-duty mem-

ber of any branch of the United States Armed Forces, an active member of the Florida National Guard, or an active member of the Armed Forces Reserves, and his or her family.” This language implies that our public schools are not as committed to quality education and that the dependents of military deserve the honor of leaving the public school system because of the work of their parents. This belies the fact that, as of now, private schools are not held to the same high standards as public schools and that the various voucher schemes (including this one) have no accountability standards whatsoever. Our public schools need the support of our elected officials’ not the derision implicated in the wording of this bill. Our soldiers will be best honored by our elected officials making real attempts to adequately fund our public schools so that all children are given the opportunities afforded by a quality education.

Vouchers – “Reading Compact Scholarships” **Failed**

SB 2480 (A + Plus plan) by Senator Lynn, Haridopolos, Baker, Sebesta, Peaden, Bennett

HB 1021 by Representatives Traviesa, Altman, Ambler, Attkisson, Baxley, Bean, Bogdanoff, Bowen, Brown, Brummer, Cannon, Carroll, Cretul, Culp, Farkas, Flores, Glorioso, Goldstein, Goodlette, Harrell, Hays, Homan, Jordan, Kottkamp, Kreegel, Legg, Littlefield, Llorente, Lopez-Cantera, Mayfield, Murzin, Needelman, Patterson, Pickens, Planas, Proctor, Quinones, Rivera, Robaina, Sansom, Stargel, Troutman, Williams, Zapata

HB 6007 by Representatives Attkisson, Bean, Glorioso, Quinones, Traviesa, Altman, Ambler, Baxley, Bogdanoff, Bowen, Brown, Brummer, Cannon, Carroll, Cretul, Culp, Farkas, Flores, Galvano, Goldstein, Goodlette, Grant, Harrell, Hasner, Hays, Homan, Jordan, Kottkamp, Kreegel, Legg, Littlefield, Llorente, Lopez-Cantera, Mayfield, Murzin, Needelman, Patterson, Pickens, Planas, Proctor, Reagan, Rivera, Robaina, Sansom, Stargel, Troutman, Williams, Zapata

Florida AFL-CIO / ULL Position: **Oppose**

SB 2480 – Passed Senate Education Committee, Education Appropriations, substituted by HB 6007, laid on table.

HB 1021 – Passed House Choice and Innovation Committee, Education Appropriations, combined with HB 6007, laid on table.

HB 6007 (combined H91,1021,1223,1323,1365,1737,1791,1847) – Passed House, Senate, **died in House returning messages.**

Had this legislation passed, it would have represented the single largest expansion of Florida’s voucher program in its history. Even though the various voucher schemes have consistently been ruled unconstitutional in the courts, the Governor and his supporters in the legislature have continued to forge ahead, chiseling millions of dollars in funds from our public schools. This program would have offered vouchers to any student who scores at or below Level I on the reading portion of the FCAT. It is estimated that this expansion would have placed over 170,000 new students into the voucher system. The rationale is that moving these students out of the public school system and into the parochial or for-profit systems will improve their reading abilities. However, current law does not require these private schools to administer the FCAT or conform to any other state criteria for educational accountability. This makes it impossible to measure whether or not the students’ reading ability improves in the private schools! This measure is not about helping our students to read. It is simply another effort at eroding the public education system in the hopes of one day replacing it with another, pay-as-you-go for profit system. One in which the wealthy do not have to pay taxes to support the children of the working classes, but will be able to afford to give their own children a quality education.

It is important to note that these bills moved through the committee process with partisan votes and that this voucher plan did not receive bi-partisan support in either chamber.

Voucher Accountability

Failed

SB 2 by Senators King, Bullard, Klein, Crist, Aronberg

HB 1441 by Representatives Bucher, Kendrick

Florida AFL-CIO / ULL Position: **Support**

SB 2 – Passed Senate, significantly amended in House, **died in Senate returning messages**

HB 1441 – Not considered

While the Florida AFL-CIO is still opposed to any program that takes precious resources from our public schools and gives them to the private sector, we realize that as long as the voucher programs are with us there must be accountability measures in place to safeguard the people's money. The current voucher systems are unregulated and do not allow taxpayers to know how their education dollars are being spent. The lack of regulation has led to many high profile cases in the press of abuse by businesses in the private sector. Numerous for-profit schools have been exposed for shady financial practices, misuse of voucher funds and the inclusion of students who either never existed on the roles or who do not qualify for vouchers. These bills would have enacted much needed regulation and financial accountability for several of the voucher programs. Specifically, SB 2 would have added new regulations to the John M. McKay Scholarships for Students with Disabilities program and the Corporate Tax Credit Scholarship program. SB 2 would have:

- Tightened eligibility for the private schools receiving vouchers
- Expanded oversight of the programs by Department of Education
- Required criminal background checks for teachers and staff at the private schools
- Required annual student assessment of the students at the schools receiving vouchers
- Required schools that receive vouchers to accept students regardless of the student's religious affiliation

The Florida AFL-CIO agrees with the Florida Education Association that the voucher programs are unconstitutional, but while the current legal challenges work their way through the system (Florida's Supreme Court is currently reviewing the case) students, parents and taxpayers deserve the increased oversight and accountability that this legislation would have created. SB 2 passed the Senate with the support of all but the most extreme members (with the exception of Senator Wilson who had some specific concerns). The bill passed the House with a unanimous vote with significant amendments. The amended version was not called up for a vote in the Senate.

OUR POSITION "YES" - 8 "N" - 8 "Y" - 32

| SENATE VOUCHER ACCOUNTABILITY VOTE | | | | | | | |
|------------------------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | Y | Pruitt(R) | Y |
| Argenziano(R) | Y | Crist(R) | Y | King(R) | Y | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | Y |
| Atwater(R) | N | Diaz de la Portilla(R) | Y | Lawson(D) | Y | Sebesta(R) | Y |
| Baker(R) | N | Dockery(R) | N | Lee(R) | Y | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | Y |
| Bullard(D) | Y | Garcia(R) | Y | Margolis(R) | Y | Villalobos(R) | Y |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | Y | Webster(R) | N |
| Carlton(R) | Y | Haridopolos(R) | N | Peaden(R) | Y | Wilson(D) | N |
| Clary(R) | Y | Hill(D) | Y | Posey(R) | N | Wise(R) | N |

Student/Faculty Academic "Freedom"

Failed

SB 2126 by Wise, Posey, Baker

HB 837 by Baxley, Legg, Stargel

Florida AFL-CIO / ULL Position: **Oppose**

SB 2126 – Not considered

HB 837 – Passed House Choice and Innovation Committee, Education Council, **died on House Calendar**

This legislation would allow college students to sue their professors if they talked about controversial issues like...the biology of evolution. This legislation is the brain child of the right-wing extremist David Horowitz who publishes "advertisements" in college newspapers denying the Holocaust and defending Joseph McCarthy, amongst other issues. Horowitz has been touring the country seeking legislators to file this bill in their respective states and in Florida he found Representative Dennis Baxley. Representative Baxley argued that students with conservative viewpoints were being victimized on our college campuses, although he had no evidence to support this claim. Students currently have the ability to appeal grades or unfair treatment on multiple grounds, including personal/political conflicts. This legislation would have bypassed that process in favor of "gag orders" for faculty that if violated, would have resulted in legal action. In addition to giving students the right to sue professors they disagreed with, the legislation also sought to radically alter the way universities make decisions in tenure for faculty, approve new courses, establish reading lists for courses and select speakers for campus events. During the legislative session, Florida once again became somewhat of a laughing stock in the national media because of this bill and both liberal and conservative columnists derided the Florida House for moving the bill forward. Fortunately, public pressure forced the House and Representative Baxley to back off and the legislation died.

STATE EMPLOYEE ISSUES

Collective Bargaining/Public Employees

Passed

SB 424 by Senator Carlton

HB 1913 by Representative Negron

Florida AFL-CIO / ULL Position: **Oppose**

SB 424 – Passed Senate Ways and Means, Senate, House and Senate Conference Committee, Senate, House, **signed by the Governor 6/01/05.**

HB 1913 – Introduced, substituted by SB 424, laid on table

SB 424 was drafted to resolve certain items at impasse in contract negotiations between the State of Florida and various collective bargaining units. In the past, when impasse had been declared, a Special Master would have been appointed to help resolve the issues. Unfortunately, when a Special Master appointed by Governor Bush came out in 2001 against his "service first" plan (that Special Master coined the term "service worst"), the Governor eliminated the Special Master. This leaves the Legislature (and by default the Governor) with the final say over collective bargaining issues at impasse. Section 5 of SB 424 reads:

All mandatory collective bargaining issues at impasse between the State of Florida and AFSCME, Council 79, Master Contract Units, for career service employees regarding Article 6 "Grievance Procedure," Arti-

cle 7 "Discipline and Discharge," Article 8 "Workforce Reduction and Privatization," Article 9 "Reassignment, Transfer, Change in Duty Station," Article 10 "Promotion," Article 12 "Personnel Records," Article 14 "Performance Review," Article 18 "Leaves of Absence, Hours of Work, and Disability," Article 20 "Training," Article 21 "Out of Title Work," Article 22 "Disability Leave," and Article 23 "Hours of Work/Overtime" shall be resolved pursuant to the state's last offer.

The bill also included language relating to contract issues involving the Federation of Public Employees and the International Union of Police Associations. The process by which this legislation was drafted and debated was suspect in that a strike-all amendment that had never been heard by either chamber or the Conference Committee was adopted. This amendment contained several flaws that many argued were contrary to established public policy and the law. Citing the legal problems with the amendment and the violation of established Senate procedures, representatives from AFSCME Council 79 requested that the bill be withdrawn and that the status quo be preserved. Three contract provisions addressed in SB 424 are particularly problematic.

