



FLORIDA AFL-CIO  
UNITED LABOR LOBBY



# 2006

## *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	Marti Coley (R)	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 (R)	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 (R)	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 (D)	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 Lauderhill	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 (R)	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 (R)	Broward, Collier, Miami-Dade
H - 113 Miami	Carlos Lopez-Cantera (R)	Miami-Dade
H - 114 Miami	Anitere Flores (R)	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 2006 Legislative Session.

<b>Florida AFL-CIO</b>	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
<b>AFSCME Council 79</b>	Jeanette Wynn Doug Martin
<b>AFSCME 1199</b>	Mark Neimeiser
<b>CWA Council of Florida</b>	Gail Marie Perry
<b>Florida Education Association</b>	Andy Ford Members of the FEA Lobbying Team
<b>Duval Teachers United</b>	Terrie Brady
<b>United Teachers of Dade</b>	Joe Minor
<b>Florida Building Trades Council</b>	Mike Williams
<b>Florida Electrical Workers Assn.</b>	J. B. Clark
<b>IBEW System Council U-4</b>	Terry Kammer
<b>Florida State Council of Machinists</b>	Frank Ortis
<b>UAW/Jai Alai Players</b>	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**

## **Protecting the Constitution**

Florida's citizens' ballot initiative process is the last vestige of direct democracy in our state. Florida's government is firmly in the grip of a single party; a condition which always leads to abuses of power regardless of the party in control. This combined with Florida's heavily gerrymandered political districts in which most legislators are selected with no opposition, has led many in the legislative leadership to consider the people irrelevant to the process. Issues of great importance to the voters have routinely been ignored, forcing the people to go to the ballot to institute the policy changes they care about. Mandated increases in funding for our public schools, voluntary pre-K programs for children, laws requiring full public disclosure by elected officials, a new state minimum wage and protections against unnecessary tax increases all were passed into law as constitutional amendments after years of inaction by an irresponsible legislature. This process is our right, guaranteed by Florida's Constitution, yet many powerful special interest groups and their cronies in the legislature have been working for the past four years to take it away through a "death by a thousand cuts." As directed by the delegates at the 2005 Biennial Convention, the Florida AFL-CIO has made defending the rights of voters to amend the Constitution a top priority.

For the past two years, we have worked with a broad coalition of diverse organizations like ACORN, the League of Women Voters, Common Cause, the Sierra Club, Clean Water Action and the Humane Society to beat back attempts by the legislature to weaken this process. Some of these proposals have been successful. In 2004, the voters approved a legislature sponsored amendment that greatly reduced the amount of time citizens had to collect the signatures required for ballot placement. Last year, the Legislature succeeded in placing a proposal on this year's ballot that will require a 60% supermajority vote for the passage of all new proposed amendments. Florida's labor movement is organizing to defeat this measure. This session, three major proposals were introduced that would have further restricted, if not eliminated, the citizens' initiative process. The first was a proposal that would have created a Subject Matter Filter, allowing the legislature to decide what could appear on the ballot and what could not, regardless of what the people wanted. The second was an initiative requiring a 66% "super" supermajority vote for any citizens' initiative that required any type of government expenditure. Both of these would have been in the form of constitutional amendments and would have required voter approval. The final, and perhaps most insidious change would have been in the form of a statute and would not have required voter approval. This statutory change would have placed onerous new restrictions on petition signature gathering and would have made it impossible for future issues to ever make it to the ballot.