Article 7: Discipline and Discharge

According to a letter sent to members of the House of Representatives, AFSCME Council 79 contends that the bill would eliminate Article 7 of the contract, removing the employees' grievance procedure, forcing all disputes into the jurisdiction of the Public Employees Relation Commission. AFSCME representatives contend that the elimination of the employee grievance procedure violates state law and will place undue financial burdens on PERC.

Article 6: Grievance Procedure

Chapter 447 of the Florida Statutes requires that collective bargaining agreements include a grievance procedure. With the elimination of Article 7 of the contract, AFSCME argues that Article 6 has been rendered moot. However, even if Article 7 survives legal challenges, the new language Article 6 is contrary to the law and public policy in that it:

- Restricts AFSCME's ability to file on behalf of its members;
- Limits the remedies that can be adopted by an arbitrator;
- Places improper restrictions on the manner in which an arbitrator may interpret the contract; and Improperly imposes a "loser pays" requirement. Currently, both sides split the fees ensuring that workers have equal access to the system.

Article 8: Workforce Reduction and Privatization

SB 424 vacates Article 8 of the contract, eliminating the requirement that employees and their representative be provided notice regarding the elimination of their position and the state's intent to enter into private contracts for state programs. Eliminating this provision is unfair both to state employees and taxpayers in that it removes any transparency in the process, undermining current efforts to bring ethics and accountability to the Florida's procurement system.

This legislation was rushed through the process on the final day of session with no hearing, no meaningful debate and with no opportunity for workers' advocates to participate. Additionally, the "state's final offer" had never been a part of contract negotiations. This is just another shameful example of Jeb Bush's contempt for the people who work hard day in and day out to provide the people of Florida the services we need.

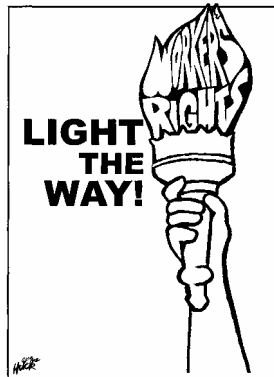
OUR POSITION "NO" "N" - 29 "Y" - 87 "NV" - 4

| HOUSE COLLECTIVE BARGAINING/PUBLIC EMPLOYEES VOTE | | | | | | | | | |
|---|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | N | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | N |
| Ambler(R) | Y | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | N | Rubio(R) | Y |
| Antone(D) | N | Cretul(R) | Y | Greenstein(D) | N | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | N | Sands(D) | Y |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | NV | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | Y |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | N | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | N | Needelman(R) | N | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | N |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | Y | Jennings(D) | N | Peterman(D) | N | Sorensen(R) | Y |
| Berfield(R) | Y | Fields(D) | Y | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | Y |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | N | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | Y | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | N |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | NV | Reagan(R) | Y | Waters(R) | Y |
| Brutus(D) | NV | A. Gibson (D) | N | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | N | H. Gibson(R) | Y | Kyle(R) | Y | Richardson(D) | N | Zapata(R) | Y |

OUR POSITION "NO" "N" - 3

"Y" 36 "NV" 36

| SENATE COLLECTIVE BARGAINING/PUBLIC EMPLOYEES VOTE | | | | | | | |
|--|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | Y | Pruitt(R) | Y |
| Argenziano(R) | Y | Crist(R) | N | King(R) | Y | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | Y |
| Atwater(R) | Y | Diaz de la Portilla(R) | Y | Lawson(D) | N | Sebesta(R) | Y |
| Baker(R) | Y | Dockery(R) | Y | Lee(R) | NV | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | Y |
| Bullard(D) | Y | Garcia(R) | Y | Margolis(R) | Y | Villalobos(R) | Y |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | Y | Webster(R) | Y |
| Carlton(R) | Y | Haridopolos(R) | Y | Peaden(R) | Y | Wilson(D) | Y |
| Clary(R) | Y | Hill(D) | N | Posey(R) | Y | Wise(R) | Y |



Privatization / Government Efficiency

Passed

SB 1146 by Senators Argenziano, Dockery, Lynn

HB 1835 by Representatives Kottkamp, Ambler, Anderson, Benson

Florida AFL-CIO / ULL Position: Support

SB 1146 – Passed the Senate, House, **Vetoed 6/27/05**

HB 1835 – Passed House State Administration Appropriations Committee, State Administration Council, substituted by SB 1146, laid on the table

In the months leading up to the 2005 Legislative Session, Florida's newspapers were awash in reports of fiscal shenanigans at the highest levels surrounding the state's privatization contracts. Over the past 7 years, contracts were handed out based on political connections with no regard for efficiency or accountability, leading to millions of dollars of wasted taxpayer money. This year, under the leadership of Senator Nancy Argenziano, Chair of the Senate Governmental Oversight and Productivity Committee, armed with plenty of solid research and information compiled by representatives of AFSCME, the legislature finally began the process of building accountability into the privatization process. The Florida AFL-CIO has long known that the privatization experiment would end in failure, but the Legislature rushed in regardless and while we still oppose most privatization, we supported these bills as the first step in turning back Florida's privatization debacle.

SB 1146 would have established the Center for Efficient Government and the Commission on Efficient Government within the Department of Management Services (DMS). The Center would have been charged with implementing a process for evaluating agency procurements, supporting the Commission in reviewing agency business cases, assisting agencies in the procurement process, and maintaining data on procurements. The Commission was to oversee the Center, evaluate and grant approval of proposed procurements within the evaluation process, and monitor the performance of procurements which had advanced through that process. This process of evaluation both before and after procurement contracts are granted is not currently in place and would have helped track the millions of dollars the state is currently handing out to private companies to perform state work. The Commission on Efficient Government was to consist of seven members, four of whom are agency heads, and three from the private sector. DMS would have been appropriated \$1,023,554 and nine employees for the Center and the Commission. Both were scheduled to terminate in 2010.

Contracts worth \$10 million or more in any fiscal year and contracts that require budget adjustments worth more than \$1 million in any agency would have had to go through a five step evaluation or "gate" process consisting of:

- Proposal identification gate, including the business case
- Procurement preparation gate, including the solicitation documents
- Contract development gate, including the proposed unexecuted contract
- Transition management gate, including contractor's readiness to perform
- Post-implementation gate, including reporting on contractor performance.

At each step or gate will evaluate the contract to ensure that it meets basic requirements.

In addition to these evaluation steps, existing contracts could not be amended without first submitting the proposed amendment to the Governor for approval, and to legislative appropriations committees for notice, when the amendment would increase the value of contracts between \$1 and 10 million by \$1 million, or contracts valued at more than \$10 million by 10 percent or more. All contract extensions or renewals would have been accompanied by documentation of contractor performance, and extensions or renewals of certain large contracts passed through those gates in the process that the Commission deemed appropriate.

In addition to the above major changes, the legislation also placed the following conditions on the procurement.

- If a contract shifts duties from state employees to a contractor, all affected FTEs must be identified in the business case, and placed in reserve until the end of the second year of the contract.
- Only a public officer or public employee may select state employees, approve performance standards or salary adjustments for state employees, or hire, promote, or dismiss a state employee.
- A contractor may not knowingly participate through decision approval, preparation of a purchase request, investigation, or auditing, in the procurement of services by an agency from an entity in which the contractor has a material interest.

This legislation represented a compromise between the Legislature and the Governor's office and did not go nearly far enough to protect state workers and taxpayers. Unfortunately, the Governor was still not satisfied and vetoed the legislation as we were preparing this publication. Governor Bush has consistently refused any oversight of his office and has shown nothing but a complete disdain for government accountability. His loyalty has always been and continues to be to the corporations who fund his family's political campaigns, not to the people of Florida.

State Worker Per Diem / Travel Expenses **Failed**

SB 778 by Senators Lawson, Argenziano

HB 221 by Representatives Ausley, Allen, Greenstein, Richardson

Florida AFL-CIO / ULL Position: **Support**

SB 778 – Passed Senate, **died in House Fiscal Council.**

HB 221 – Passed House Governmental Operations Committee, Fiscal Council, **died in House State Administration Council.**

There are inequities, conflicts, inconsistencies, and lapses in the numerous laws regulating or attempting to regulate travel expenses of public officers, employees, and authorized persons in the state. This legislation would have corrected some of those problems and establish new ranges for reimbursement for travel expenses for state workers. Two years ago, new reimbursement ranges and increases were established for local government workers, but state employees have not seen any increases or range corrections since the mid 1980's. Travel has become much more expensive since then. Even the cost of the most basic "fast food" meals have increased dramatically. State workers need more than \$3 to pay for breakfast while traveling for the state and there needs to be consistent, across the board policies that treat all state workers fairly. The Senate showed that it was willing to correct these inequities by passing the legislation by a unanimous vote. Unfortunately, the leadership in the House did not see fit to make this critical issue a priority. The Florida AFL-CIO and ULL will continue to work with our allies in the Legislature to see that this situation is corrected so that our state workers can get the travel reimbursement they deserve.