**In short, the Florida AFL-CIO and Save the Voters Voice were 100% successful and all of these measures were defeated. We discuss each of these in the following pages.**

**Citizens' Initiatives / Signature Gathering**

**Failed**

- SB 1244** by Alexander, Baker
- HB 773** by Goodlette, Carroll, Hasner, Troutman
- SB 720** by Posey

Florida AFL-CIO Position: **Oppose**

- SB 1244** – Passed Senate Ethics and Elections, **failed in Criminal Justice**
- HB 773** – Passed House Ethics and Elections, Transportation and Economic Development Appropriations, State Administration Council, **died on House Calendar**
- SB 720** – Passed Senate Ethics and Elections, **failed in Judiciary**

The Florida Chamber of Commerce and their allies in Tallahassee intensified their push to make it impossible for the people to amend their constitution this year. Many of the new restrictions were proposed as constitutional amendments and would have required passage by the voters. The most insidious however, was proposed as a statutory change and would not have been subject to voter approval. This “devious plan” would have changed the process through which signatures are gathered to place items on the ballot in ways that would have made it impossible for the people to be successful, killing all amendment drives before they made it to the ballot. The legislation would also have added onerous new restrictions on the ability for grassroots groups to help register new voters.

This is the second year that this legislation was introduced. Last year, in spite of intense pressure from the powerful Chamber lobbyists, the bill died on the Senate calendar in the last few hectic hours of the session. This year, a conscientious group of Republican Senators broke ranks with the Party leadership and stood up to the powerful business lobby in favor of protecting the rights of voters. Thanks to the support of Republican Senators Alex Villalobos and Evelyn Lynn and the tireless work of Democrats Rod Smith, Les Miller, Skip Campbell and others, we were able to accomplish the often impossible and stopped both of the Senate bills in committee.

The citizens’ initiative has become an important tool for Florida’s working families to make the changes necessary to improve their lives. Without it we would never have a voluntary pre-K program, a state minimum wage or restrictions on class sizes. The Florida AFL-CIO has made protecting this critical form of direct democracy a priority both in the legislative process and at the ballot box. This was a hard fought victory, one we share with our allies in ACORN, Common Cause, Clean Water Action, the Sierra Club, Florida PIRG and the League of Women Voters. The Chamber has already promised to bring this issue back next year and has threatened that the legislation will be more oppressive than ever. We are already working with members in the Legislature on both sides of the aisle to beat it back.

**Senate Criminal Justice Committee Vote on SB 1244**

In a procedural move, SB 1244 was “temporarily passed” before a vote could be taken. We had commitments from Senators Lynn, Smith, Klein and Wilson to vote “no.” These votes would have defeated the bill. Senators Wise, Crist, Haridopolos and King were expected to vote in favor of the bill.

**Senate Judiciary Committee Vote on SB 720**

<b>Senate Judiciary Committee</b>	
Webster (R)	Y
Villalobos (R)	N
Baker (R)	Y
Clarey (R)	Y
Posey (R)	Y
Aronberg (D)	N
Campbell (D)	N
Geller (D)	N

**House Ethics and Elections Vote on HB 773**

House Ethics and Elections Committee	
Reagan (R)	NV
Caroroll (R)	Y
Bogdanoff (R)	Y
Bowen (R)	Y
Pickens (R)	Y
Ross (R)	NV
Waters (R)	Y
Bucher (D)	N
Gannon (D)	N
Joyner (D)	N
Ryan (D)	N

**House Transportation and Economic Development Vote on HB 773**

Transportation & Economic Development Appropriations			
D. Davis (R)	Y	Johnson (R)	Y
Llorente (R)	Y	Kravitz (R)	Y
Billrakis (R)	Y	McInvale (R)	NV
Bogdanoff (R)	Y	Patterson (R)	NV
Clarke (R)	Y	Sansom (R)	Y
Coley (R)	Y	Ausley (D)	Y
M. Davis (R)	NV	Bucher (D)	N
Glorioso (R)	Y	Cusack (D)	N
Harrell (R)	Y	Jennings (D)	Y
Hasner (R)	Y	Slosberg (D)	N