HEALTH CARE

Privatizing Medicaid

Passed

SB 838 by Senators Peadar Kirby, Atwater, Campbell, Carlton, Rich, Saunders, Lynn

HB 6003 by Representatives Bean, Brummer, Galvano, Garcia, H. Gibson, Harrell, Homan, Mahon

Florida AFL-CIO / ULL Position: **Watch**

SB 838 – Passed Senate, House, **signed by the Governor 6/03/05.**

HB 6003 – Passed House, linked to SB 838, died on the Senate calendar

On January 11th, 2005, Governor Jeb Bush held a press conference where he released a proposal to completely restructure Florida's Medicaid system. Medicaid is a program established through Title XIX of the Social Security Act that provides medical benefits for certain categories of low-income individuals, including indigent and disabled individuals and members of families receiving Aid to Families with Dependent Children. The program is a cooperative arrangement between the federal government and the states, under which both federal and state governments contribute financial support. States have the option to provide benefits to a broader range of people and retain a considerable amount of discretion over the operation and administration of the program. States have the right to determine the benefits to be provided, rules for eligibility, rates of payment for services and other matters, as long as broad regulatory guidelines established by the federal government are followed.

In Florida, Medicaid serves about 2.2 million people, over half of which are children, most of whom are covered through mandatory federal coverage categories. Approximately 50% of the families which depend on Medicaid have at least one working family member. Florida has minimized the number of optional beneficiaries and currently spends very little on the program on a per capita basis, ranking 39th in the nation. Medicaid actually brings more Federal dollars to Florida than any other program, since the state bears 41.1% of the cost and the Federal government 58.9%. The two biggest reasons why the costs of Medicaid have increased are the growing number of Floridians who have no other alternative source for health care and rising health care costs. The continued growth in enrollment accounts for 65% of the increased costs in Medicaid, according to a study by the Winter Park Health Foundation.

The Florida AFL-CIO and ULL monitored this issue very closely. There were well over two dozen bills filed dealing with Medicaid and the two listed above became the primary vehicles for the Governor's changes. In the end, the Legislature did not give the Governor the sweeping reforms he wanted, but opted for smaller scale changes implemented as "case studies" in limited areas of the state. The following list of changes to Medicaid are taken from the 2005 Senate session summary publication. SB 838 contains over 30 different provisions, the most important of which is the establishment of a pilot program designed to move Florida towards eventual privatization of the system. Some of the major provisions are listed below:

- Specifies waiver authority for AHCA to establish a statewide Medicaid reform initiative contingent upon federal approval to preserve the upper-payment-limit funding mechanism for hospitals and contingent upon protection of the disproportionate share program authorized pursuant to ch. 409, F.S. It further provides that phase one of this demonstration project shall be implemented in two geographical areas. One site shall include only Broward County, a second site shall initially include Duval County and shall be expanded to include Baker, Clay, and Nassau Counties within 1 year after the Duval County program becomes operational. Upon completion of the evaluation, after 24 months of operation of the pilot projects, AHCA may request statewide expansion. Statewide phase-in to additional counties is contingent upon review and approval of the Legislature. The bill

enumerates the powers, duties, and responsibilities AHCA shall have with respect to the development of the demonstration program. AHCA is required to:

1. Include the delivery of all mandatory services specified in s. 409.905, F.S., and optional services specified in s. 409.906, F.S., as approved by the Centers for Medicare and Medicaid Services and the Legislature. Services to recipients under plan benefits are required to include emergency services;
 2. Recommend Medicaid-eligibility categories to be included in the program;
 3. Determine and recommend actuarially sound, risk-adjusted capitation rates;
 4. Determine and recommend program standards and credentialing requirements for health plans to participate in the program including allowing federally-qualified health centers, federally qualified rural health clinics, county health departments, and other public providers to participate in the reform program if willing;
 5. Develop a system for assisting recipients in choosing among health plans in the program (choice counseling), including types of materials that must be provided, multi-lingual requirements, anti-fraud and recipient recruiting requirements, verification requirements that a recipient received choice counseling; and authority to allow the agency to contract for the service;
 6. Develop a grievance procedure for recipients and providers;
 7. Develop and recommend a monitoring system to prevent fraud and abuse by plans, their providers, and recipients;
 8. Develop a system where plans compensate school districts for services they must provide to their students on Medicaid; and
 9. Develop a system that addresses special needs of children with chronic medical conditions, persons with developmental disabilities, and children in foster care.
 10. Provide an opt-out option to allow recipients to purchase employer-sponsored coverage, but allows a recipient to reenroll in Medicaid within a certain timeframe if the opt-out option was not the best choice for the individual. The bill requires AHCA to post all waiver applications to implement this program on its Internet website 30 days prior to submission to the federal government. All waiver applications must be provided to the House and Senate 10 days before submission to the federal government and all waivers approved by the federal government may not be implemented without review and approval of the Legislature as a whole. The bill requires OPPAGA and the Auditor General to conduct an evaluation of the pilot to be provided to the Governor and the Legislature no later than June 30, 2008, to consider statewide expansion.
- Requires OPPAGA to conduct a study of Medicaid buy-in programs, and whether the Medically Needy program can be redesigned to be a Medicaid buy-in program.
 - Requires OPPAGA, in consultation with the Attorney General's Medicaid Fraud Control Unit and the Auditor General, to study potential fraud and abuse by pharmaceutical manufacturers in their pricing and rebate practices in Medicaid. Requires the report to be submitted to the Legislature and Governor by January 1, 2006.
 - Requires the Agency for Health Care Administration (AHCA) to contract with a vendor to identify and

counsel providers whose clinical practice patterns are outside normal practice patterns to improve patient care and reduce inappropriate utilization.

- Authorizes AHCA to use more single-source contracting to reduce costs, without limiting access to care.
- Requires AHCA to determine if purchasing medical equipment is less expensive than rental and authorizes AHCA to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse.
- Requires that provider service network contracts currently in effect shall be extended for a period of 3 years and provides a definition for a provider service network.
- Requires the Comprehensive Assessment and Review for Long-term Care Services (CARES) staff to identify Medicare patients in nursing homes who are being inappropriately disqualified from coverage under Medicare and assist with appeal of the disqualification, contingent on whether this authority is determined to be a reimbursable service under Medicaid rules.

Requires AHCA to contract with an entity to develop a real-time utilization tracking system or electronic medical record for Medicaid recipients.

- Modifies the Medicaid prescription drug utilization program to permit dispensing practitioners to participate in the Medicaid pharmacy network regardless of their proximity to other dispensing entities. The bill requires AHCA to implement a prescription-drug-management system to coordinate proper clinical practices among physicians and pharmacists. The bill requires AHCA to study whether its reuse program can be expanded to reduce the unnecessary destruction of drugs.

Members of both parties agree that this is just the beginning signaling that Medicaid will be on the Legislature's agenda again in the near future. The Florida AFL-CIO will continue to monitor this issue closely.

Medicaid/"Wal-Mart" Amendment Failed

Amendment #773244 to SB 838 by Senators Miller, Campbell, Rich, and Dawson

Florida AFL-CIO / ULL Position: **Support**

Amendment #77324 – Passed on 5/3 by a vote 18-16, reconsidered 7 minutes later then failed by a vote of 14-20.

Numerous studies have shown that Wal-Mart has the highest number of employees on taxpayer funded health insurance programs in Florida. These studies indicate that this costs Florida \$65 million annually. Medicaid and other programs are designed to be a safety net for low-income families, not an alternative for wealthy corporations to provide health care. Wal-Mart's health benefits are so poor, that they have admitted they can not compete with state funded health care. Wal-Mart is the biggest retailer in the world and has some of the highest profits of any corporation in history, yet these profits are being generated at taxpayer expense and at the expense of the health of their employees. Wal-Mart's dependence on Medicaid in Florida is helping to drive up costs and contributes to a lack of coverage for people who really need it, not people who are working for a dead beat company.

A group of Democrats in the House and Senate filed an amendment to the Medicaid privatization bill that would have forced for-profit companies with more than 10,000 employees in the state of Florida to

report to the Secretary of Health Care Administration detailing the amount of their payroll and the amount they pay for health insurance for their employees and the number of employees currently not receiving health insurance as part of their benefit packages. This would have given the state with a ready reference to calculate how much Wal-Mart is costing the people of Florida and provided a means of accountability. Needless to say, the corporate friendly climate in the Florida Legislature made the passage of this amendment unlikely.

In the House, the amendment was defeated with a voice vote so there is no record. In the Senate, the amendment initially passed (a collectively gasp went up from the Senate gallery). However, Senator Lisa Carlton who was acting as the presiding officer, used a very suspect procedural tactic (no one was really quite sure how she did it) to have the vote reconsidered minutes later and the amendment failed. This is a critical issue that should cut across party lines. Republicans and Democrats, liberals and conservatives should be in agreement – the people of Florida should not be forced to subsidize the health care for America’s richest corporation.

OUR POSITION “YES”

“N” - 16 “Y” 18 “NV” 6

| SENATE WAL-MART 1 VOTE | | | | | | | |
|------------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | N | Jones(R) | Y | Pruitt(R) | N |
| Argenziano(R) | N | Crist(R) | NV | King(R) | N | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | N |
| Atwater(R) | N | Diaz de la Portilla(R) | N | Lawson(D) | NV | Sebesta(R) | N |
| Baker(R) | N | Dockery(R) | NV | Lee(R) | NV | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | NV |
| Bullard(D) | Y | Garcia(R) | Y | Margolis(R) | Y | Villalobos(R) | NV |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | Y | Webster(R) | N |
| Carlton(R) | N | Haridopolos(R) | N | Peaden(R) | N | Wilson(D) | Y |
| Clary(R) | N | Hill(D) | Y | Posey(R) | N | Wise(R) | N |

OUR POSITION “YES”

“N” - 20 “Y” 14 “NV” 6

| SENATE WAL-MART 2 VOTE | | | | | | | |
|------------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | N | Constantine(R) | N | Jones(R) | Y | Pruitt(R) | N |
| Argenziano(R) | Y | Crist(R) | N | King(R) | N | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | Y | Klein(D) | Y | Saunders(R) | N |
| Atwater(R) | N | Diaz de la Portilla(R) | N | Lawson(D) | N | Sebesta(R) | N |
| Baker(R) | N | Dockery(R) | NV | Lee(R) | NV | Siplin(D) | Y |
| Bennett(R) | N | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | NV |
| Bullard(D) | NV | Garcia(R) | N | Margolis(R) | Y | Villalobos(R) | N |
| Campbell(D) | Y | Geller(R) | Y | Miller(D) | Y | Webster(R) | N |
| Carlton(R) | NV | Haridopolos(R) | N | Peaden(R) | N | Wilson(D) | NV |
| Clary(R) | N | Hill(D) | Y | Posey(R) | N | Wise(R) | N |

Nurse Anesthetists

Failed

SB 1452 by Senator Argenziano

HB 629 by Representatives Negron, Cannon, Homan

Florida AFL-CIO / ULL Position: **Oppose**

SB 1452 – No action

HB 629 – Passed House, **died in Senate Health Care Committee**

These bills would have expanded the scope of the board of medicine so that it would have been in charge of the scope of practice for nurses. It would have hindered the ability of RN's to provide professional quality care by limiting them to practicing their profession only in instances where physicians with same training and experience as the nurses be present. This would have hampered team practice procedures and would have needlessly harmed patients in cases where physicians with narrow specialties where unavailable.

This legislation arose in the context of the ongoing dispute over scope of service between the Certified Registered Nurse Anesthetists (CRNAs) and the Anesthesiologists. For years CRNAs provided anesthesia to patients in doctor's offices in Florida under the supervision of surgeons. The Florida Board of Medicine attempted to change this situation by requiring anesthesiologists to be present. Nurse Anesthetists, whose practice is appropriately supervised by the board of nursing, challenged this interference with their scope of practice by a board authorized to regulate a different profession and the courts agreed. Currently, CRNAs are able to administer anesthesia with the supervision of surgeons and other physicians. This legislation would have required anesthesiologists to be present. CRNAs are well trained and have administered anesthesia for years with no pattern of errors or problems. In some rural counties, there may not be anesthesiologists available to offer the direct supervision and in many urban hospitals current practice would have to be radically revised. SB 1452 and HB 629 were drafted so broadly that had they passed, they would have negatively impacted other areas of nurse practice.

BUILDING TRADES

Asbestos Illness Litigation

Passed

SB 2562 by Senators Webster, Clary

HB 1019 by Representatives Pickens, Cannon, Carroll, Goodlette, Grimsley, Homan, Murzin, Stargel

Florida AFL-CIO / ULL Position – **Oppose**

SB 2562 – Passed Senate Health Care Committee, Judiciary, substituted by HB 1019, laid on the table.

HB 1019 - Passed House, Senate, **signed by the Governor 6/20/05.**

The national push to shield negligent corporations from legal action on behalf of victims came to Florida this session in the form of SB 2562 and HB 1019, two bills designed to enact sweeping new protections for the asbestos products industry. This legislation is another in a long line of initiatives filed in state legislatures across the country that seek to make it virtually impossible for victims of asbestos exposure to get fair compensation for their illnesses in the courts. Corporations that have produced products containing asbestos have been working to change the law to protect themselves from the thousands of workers across the country who are sick and dying as a result of their exposure to those products. Court records from asbestos cases across the country illustrate a pattern of willful negligence on the part of these corporations who knew for decades that their products were dangerous, but refused to do anything to protect workers and consumers. Florida's asbestos legislation creates several new barriers for workers trying to file claims for asbestos exposure in our state's courts.

The legislation sets new medical standards for proving that an illness is related to asbestos exposure, standards that the medical community has repeatedly rejected. During committee testimony, lobbyists for the asbestos industry argued that these new strict medical standards were necessary to ensure that filed claims were not “frivolous.” These new standards were written by industry lobbyists and have no basis in medical fact.

The legislation establishes new restrictions that require a claimant to prove his/her exposure happened in this state for him/her to be able to have access to Florida’s court system. Building trades workers typically travel from state to state to practice their craft making it impossible for them to prove where the exposure took place. That coupled with the fact that many states in our region have passed similar restrictions makes it impossible for these workers to find a jurisdiction where they can file their claims.

Punitive damages against the corporations have been disallowed. Sick and dying workers can only be compensated for actual monetary damages, not pain and suffering.

The so-called “Asbestos and Silica Compensation Fairness Act” was just one of several “tort reform” bills filed this session. The majority of these bills died during the meltdown in relations between the House and Senate during the final few days of session. This legislation may prove to be one of worst pieces for working families to pass this session. The asbestos situation is a tragic legacy. Corporations made billions off of the workers who are now sick and dying from their labor. Now the industry is working to deny them compensation for their sacrifice. These asbestos claims are the only way that sick workers can provide for their families if they die from their illness and now thousands of affected workers in Florida will lose their day in court.

OUR POSITION “NO” “N” - 12 “Y” - 104 “NV” - 4

| HOUSE ASBESTOS VOTE | | | | | | | | | |
|------------------------|------|----------------|------|----------------|------|------------------|------|----------------|------|
| Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote | Representative | Vote |
| Adams(R) | Y | Bullard(D) | Y | Glorioso(R) | Y | Legg (R) | Y | Rivera(R) | Y |
| Allen(R) | Y | Cannon(R) | Y | Goldstein(R) | Y | Littlefield(R) | Y | Robaina(R) | Y |
| Altman(R) | Y | Carroll(R) | Y | Goodlette(R) | Y | Llorente(R) | Y | Roberson(D) | Y |
| Ambler(R) | Y | Clarke(R) | Y | Gottlieb(D) | N | Lopez-Cantera(R) | Y | Ross(R) | Y |
| Anderson(R) | Y | Coley(R) | NV | Grant(R) | Y | Machek(D) | Y | Rubio(R) | Y |
| Antone(D) | Y | Cretul(R) | Y | Greenstein(D) | Y | Mahon(R) | Y | Russell(R) | Y |
| Arza(R) | Y | Culp(R) | Y | Grimsley(R) | Y | Mayfield(R) | Y | Ryan(D) | N |
| Attkisson(R) | Y | Cusack(D) | N | Harrell(R) | Y | McInvale(D) | Y | Sands(D) | Y |
| Ausley(D) | N | D. Davis(R) | Y | Hasner(R) | Y | Meadows(D) | Y | Sansom(R) | Y |
| Barreiro(R) | Y | M. Davis(R) | Y | Hays(R) | Y | Mealor(R) | Y | Seiler(D) | Y |
| Baxley(R) | Y | Dean(R) | Y | Henriquez(D) | Y | Murzin(R) | Y | Simmons(R) | Y |
| Bean(R) | Y | Detert(R) | Y | Holloway(D) | Y | Needelman(R) | Y | Slosberg(D) | N |
| Bendross-Mindingall(D) | N | Domino(R) | Y | Homan(R) | Y | Negron(R) | Y | Smith(D) | Y |
| Bense(R) | Y | Evers (R) | Y | Hukill(R) | Y | Patterson(R) | Y | Sobel(D) | N |
| Benson(R) | Y | Farkas(R) | Y | Jennings(D) | Y | Peterman(D) | Y | Sorensen(R) | NV |
| Berfield(R) | Y | Fields(D) | Y | Johnson(R) | Y | Pickens(R) | Y | Stansel(D) | Y |
| Bilirakis(R) | Y | Flores(R) | Y | Jordan(R) | Y | Planas(R) | Y | Stargel(R) | Y |
| Bogandoff(R) | Y | Galvano(R) | Y | Joyner(D) | N | Poppell(R) | Y | Taylor(D) | Y |
| Bowen(R) | Y | Gannon(D) | N | Justice(D) | N | Porth(D) | Y | Traviesa(R) | Y |
| Brandenburg(D) | N | Garcia(R) | Y | Kendrick(D) | Y | Procter(R) | Y | Troutman(R) | Y |
| Brown(R) | Y | Gardiner(R) | Y | Kottcamp (R) | Y | Quinones(R) | Y | Vana(D) | Y |
| Brummer(R) | Y | Gelber (D) | N | Kravitz(R) | NV | Reagan(R) | Y | Waters(R) | Y |
| Brutus(D) | Y | A. Gibson (D) | N | Kreegle(R) | Y | Rice(R) | Y | Willimas(R) | Y |
| Bucher(D) | NV | H. Gibson(R) | Y | Kyle(R) | Y | Richardson(D) | Y | Zapata(R) | Y |

OUR POSITION "NO"

"Y" 32
"N" 8

| SENATE ASBESTOS VOTE | | | | | | | |
|----------------------|------|------------------------|------|-------------|------|---------------|------|
| Senator | Vote | Senator | Vote | Senator | Vote | Senator | Vote |
| Alexander(R) | Y | Constantine(R) | Y | Jones(R) | Y | Pruitt(R) | Y |
| Argenziano(R) | N | Crist(R) | Y | King(R) | Y | Rich(D) | Y |
| Aronberg(D) | Y | Dawson(D) | N | Klein(D) | N | Saunders(R) | Y |
| Atwater(R) | Y | Diaz de la Portilla(R) | Y | Lawson(D) | Y | Sebesta(R) | Y |
| Baker(R) | Y | Dockery(R) | Y | Lee(R) | Y | Siplin(D) | Y |
| Bennett(R) | Y | Fasano(R) | Y | Lynn(R) | Y | Smith(D) | N |
| Bullard(D) | Y | Garcia(R) | Y | Margolis(R) | Y | Villalobos(R) | Y |
| Campbell(D) | N | Geller(R) | N | Miller(D) | N | Webster(R) | Y |
| Carlton(R) | Y | Haridopolos(R) | Y | Peaden(R) | Y | Wilson(D) | Y |
| Clary(R) | Y | Hill(D) | N | Posey(R) | Y | Wise(R) | Y |