**Citizens' Initiatives / Subject Filter Failed**

**SJR 26** by King, Atwater

Florida AFL-CIO Position – **Oppose**

**SJR 26** – Passed Senate Ethics and Elections, **died in Judiciary**

This joint resolution would have placed a proposed constitutional amendment on the ballot that would have dramatically reduced the possible subjects that could be proposed by a citizen initiative. The key change would have been new restrictions on Article X of Florida's Constitution. Many popular initiatives have involved Article X, including the state minimum wage, workplace tobacco restrictions and slot machines. These amendments would have been impossible had these restrictions on Article X proposed by this initiative been in place. The other new restrictions contained in this proposed amendment could also have made the Class Size Amendment impossible. Florida's Supreme Court and many legal scholars have suggested a "subject filter" provision in conjunction with a statutory initiative process, so that subjects that do not meet this new constitutional test could still be voted on by the people as a statutory change. The omission of this second piece made it abundantly clear that goal was not to protect the Constitution, but to protect Tallahassee's behind-the-scenes power brokers from the will of the voters. The Florida AFL-CIO and ULL worked to elevate the profile of this issue to make it too controversial to be taken up. Also, many social conservatives were concerned that had this amendment been in place by 2008, the gay marriage ban would not have been possible. The Republican Party and other groups are determined to have this on the ballot in 2008 as a wedge issue, trying to convince voters to be more concerned about gay marriage than about their pensions, paychecks or national security. This issue is sure to return in the next two years.

## Citizens' Initiatives / Fiscal Impact Restrictions

**Failed**

**SJR 1436** by Atwater, Campbell, Aronberg, Haridopolos, Posey

**HJR 7037** by Simmons, Carroll, Evers, Kottkamp, Murzin, Pickens, Traviesa, Troutman, Williams

Florida AFL-CIO Position: **Oppose**

**SJR 1436** – Passed Senate Government Efficiency Appropriations, Ways and Means, **died on the Senate Calendar**

**HJR 7037** – Passed House of Representatives, **died in Senate**

These joint resolutions aimed to restrict the people's right to amend the Constitution by raising the vote threshold for the passage of amendments deemed by the Legislature and the courts to involve a "significant" fiscal impact. The bar for "significant" spending was intentionally set so low that almost all amendments could be forced to satisfy the need for a supermajority vote. The House version for example, defined "significant" spending as expenditures in excess of the 2/10 of 1% of the General Revenue for the prior budget year. Since General Revenue is really only about half of the total budget (the rest coming from trust fund revenue etc.) the amount would have totaled only about 1/10 of 1%. Based on last year's budget, this would have equaled about \$50 million. Fifty million is not enough money to fund even the basic administration costs of a significant program, meaning that all future amendments could be subject to a supermajority vote.

To make matters worse, political appointees and Tallahassee insiders would have had the ability to decide how much a proposal would cost. As we have seen over the past few years, budget numbers can be inflated, deflated or spun to serve the interests of those in power. Politicians would have gotten to make the decisions about which initiatives must garner the supermajority vote.

Many in the legislature claimed that this constitutional change was needed to protect the taxpayers. However, these same voices have refused to look at many special interest tax breaks that cost taxpayers much more than \$50 million (the sales tax exemption for charter fishing boats alone costs the taxpayers more than half that amount.) This was not about fiscal responsibility, it was simply a ploy to make it harder for the people to enact the policies and programs they want but which the legislature and their special interest masters don't want them to have.

The Florida AFL-CIO, ULL and the Save the Voters' Voice coalition worked hard with our allies in the Senate, both Republican and Democrat alike to ensure that the measure did not have the votes necessary for passage. However, this is a priority for the business community and we are confident that it will be back next session.