FARM WORKERS

In State Tuition for Farm Workers

Failed

SB 226 by Wilson, Rich, Dawson

HB 119 by Zapata, Barreiro, Bendross-Mindingall, Brandenburg, Brutus, Bucher, Bullard, Flores, Garcia, Greenstein, Grimsley, Planas, Porth, Rivera, Robaina, Roberson, Ryan, Sands, Sobel

HB 6005 by Representatives Arza, Domino, Jennings, Mayfield, Zapata, Barreiro, Bean, Bendross-Mindingall, Bilirakis, Brandenburg, Brown, Brutus, Bucher, Bullard, Carroll, Culp, Farkas, Flores, Gannon, Garcia, A. Gibson, Goldstein, Gottlieb, Greenstein, Grimsley, Hays, Henriquez, Homan, Hukill, Joyner, Llorente, Meadows, Meador, Murzin, Patterson, Pickens, Planas, Porth, Rivera, Robaina, Roberson, Ryan, Sands, Sansom, Sobel

Florida AFL-CIO / ULL Position: **Support**

SB 226 – Passed the Senate Education Committee, died in Education Appropriations

HB 119 – Passed the House Colleges and Universities Committee, Education Appropriations, died in Education Council. (Combined with HB 6005)

HB 6005 (Combines HB 119,167,935,1613,1655,1837,1853) – Passed House, died in Senate Education Committee.

Current Florida law forces many state resident high school students to pay out-of-state tuition rates to attend our state universities and community colleges because they are the children of resident alien farm workers. These rates are up to 5 times higher than the in-state rate. The high rates often prevent these students going to college. Most of these students have lived in the US for a majority of their lives, have had jobs and all pay the state sales tax. Texas, California and Utah have already made it possible for these students to receive an in-state tuition rate and this bill would have allowed Florida to do the same. This legislation has been filed repeatedly over the past 4 years but unlike in past years, it appeared as if the bipartisan group pushing this bill were going to be able to get it passed. SB 226 did not get a great deal of traction in the Senate but HB 119 was combined with 5 other education bills in HB 6005, called the "Just Succeed Florida Act." Unfortunately, due to a dispute over an education funding formula issue between the House, Senate and some South Florida legislators HB 6005 died in the Senate. The parents of these children have made many sacrifices to bring their children to the US and have worked hard to give them a better life. Similarly, their children have worked hard to overcome incredible odds to succeed in high school so that they can have a chance to get a college education. The passage of these bills would have given them that chance. The Florida AFL-CIO will continue to work with the United Farm Workers until we are successful in making this critical policy change.

Farm Worker Transportation Safety

Failed

SB 1874 by Senators Alexander, Hill, Lynn

HB 1059 by Gannon, Bucher, Bullard

Florida AFL-CIO / ULL Position: **Support**

SB 1874 – Passed Senate Transportation Committee, Commerce and Consumer Services, withdrawn from General Government Appropriations, **died in Senate Rules and Calendar**

HB 1059 – Passed the House Agriculture Committee, died in Transportation

Farm Workers are often provided transportation to and from the fields by their employer. These workers are often packed in vans without basic safety equipment. Consequently, in recent years many farm workers have been killed in traffic accidents while being driven to or from work. These bills would have required the owners and operators of these farm labor vehicles to conform to basic safety standards including the availability of seat belts for each worker being transported. The bills also would have established a system whereby the Department of Transportation had oversight over the operation of these vehicles and the power to enforce basic safety laws. Specifically, these bills:

- Defined "Farm Labor Vehicles" as ""any vehicle designed, used, or maintained for the transportation of nine or more farm workers, in addition to the driver, to or from a place of employment or employment-related activities." Vehicles carrying only the immediate family of the owner or driver, vehicles operated as a common carrier, and carpools were excluded.
- Required each owner or operator of a farm labor vehicle operated on a public highway to ensure the vehicle conforms to certain vehicle safety standards prescribed by the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1841(b), and other applicable federal and state safety standards. After January 1, 2007, every farm labor vehicle weighing 10,000 pounds or less would have been required to be equipped with a seat belt for each passenger.
- Farm labor contractors would have been prohibited from operating farm labor vehicles unless authorized to do so by DBPR as evidenced by a permit sticker issued by DBPR and displayed on the vehicle.
- Would have required the display of a standardized notification instructing passengers to fasten their seatbelts.

This legislation has been filed in past sessions and this year it looked as if bipartisan support was going to secure its passage. Unfortunately, Representative Ralph Poppell (R) had problems with the legislation (apparently having more to do with the personalities of legislators than any aspect of the policy) and worked to slow the legislation down until time ran out and the bill died. The Florida AFL-CIO and ULL will continue to work to see this important legislation is filed and passed next session.



MONITORED LEGISLATION **WITH NO ACTION**

Constitutional Limit on State Appropriations

Oppose

SB 362 by Senators Haridopolis, Fasano
HB 519 by Representative Negron

This bill sought to put a constitutional amendment on the ballot that would substitute an **appropriations** limit for the current **revenue** limitation. This limitation would have meant that state appropriations in any given year could not be more than they were during the prior fiscal year plus an adjustment for growth. This bill had essentially one purpose...the elimination of state services. This legislation was originally proposed in 2002. At that time, an analysis conducted by the House of Representative's very own Committee on State Administration, estimated that had this provision already been in effect, the 2000-2001 budget would have had **\$6.8 billion less** than it had. Florida is still using trust funds to support the budget and still cutting education and social services. Should this constitutional amendment pass, the situation would worsen TEN FOLD! Pay close attention to the bills' sponsors...these are the radical right wing politicians who would completely dismantle all government in favor of the "every man for himself" model.

The Florida Minimum Wage Act

Support

SB 1792 by Senator Hill

This legislation was drafted to be enacting language for the minimum wage constitutional amendment. Unlike the bills supported by the House leadership, this bill would have enacted the minimum wage law in a way that preserves the voters' intent when they voted overwhelmingly in support of the amendment. However, attorneys for ACORN consistently argued that the amendment was "self-enacting" and fortunately no legislation was passed.

Repealing High Speed Rail

Oppose

HB 103 by Representatives Allen, Bucher, Murzin

While the voters voted to repeal the amendment (most polls show that people did not feel the amendment belonged in the Constitution) they did not vote to repeal the project. It will require an act of the legislature to repeal the High-Speed Rail Commission. The Commission has already completed much of its work and to repeal it now would mean that the taxpayers were forced to waste millions of dollars with no final product to show for it. The Florida AFL-CIO has supported the high speed rail project from its inception and will oppose any attempt to stop this project. The people of Florida deserve better. The Florida High-Speed Rail commission should be allowed to finish its work and built the people a transportation system of the future.

Government Contracting / Offshoring

Support

SB 1284 by Senator Hill

Over the past four years, hundreds of thousands of information-technology jobs have been shipped overseas. There has been an exodus of customer call centers, computer tech support centers and information processing firms from the U.S. to overseas places like India that have workers with the basic skills necessary for these jobs but whose economies allow them to work for much lower wages than

their American counterparts. Florida's continued privatization rush has meant millions of dollars in contracts for information processing/customer support firms in the state. Unfortunately, these firms are now looking to move their operations overseas. It is bad enough that dedicated state employees are losing their jobs to private firms that typically pay lower wages without health insurance and other benefits. That those jobs are now in danger of being sent out of state to countries like India is reprehensible. This legislation would have ensured that privatized state jobs remain in the state of Florida or at the very least the U.S. This is a critical issue and we will continue to support this type of legislation until the Florida Legislature does the right thing and passes it.

Government Efficiency / Accountability **Support**

SB 1586 by Senator Campbell

HB 711 by Representatives Ryan, Henriquez, Richarson

Privatization has been pursued under the guise of increasing government efficiency and saving the taxpayers money, yet there has not been a single comprehensive study indicating that it accomplishes either. In fact, privatization in Florida has become a feeding trough for well-placed corporate special interests who continue to line up for millions of dollars in taxpayer funded hand-outs in the form of state contracts. Until recently, these contracts were handed out with little if any accountability. Over the past several years, Florida newspapers have been filled with accounts of shady dealings where Florida citizens get nothing for their tax dollars except large bills that keep getting paid...no questions asked. These bills were filed in response to a series of scandals that were exposed during hearings by the Senate Governmental Oversight and Productivity Committee and have added new accountability measures for all privatization projects and contracts. SB 1146, filed by Senator Nancy Argenziano and which passed this session, was also designed to increase accountability although these bills were far more comprehensive and scope.

Restoration of Career Service Protections **Support**

SB 636 by Senator Argenziano

In 2001, Governor Bush and his supporters in the legislature gutted Florida's decades old career service system for state workers with the passage of the "Service First" legislation. At its core, the career service system protected state workers from disciplinary action that was politically motivated. The system ensured that state workers were free to do their jobs in service of the people without fear of reprisal should that service run afoul of the political ambitions of their employers. The implementation of Service First has had an incredibly chilling effect on state workers' abilities to do their jobs and has increased the number of political hirings and firings exponentially. This bill would have helped restore some critical elements of the career service system and assisted our state workers in serving the people of our state. We will continue to try and find bipartisan support for measures such as this, not only for our state workers but for all of us who rely on the services they provide.