"N" - 27

"Y" - 90

OUR VOTE "N"

House Fiscal Impact Constitutional 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)	Y	Clarke (R)	Y	Gottlieb (D)	N	Lopez-Cantera (R)	Y	Ross (R)	Y
Anderson (R)	Y	Coley (R)	Y	Grant (R)	Y	Machek (D)	N	Rubio (R)	Y
Antone (D)	N	Cretul (R)	Y	Greenstein (D)	N	Mahon (R)	Y	Russell (R)	N
Arza (R)	Y	Culp (R)	Y	Grimsley (R)	Y	Mayfield (R)	Y	Ryan (D)	Y
Attkisson (R)	Y	Cusack (D)	N	Harrell (R)	Y	McInvale (R)	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)	N
Bense (R)	NV	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)	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)	Y	Reagan (R)	Y	Waters (R)	Y
Brutus (D)	NV	A. Gibson (D)	N	Kreegle (R)	Y	Rice (R)	Y	Williams (R)	Y
Bucher (D)	N	H. Gibson (R)	Y	Kyle (R)	Y	Richardson (D)	N	Zapata (R)	Y

## Re-writing Florida's Constitution Failed

**SB 1918** by Senate Judiciary, Posey  
**HB 7165** by House Judiciary, Simmons

Florida AFL-CIO Position: **OPPOSE**

**SB 1918** – Passed the Florida Senate, died in **House Messages**  
**HB 7165** – Passed House Justice Council, died on **Calendar**

This effort was probably the worst example of legislative overreaching we have seen in quite some time. In late 2005 during interim committee meetings, Senator Daniel Webster and Representative David Simmons, the chairs of each of their chambers' respective Judiciary Committees, began discussing an unprecedented idea...one that sent a chill down the spines of many organizations that work to advance a working family agenda. The plan, according to both Webster and Simmons, was quite simple. Using the authority to propose constitutional amendments granted the Legislature by the Constitution, the House and Senate would draft a new constitution in the form of a "strike all" amendment and put that amendment on the 2006 ballot for a vote by the people. Senator Webster began with a modest proposal; the correction of hundreds of minor spelling and grammatical errors and the removal of some obsolete provisions. Representative Simmons and the House Judiciary Committee piled on eight more substantial changes that would have removed several amendments added to the Constitution through citizens' ballot initiatives. These included:

- Florida's state minimum wage
- The Graham amendment creating the current university governance system

- The right for patient's to know about their doctor's prior adverse medical incidents
- The repeal of medical licenses for repeated medical malpractice
- Restrictions on compensation in medical malpractice claims
- The ban on factory pig farming practices
- English as the official language of Florida

While the Senate Judiciary Committee agreed with some of these in their final draft, Senator Webster had to strip these changes from his bill to gain the support needed for passage and the proposal to correct the spelling and grammar errors and the obsolete provision passed with a unanimous vote. However, time ran out before a deal could be brokered between the House and Senate and the measure failed.

The Florida AFL-CIO, ULL and our allies in Save the Voters Voice worked tirelessly against this proposal for several important reasons. First, this would have set a very dangerous precedent one that could see all future legislative sessions devolve into "mini" constitutional conventions. Second, Florida's Constitution already has a process in place to analyze and make needed changes to the document, the Constitutional Revision Commission. The Commission process involves months of careful deliberations by Republicans and Democrats, constitutional scholars, policy experts and most importantly the people of Florida. It also includes town hall meetings and public hearings across the state, a far better way to change the Constitution than the 8 minutes in a committee meeting that the House gave their proposal (the Senate deliberations only took about 45 minutes). Finally, the idea of lumping all of these changes together in a single ballot question with a simple up-or-down vote would have put the voters in an impossible position. For example, people who feel that factory farming should not be included in the Constitution but that the minimum wage should be would be forced to make a choice between the two unrelated amendments.

It is unclear whether or not this egregious power grab will come back next year, but with no shortage of legislative arrogance, we would not be surprised if it did.

**Constitutional Limit on Appropriations** **Failed**  
 SJR 1158 by Haridopolos

Florida AFL-CIO Position: **OPPOSE**

**SJR 1158 – Failed in the Senate** (received a majority but not the necessary 3/5 vote)

In 1984, Florida voters approved a constitutional amendment placing limits on the state's ability to raise revenue; in other words, raise taxes. Revenue collection is limited to the prior fiscal year's amount plus an adjustment for growth. That growth adjustment is based on the aggregate personal income of Floridians. 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 mean 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 growth adjustment would be based on Florida's median household income. This provision could be set aside through an emergency declaration of the Governor or in a time of war. This bill has essentially one purpose...the elimination of state government. 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 -- meaning the Legislature would have to cut \$6.8 billion rather than the \$1.3 billion they had to cut at that time. This situation has not changed, even with the current budget surplus. Should this constitutional amendment ever pass, the situation would worsen TEN FOLD! Fortunately, a coalition of reasonable Republicans and Democrats were able to muster the votes necessary to keep this proposal off the ballot for another year.

REQUIRED A 3/5 VOTE

"N" - 19

"Y" - 20

OUR VOTE "N"

Constitutional Limit on Appropriations							
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)	Y	Lawson (D)	N	Sebesta (R)	Y
Baker (R)	Y	Dockery (R)	N	Lee (R)	Y	Siplin (D)	N
Bennett (R)	Y	Fasano (R)	Y	Lynn (R)	N	Smith (D)	N
Bullard (D)	N	Garcia (R)	NV	Margolis (D)	N	Villalobos (R)	N
Campbell (D)	N	Geller (D)	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

**Elections – Restoration of Civil Rights Passed**

**SB 432** by Wilson, Miller, Lawson, Hill, Bullard  
**HB 55** by Smith, Bucher, Bullard, Fields, A. Gibson, Holloway, Jennings, Joyner, Meadows, Needelman, Richardson, Roberson, Sands, Seiler, Taylor

Florida AFL-CIO Position: **SUPPORT**

**SB 432** – Passed Senate Criminal Justice, Community Affairs, Judiciary, **substituted by HB 55**  
**HB 55** – Passed House, Senate, **signed by Governor on June 12<sup>th</sup>**.

The law that prohibits former felons from voting is an antiquated holdover from the Civil War and Reconstruction, one that has been used in recent years for partisan advantage by the party currently in power. Florida is one of only a few 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 and the Florida AFL-CIO has long supported full and automatic restoration of their rights.

While this legislation will not provide for the repeal of this antiquated system and will not grant former felons their rights instantaneously, it will help these felons through the process. This legislation bill places the responsibility for initiating the process of restoring civil rights on the administrators of county detention facilities. If possible, within two weeks of a prisoner being released from a county detention facility, the administrator must provide the prisoner with an application for restoration form from the Parole Commission. It would then be the prisoner’s responsibility to complete the form. The bill provides that the administrator of the county detention facility may allow visitors to help the prisoners complete their application. The proposed legislation does not apply to prisoners who are released to the custody of the Department of Corrections. Those prisoners are exempted from this legislation because their restoration of civil rights process would be covered by the Department of Corrections. This is a major step forward in removing what has long been a shameful component of Florida’s election process.

**Elections – “Shooter Voter” Passed**

**SB 208** by Baker, Saunders, Posey  
**HB 125** by Evers, Allen, Ambler, Baxley, Clarke, D. Davis, Detert, Galvano, Grant, Harrell, Hays, Kendrick, Kreegel, Legg, Macheck, McInvale, Murzin, Needelman, Proctor, Robaina, Sansom, Traviesa, Troutman

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

**SB 208** – Passed Senate Environmental Preservation, Ethics and Elections, Transportation and Economic Development Appropriations, **substituted by HB 125**