FRS – Normal Retirement Age **Support**

SB 1424 by Senator Lawson

HB 1197 by Representatives Richardson, Antone

This legislation would have changed the normal retirement start date and age for regular class state workers. Currently, state law allows workers full retirement after 6 or more years of service once the worker reaches age 62 or after 30 years of service regardless of their age. This legislation would have allowed workers to retire after 6 years of service once they reach age 62 or after 25 years of service once they have reached age 50. Twenty-five years is a lifetime of service. This would have given workers who have served the people of our state for 25 years the opportunity to retire without any penalty.

Teaching Labor History
SB 1280 by Senator Hill

Support

The American labor movement has had a profound impact on modern society. Many of the liberties we now take for granted were won by the blood sweat and tears of millions of labor union members. Child labor laws, public education, job safety standards, employer sponsored health care, pensions and social security are all features of American society that have been made possible by the labor movement. Unfortunately, fewer and fewer young people know about labor's contributions. Future generations are being robbed of this part of their heritage by the same powerful forces that have always opposed our struggle to build a better world. This bill, which has been introduced several times in the past, would have given local school districts the encouragement and flexibility they need to incorporate labor history in their schools' curriculum.

Safe Staffing for Quality Care
SB 1176 by Senator Campbell
HB 1117 by Representative Holloway

Support

This legislation would have set the maximum number of patients who could be assigned to any registered nurse in each unit of the state's acute care hospitals, prohibited mandatory overtime except in cases of emergencies and would have established protections for RNs who refuse to work in unsafe conditions or report safety violations to the appropriate authorities. These policy changes are necessary to protect patient safety, attract and retain quality nurses, and reduce the overall costs of health care.



Description of House Votes

- **Vote 1** – Legislation placing new and unnecessary restrictions on citizens’ petition campaigns for constitutional amendments. *(page 5)*
- **Vote 2** – Constitutional amendment requiring future amendments proposed by citizens’ initiative to pass by 60% rather than the current 50% plus 1. *(page 7)*
- **Vote 3** – Constitutional amendment restricting the subject matter of future amendments. *(page 8)*
- **Vote 4** – Proposal to allow citizens to propose statues through ballot initiative rather than just constitutional amendments. *(page 10)*
- **Vote 5** – Bill placing new onerous restrictions on legal claims for asbestos related illnesses. *(page 36)*
- **Vote 6** – Bill reducing the number of live jai alai matches, reducing the work for jai alai players. *(page 17)*
- **Vote 7** – Bill settling impasse issues between the State of Florida and various bargaining units to the detriment of the workers in those bargaining units. *(page 27)*
- **Vote 8** – Repeal of the class size constitutional amendment. *(page 23)*

Description of Senate Votes

- **Vote 1** – Constitutional amendment requiring future amendments proposed by citizens’ initiative to pass by 60% rather than the current 50% plus 1. *(page 7)*
- **Vote 2** – Bill placing new onerous restrictions on legal claims for asbestos related illnesses. *(page 36)*
- **Vote 3** – Bill reducing the number of live jai alai matches, reducing the work for jai alai players. *(page 17)*
- **Vote 4** – Bill settling impasse issues between the State of Florida and various bargaining units to the detriment of the workers in those bargaining units. *(page 27)*
- **Vote 5** – Repeal of the class size constitutional amendment. *(page 23)*
- **Vote 6** – Bill to increase accountability in the state’s voucher programs. *(page 26)*
- **Vote 7** – Proposal to force Wal-Mart to report the number of employees on Medicaid or other publicly funded health care assistance. *(page 34)*

KEY HOUSE VOTES

| Representative | Vote 1 | Vote 2 | Vote 3 | Vote 4 | Vote 5 | Vote 6 | Vote 7 | Vote 8 | Percentage Right |
|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
| Adams(R) | W | W | W | W | W | R | W | W | 12.50% |
| Allen(R) | W | W | W | W | W | W | W | W | 0.00% |
| Altman(R) | W | W | W | W | W | W | W | W | 0.00% |
| Ambler(R) | W | NV | R | R | W | W | W | NV | 33.33% |
| Anderson(R) | W | W | W | W | W | W | W | W | 0.00% |
| Antone(D) | W | R | R | R | W | W | R | R | 62.50% |
| Arza(R) | W | W | W | W | W | W | W | W | 0.00% |
| Attkisson(R) | W | W | W | W | W | W | W | W | 0.00% |
| Ausley(D) | R | R | R | R | R | W | R | R | 87.50% |
| Barreiro(R) | W | W | W | W | W | W | W | W | 0.00% |
| Baxley(R) | W | W | W | W | W | W | W | W | 0.00% |
| Bean(R) | W | W | W | W | W | W | W | W | 0.00% |
| Bendross-Mindingall(D) | R | R | R | R | R | W | R | R | 87.50% |
| Bense(R) | W | W | NV | W | W | W | W | W | 0.00% |
| Benson(R) | W | W | W | W | W | W | W | W | 0.00% |
| Berfield(R) | W | W | W | W | W | W | W | W | 0.00% |
| Bilirakis(R) | W | W | W | W | W | W | W | W | 0.00% |
| Bogandoff(R) | W | W | W | W | W | W | W | W | 0.00% |
| Bowen(R) | W | W | W | W | W | W | W | W | 0.00% |
| Brandenburg(D) | W | R | R | R | R | R | R | R | 87.50% |
| Brown(R) | W | W | W | W | W | W | W | W | 0.00% |
| Brummer(R) | W | W | W | W | W | W | W | W | 0.00% |
| Brutus(D) | NV | NV | NV | NV | W | NV | NV | NV | 0.00% |
| Bucher(D) | R | R | R | R | NV | R | R | R | 100.00% |
| Bullard(D) | W | R | R | R | W | W | R | R | 62.50% |
| Cannon(R) | W | W | W | W | W | W | W | W | 0.00% |
| Carroll(R) | W | W | W | W | W | W | W | W | 0.00% |
| Clarke(R) | W | W | W | W | W | W | W | W | 0.00% |
| Coley(R) | NV | NV | NV | NV | NV | W | NV | NV | 0.00% |
| Cretul(R) | W | W | W | W | W | W | W | W | 0.00% |
| Culp(R) | W | W | W | W | W | W | W | W | 0.00% |
| Cusack(D) | R | R | R | R | R | W | R | R | 87.50% |
| D. Davis(R) | W | W | W | W | W | W | W | W | 0.00% |
| M. Davis(R) | W | W | W | W | W | W | W | W | 0.00% |
| Dean(R) | W | W | W | W | W | W | W | W | 0.00% |
| Detert(R) | W | W | W | W | W | W | W | W | 0.00% |
| Domino(R) | W | W | W | W | W | W | W | W | 0.00% |
| Evers (R) | W | W | W | W | W | W | W | W | 0.00% |
| Farkas(R) | W | W | R | W | W | W | W | R | 25.00% |
| Fields(D) | R | R | W | R | W | W | W | R | 50.00% |
| Flores(R) | W | W | W | W | W | W | W | W | 0.00% |
| Galvano(R) | W | W | W | W | W | W | W | W | 0.00% |
| Gannon(D) | R | R | R | R | R | R | R | R | 100.00% |
| Garcia(R) | W | W | W | W | W | W | W | W | 0.00% |
| Gardiner(R) | W | W | W | W | W | R | W | W | 12.50% |
| Gelber (D) | R | R | R | R | R | W | R | R | 87.50% |
| A. Gibson (D) | W | R | R | R | R | W | R | R | 75.00% |
| H. Gibson(R) | W | W | W | W | W | W | W | W | 0.00% |
| Glorioso(R) | W | W | W | W | W | W | W | W | 0.00% |
| Goldstein(R) | W | W | W | W | W | W | W | W | 0.00% |
| Goodlette(R) | W | W | W | W | W | W | W | W | 0.00% |
| Gottlieb(D) | R | R | R | R | R | R | R | R | 100.00% |
| Grant(R) | W | W | W | W | W | W | W | W | 0.00% |
| Greenstein(D) | R | R | W | R | W | R | R | R | 75.00% |
| Grimsley(R) | W | W | W | W | W | W | W | W | 0.00% |
| Harrell(R) | W | W | W | W | W | NV | W | W | 0.00% |
| Hasner(R) | W | W | W | W | W | W | W | W | 0.00% |
| Hays(R) | W | W | W | W | W | W | W | W | 0.00% |
| Henriquez(D) | R | W | NV | R | W | NV | R | NV | 60.00% |
| Holloway(D) | W | R | R | R | W | W | R | R | 62.50% |

KEY HOUSE VOTES

| Representative | Vote 1 | Vote 2 | Vote 3 | Vote 4 | Vote 5 | Vote 6 | Vote 7 | Vote 8 | Percentage Right |
|------------------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
| Homan(R) | W | W | W | W | W | W | W | R | 12.50% |
| Hukill(R) | W | W | W | W | W | W | W | W | 0.00% |
| Jennings(D) | W | R | R | R | W | W | R | R | 62.50% |
| Johnson(R) | W | W | W | W | W | W | W | NV | 0.00% |
| Jordan(R) | W | W | W | W | W | W | W | W | 0.00% |
| Joyner(D) | R | R | R | R | R | R | R | R | 100.00% |
| Justice(D) | R | R | R | R | R | W | R | R | 87.50% |
| Kendrick(D) | W | R | W | R | W | W | W | R | 37.50% |
| Kottcamp (R) | W | W | W | W | W | W | W | NV | 0.00% |
| Kravitz(R) | W | W | W | W | NV | NV | NV | NV | 0.00% |
| Kreegle(R) | W | W | W | W | W | NV | W | W | 0.00% |
| Kyle(R) | W | W | R | W | W | W | W | NV | 14.29% |
| Legg (R) | W | W | W | W | W | W | W | W | 0.00% |
| Littlefield(R) | W | W | W | W | W | W | W | W | 0.00% |
| Llorente(R) | W | W | W | W | W | W | W | W | 0.00% |
| Lopez-Cantera(R) | W | W | W | W | W | W | W | W | 0.00% |
| Machek(D) | R | R | W | R | W | W | R | R | 62.50% |
| Mahon(R) | W | W | W | W | W | W | W | W | 0.00% |
| Mayfield(R) | W | W | W | W | W | W | W | W | 0.00% |
| McInvale(D) | W | W | W | R | W | W | R | R | 37.50% |
| Meadows(D) | R | R | R | R | W | W | NV | R | 71.43% |
| Mealor(R) | W | W | W | W | W | W | W | W | 0.00% |
| Murzin(R) | W | W | W | W | W | W | W | W | 0.00% |
| Needelman(R) | W | W | W | W | W | W | R | W | 12.50% |
| Negron(R) | W | W | W | W | W | W | W | W | 0.00% |
| Patterson(R) | W | W | W | W | W | W | W | W | 0.00% |
| Peterman(D) | R | R | R | R | W | W | R | R | 75.00% |
| Pickens(R) | W | W | W | W | W | W | W | W | 0.00% |
| Planas(R) | W | W | W | W | W | W | W | W | 0.00% |
| Poppell(R) | W | W | W | W | W | W | W | W | 0.00% |
| Porth(D) | W | W | R | R | W | W | R | R | 50.00% |
| Procter(R) | W | W | W | W | W | W | W | W | 0.00% |
| Quinones(R) | W | W | W | W | W | W | W | W | 0.00% |
| Reagan(R) | W | W | W | W | W | W | W | W | 0.00% |
| Rice(R) | W | W | W | W | W | W | W | W | 0.00% |
| Richardson(D) | R | R | R | R | W | R | R | R | 87.50% |
| Rivera(R) | W | W | W | W | W | W | W | W | 0.00% |
| Robaina(R) | W | W | W | W | W | W | W | W | 0.00% |
| Roberson(D) | R | R | R | R | W | W | R | R | 75.00% |
| Ross(R) | W | W | W | W | W | W | W | W | 0.00% |
| Rubio(R) | W | W | W | W | W | W | W | W | 0.00% |
| Russell(R) | W | W | W | W | W | W | W | W | 0.00% |
| Ryan(D) | R | R | R | R | R | R | R | R | 100.00% |
| Sands(D) | W | R | W | R | W | W | W | R | 37.50% |
| Sansom(R) | W | W | W | W | W | W | W | W | 0.00% |
| Seiler(D) | W | R | W | R | W | W | W | R | 37.50% |
| Simmons(R) | W | W | W | W | W | W | W | W | 0.00% |
| Slosberg(D) | R | R | R | NV | R | NV | R | R | 100.00% |
| Smith(D) | R | R | W | R | W | R | R | R | 75.00% |
| Sobel(D) | R | R | R | NV | R | R | R | R | 100.00% |
| Sorensen(R) | W | W | W | W | NV | NV | W | NV | 0.00% |
| Stansel(D) | W | W | W | R | W | W | W | W | 12.50% |
| Stargel(R) | W | W | W | W | W | W | W | W | 0.00% |
| Taylor(D) | W | R | W | R | W | W | W | R | 37.50% |
| Traviesa(R) | W | W | W | W | W | W | W | W | 0.00% |
| Troutman(R) | W | W | W | W | W | W | W | W | 0.00% |
| Vana(D) | R | W | R | R | W | NV | R | NV | 66.67% |
| Waters(R) | W | NV | NV | W | W | W | W | W | 0.00% |
| Willimas(R) | W | W | W | W | W | W | W | W | 0.00% |
| Zapata(R) | W | W | W | W | W | W | W | W | 0.00% |

KEY SENATE VOTES

| Senator | Vote 1 | Vote 2 | Vote 3 | Vote 4 | Vote 5 | Vote 6 | Vote 7 | Percentage Right |
|------------------------|--------|--------|--------|--------|--------|--------|--------|------------------|
| Alexander(R) | W | W | W | W | W | R | W | 14.29% |
| Argenziano(R) | W | R | W | W | R | R | R | 57.14% |
| Aronberg(D) | W | W | W | W | R | R | R | 42.86% |
| Atwater(R) | W | W | W | W | W | W | W | 0.00% |
| Baker(R) | W | W | R | W | W | W | W | 14.29% |
| Bennett(R) | W | W | W | W | R | R | W | 28.57% |
| Bullard(D) | W | W | W | W | R | R | NV | 33.33% |
| Campbell(D) | W | R | W | W | R | R | R | 57.14% |
| Carlton(R) | W | W | R | W | W | R | NV | 33.33% |
| Clary(R) | W | W | W | W | W | R | W | 14.29% |
| Constantine(R) | W | W | W | W | W | R | W | 14.29% |
| Crist(R) | W | W | W | R | W | R | W | 28.57% |
| Dawson(D) | W | R | W | W | R | R | R | 57.14% |
| Diaz de la Portilla(R) | W | W | W | W | R | R | W | 28.57% |
| Dockery(R) | W | W | W | W | R | W | NV | 16.67% |
| Fasano(R) | W | W | W | W | W | R | R | 28.57% |
| Garcia(R) | W | W | R | W | R | R | W | 42.86% |
| Geller(R) | W | R | W | W | R | R | R | 57.14% |
| Haridopolos(R) | W | W | W | W | W | W | W | 0.00% |
| Hill(D) | R | R | W | R | R | R | R | 85.71% |
| Jones(R) | W | W | W | W | R | R | R | 42.86% |
| King(R) | W | W | W | W | W | R | W | 14.29% |
| Klein(D) | W | R | W | W | R | R | R | 57.14% |
| Lawson(D) | W | W | W | R | R | R | W | 42.86% |
| Lee(R) | W | W | W | NV | W | R | NV | 20.00% |
| Lynn(R) | W | W | W | W | W | R | R | 28.57% |
| Margolis(R) | W | W | W | W | R | R | R | 42.86% |
| Miller(D) | R | R | W | W | R | R | R | 71.43% |
| Peaden(R) | W | W | W | W | W | R | W | 14.29% |
| Posey(R) | W | W | W | W | W | W | W | 0.00% |
| Pruitt(R) | W | W | W | W | W | R | W | 14.29% |
| Rich(D) | W | W | W | W | R | R | R | 42.86% |
| Saunders(R) | W | W | W | W | W | R | W | 14.29% |
| Sebesta(R) | W | W | W | W | W | R | W | 14.29% |
| Siplin(D) | W | W | W | W | R | R | R | 42.86% |
| Smith(D) | W | R | W | W | R | R | NV | 50.00% |
| Villalobos(R) | W | W | R | W | R | R | W | 42.86% |
| Webster(R) | W | W | R | W | W | W | W | 14.29% |
| Wilson(D) | R | W | W | W | R | W | NV | 33.33% |
| Wise(R) | W | W | R | W | W | W | W | 14.29% |

FLORIDA AFL-CIO RANKING PROCESS

STANDARDS FOR RANKING LEGISLATORS

- Effectiveness at passing/stopping legislation affecting workers, retirees and their families
- Consistency of supporting labor's position on legislation, whether or not the legislation passed
- Effectiveness at influencing colleagues on behalf of legislation beneficial to workers, retirees and families.
- Accessibility and openness to AFL-CIO lobbyists, union members and friends of labor.
- Fairness and willingness to help labor when we are outgunned (procedurally or in open discussion).

PROCEDURE

- Rate each legislator with whom you have had dealings or have observed in action. Ratings in each category should be listed from 1 to 5, with 1 being least effective and 5 being most effective.
- A legislator could receive a 1 for willingness to help labor, but a 5 for accessibility and openness.
- It is not necessary to rate legislators if you have not had any experience with them, but be as complete as possible to provide broad overall results.
- Responses are averaged for the final ranking score.
- The highest possible score is 25 (5 in each of 5 categories), the lowest possible score is 5 (1 in each of 5 categories).

The following rankings are the result of this effort. We would like to thank these ULL lobbyists for their participation in this project. Without them, these rankings could not have happened.

J. B. Clark
FEWA

L. W. Fowler
Florida AFL-CIO

Cindy Hall,
Florida AFL-CIO

Terry Kammer
IBEW System Council U-4

Mark Neimeiser
AFSCME

Frank Ortis
Fl. State Council of Machinists

Eric Riley
FEA/AFT

Dwayne Sealy
Florida AFL-CIO

Mike Williams
Florida Building Trades

2005 FLORIDA SENATE RANKINGS

| Ranking | Senator | Score |
|---------|--------------------------|-------|
| 1 | Rod Smith | 20.56 |
| 2 | Walter `Skip` Campbell | 20.22 |
| 3 | Ronald A. Klein | 20.11 |
| 4 | Lesley Miller, Jr. | 19.89 |
| 5 | Anthony C. Hill | 19.78 |
| 6 | Alfred J. Lawson Jr. | 18.67 |
| 7 | Dave Aronberg | 18.56 |
| 8 | Steven A. Geller | 18.56 |
| 9 | Frederica S. Wilson | 18.33 |
| 10 | James E. `Jim` King, Jr. | 18.13 |
| 11 | Gwen Margolis | 17.78 |
| 12 | Nan Rich | 17.44 |
| 13 | Tom Lee | 16.88 |
| 14 | Nancy Argenziano | 16.50 |
| 15 | Ken Pruitt | 15.67 |
| 16 | Larcenia J. Bullard | 15.22 |
| 17 | M. Mandy Dawson | 14.89 |
| 18 | Alex J. Villalobos | 14.67 |
| 19 | Alex Diaz de la Portilla | 13.83 |
| 20 | Victor Crist | 13.67 |
| 21 | Rodolfo Garcia | 13.57 |
| 22 | Gary Siplin | 13.25 |
| 23 | Dennis Jones | 12.57 |
| 24 | Lisa Carlton | 12.50 |
| 25 | Michael Bennett | 12.44 |
| 26 | Lee Constantine | 12.38 |
| 27 | Paula Dockery | 12.29 |
| 28 | Charlie Clary | 12.14 |
| 29 | Jim Sebesta | 11.86 |
| 30 | Mike Fasano | 11.83 |
| 31 | Jeff Atwater | 11.57 |
| 32 | Daniel Webster | 11.00 |
| 33 | Burt L. Saunders | 10.86 |
| 34 | Stephen R. Wise | 10.43 |
| 35 | Bill Posey | 10.00 |
| 36 | Durell Peaden, Jr. | 9.80 |
| 37 | JD Alexander | 9.44 |
| 38 | Evelyn J. Lynn | 8.86 |
| 39 | Mike Haridopolos | 8.67 |
| 40 | Carey Baker | 8.60 |

2005 FLORIDA HOUSE RANKINGS

| Ranking | Representative | Score | Ranking | Representative | Score | Ranking | Representative | Score |
|---------|------------------------------------|-------|---------|------------------------------|-------|---------|-----------------------------|-------|
| 1 | <u>Susan Bucher</u> | 21.25 | 41 | <u>Bob Allen</u> | 13.40 | 81 | <u>Larry Cretul</u> | 10.00 |
| 2 | <u>Ken Gottlieb</u> | 21.00 | 42 | <u>Ralph Arza</u> | 13.40 | 82 | <u>Mark Mahon</u> | 10.00 |
| 3 | <u>Dan Gelber</u> | 20.63 | 43 | <u>Mike Davis (M)</u> | 13.25 | 83 | <u>Aaron Bean</u> | 9.80 |
| 4 | <u>Tim Ryan</u> | 20.00 | 44 | <u>Nancy C. Detert</u> | 13.20 | 84 | <u>Bruce Kyle</u> | 9.80 |
| 5 | <u>Arthenia Joyner</u> | 19.50 | 45 | <u>Stan Jordan</u> | 13.00 | 85 | <u>Marsha Bowen</u> | 9.75 |
| 6 | <u>Joyce Cusack</u> | 19.38 | 46 | <u>Anna Holly Benson</u> | 12.83 | 86 | <u>Ed Homan</u> | 9.75 |
| 7 | <u>John P. Seiler</u> | 19.38 | 47 | <u>Joe Negron</u> | 12.75 | 87 | <u>David Simmons</u> | 9.75 |
| 8 | <u>Eleanor Sobel</u> | 19.38 | 48 | <u>Marco Rubio</u> | 12.67 | 88 | <u>Dave Russell</u> | 9.67 |
| 9 | <u>Loranne Ausley</u> | 19.13 | 49 | <u>Carl J. Domino</u> | 12.50 | 89 | <u>Sandra Adams</u> | 9.40 |
| 10 | <u>Christopher `Chris` Smith</u> | 19.00 | 50 | <u>Carlos Lopez-Cantera</u> | 12.50 | 90 | <u>Donald Brown</u> | 9.40 |
| 11 | <u>Curtis Richardson</u> | 18.83 | 51 | <u>Allan George Bense</u> | 12.33 | 91 | <u>Adam Hasner</u> | 9.33 |
| 12 | <u>Shelley Vana</u> | 18.75 | 52 | <u>Gus Michael Bilirakis</u> | 12.25 | 92 | <u>Dave Murzin</u> | 9.00 |
| 13 | <u>Charlie Justice</u> | 18.57 | 53 | <u>Ellyn Bogdanoff</u> | 12.00 | 93 | <u>Ray Sansom</u> | 9.00 |
| 14 | <u>Anne Gannon</u> | 18.50 | 54 | <u>Jennifer Carroll</u> | 12.00 | 94 | <u>Frank Farkas</u> | 8.67 |
| 15 | <u>Bob `Coach` Henriquez</u> | 18.38 | 55 | <u>Rene Garcia</u> | 12.00 | 95 | <u>Randy Johnson</u> | 8.67 |
| 16 | <u>Audrey Gibson (A)</u> | 18.25 | 56 | <u>Juan-Carlos Planas</u> | 12.00 | 96 | <u>Dennis K. Baxley</u> | 8.50 |
| 17 | <u>Ronald L. `Ron` Greenstein</u> | 18.25 | 57 | <u>David Rivera</u> | 12.00 | 97 | <u>Faye Culp</u> | 8.50 |
| 18 | <u>Richard A. Machek</u> | 18.00 | 58 | <u>Phillip J. Brutus</u> | 11.83 | 98 | <u>Stanley Mayfield</u> | 8.50 |
| 19 | <u>Franklin Sands</u> | 17.88 | 59 | <u>Dorothy Hukill</u> | 11.67 | 99 | <u>Baxter G. Troutman</u> | 8.50 |
| 20 | <u>Matthew Meadows</u> | 17.71 | 60 | <u>Marcelo Llorente</u> | 11.50 | 100 | <u>Trudi Williams</u> | 8.50 |
| 21 | <u>Dorothy Bendross-Mindingall</u> | 17.57 | 61 | <u>Leslie Waters</u> | 11.40 | 101 | <u>Thad Altman</u> | 8.33 |
| 22 | <u>Yolly Roberson</u> | 17.29 | 62 | <u>Dick Kravitz</u> | 11.20 | 102 | <u>Anitere Flores</u> | 8.33 |
| 23 | <u>Wilbert Holloway</u> | 17.00 | 63 | <u>Ken Littlefield</u> | 11.20 | 103 | <u>Hugh Gibson, III (H)</u> | 8.33 |
| 24 | <u>Ed Jennings, Jr.</u> | 16.86 | 64 | <u>Frank Attkisson</u> | 11.00 | 104 | <u>Everett Rice</u> | 8.33 |
| 25 | <u>Priscilla Taylor</u> | 16.50 | 65 | <u>Donald Davis (D)</u> | 11.00 | 105 | <u>Thomas Anderson</u> | 8.00 |
| 26 | <u>Frank Peterman</u> | 16.33 | 66 | <u>Andy Gardiner</u> | 11.00 | 106 | <u>Fred Brummer</u> | 8.00 |
| 27 | <u>Terry Fields</u> | 16.25 | 67 | <u>Jeff Kottkamp</u> | 11.00 | 107 | <u>L. Ralph Poppell</u> | 8.00 |
| 28 | <u>Gustavo Barreiro</u> | 16.00 | 68 | <u>Mitch Needelman</u> | 11.00 | 108 | <u>Ron Reagan</u> | 8.00 |
| 29 | <u>Ari Porth</u> | 16.00 | 69 | <u>John Stargel</u> | 11.00 | 109 | <u>Rich Glorioso</u> | 7.67 |
| 30 | <u>Will S. Kendrick</u> | 15.83 | 70 | <u>Trey Traviesa</u> | 11.00 | 110 | <u>Dean Cannon</u> | 7.33 |
| 31 | <u>Mary Brandenburg</u> | 15.57 | 71 | <u>Kim Berfield</u> | 10.83 | 111 | <u>Charles S. Dean</u> | 7.33 |
| 32 | <u>Bruce Antone</u> | 15.00 | 72 | <u>Susan Goldstein</u> | 10.75 | 112 | <u>Greg Evers</u> | 7.33 |
| 33 | <u>Julio Robaina</u> | 15.00 | 73 | <u>David J. Mealar</u> | 10.67 | 113 | <u>Michael Grant</u> | 7.33 |
| 34 | <u>Dwight Stansel</u> | 14.86 | 74 | <u>Pat Patterson</u> | 10.60 | 114 | <u>Denise Grimsley</u> | 7.33 |
| 35 | <u>Edward B Bullard (E)</u> | 14.63 | 75 | <u>Juan C. Zapata</u> | 10.50 | 115 | <u>Gayle Harrell</u> | 7.33 |
| 36 | <u>Irving Slosberg</u> | 14.50 | 76 | <u>Donna Clarke</u> | 10.40 | 116 | <u>Alan Hays</u> | 7.33 |
| 37 | <u>Ken Sorensen</u> | 14.29 | 77 | <u>John Quinones</u> | 10.40 | 117 | <u>Bill Proctor</u> | 7.33 |
| 38 | <u>Dennis Ross</u> | 14.00 | 78 | <u>Bill Galvano</u> | 10.33 | 118 | <u>Paige Kreegel</u> | 6.67 |
| 39 | <u>Sheri McInvale</u> | 13.67 | 79 | <u>J. Dudley Goodlette</u> | 10.17 | 119 | <u>John Legg</u> | 6.67 |
| 40 | <u>Joe Hill Pickens</u> | 13.50 | 80 | <u>Kevin C. Ambler</u> | 10.00 | | | |

The following House Member was not ranked by our ULL lobbyists.
David Coley (Deceased)