**HB 125 – Passed House, Senate, signed by Governor on June 7<sup>th</sup>**

The public got a healthy dose of legislative hypocrisy this year during the consideration of these two bills. Dubbed “shooter voter” by the Capitol Press Corps, this legislation, pushed by the National Rifle Association, would have required any business operating as sub-agents of the Florida Fish and Wildlife Commission for the sale of hunting and fishing licenses to also engage in voter registration activities. NRA lobbyist Marion Hammer said in an interview on Florida Public Radio that the NRA was pushing this to help encourage that “our kind of people get out and vote.” In a time when the NRA has become a political arm of the Republican Party, regardless of the gun ownership issues involved, one has to wonder what “our kind of people” is supposed to mean. This push was laughable when one considers that just last year the legislature passed sweeping changes to the voter registration laws that make it impossible for grass-roots organizations (like labor) to register people to vote. Last year’s legislation forces any group that helps register voters to register as a “third party voter registration organization,” places stiff new requirements on them and calls for harsh penalties for even the most minor mistakes. This year, all of the debate about the needs to tighten up the rules governing voter registration to prevent fraud were forgotten when the leadership was presented with a system through which new voters, statistically shown to more likely support Republicans, would have an easier time registering to vote.

The business community balked, not wanting large and small businesses alike to have to deal with the increased costs and paperwork that would have been involved, so the legislation was greatly watered down so that now, the FWC will require that their subagents ask all of their customers if they want to register to vote and supply the necessary voter registration information. Employees of the subagent are prohibited from helping customers fill out the forms and are not allowed to collect completed voter registration forms.

The Florida AFL-CIO supports full civic involvement by all of our citizens and fully believes that voter registration should be as available and convenient as possible. However, thanks to the law passed just last year, the labor movement is currently unable to help our members and their families register to vote. We have joined a lawsuit challenging the legality of the change but it will be some time before the matter is resolved in the courts. Since HB 125 specifically exempts the FWC subagents from the third party voter registration organization requirements, we and other grass-roots groups will have to sit on the sidelines while Wal-Mart and other businesses are free to engage in voter registration activities designed to boost the voter rolls for the party in power.

**Minimum Wage Posting Requirement Passed**

**SB 786** by Hill, Miller, Crist

**HB 1211** by Fields, Sobel

Florida AFL-CIO Position: **SUPPORT**

**SB 786 – Passed the Senate, House, signed by Governor June 6<sup>th</sup>**

**HB 1211 – Substituted by SB 786, laid on table**

In 2005, opponents to the then new state minimum wage introduced legislation that would have gutted the constitutional amendment by placing undue burdens on the workers trying to get their increased wage and by providing legal loopholes for businesses that do not pay it. A compromise was reached and the legislation passed. One critical component that did not make it in the final compromise was any type of notice requirement so that workers knew when the wage increases take effect. This bill added that component. With the passage of this legislation, Florida law now requires all employers to post workplace notices about the new statewide minimum wage and post subsequent notices when the wage is recalculated each year due to inflation. Informing employees of the legal minimum wage is the best way to ensure full enforcement of the minimum wage law, since employees have the greatest interest in its enforcement. While this is a minor change in the law, it is a major victory.

# Privatization Accountability

Passed

SB 2518 by Argenziano  
HB 7185 by Rivera

Florida AFL-CIO Position: **SUPPORT**

**SB 2518** – Passed the Senate, House, **signed by Governor on June 15<sup>th</sup>**  
**HB 7185** – Passed House State Administration Appropriations, State Administration Council, **substituted by SB 2518**

Privatization, or the outsourcing of public works and services, is one of the biggest threats to working families in history. 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. Last year however, legislators took notice and succeeded in passing legislation that would have shut the doors (at least partially) on the corporate candy store and provided taxpayers with some accountability about how their dollars are being spent. Unfortunately, the Governor, who is a national poster child for privatization, vetoed the legislation.

This year, Senator Argenziano re-filed her bill (SB 2518) to bring some measure of accountability to the privatization/outsourcing process. The Legislature approved the bill and the Governor signed it.

This legislation creates the Council on Efficient Government to review proposed privatization projects. The bill requires that an agency develop a detailed business case to privatize a service and present that report to the new council, the Governor, and the Legislature for review if the privatization contract will cost more than \$1 million in any fiscal year. If the proposal is estimated to cost more than \$10 million in any fiscal year, the council must conduct its own analysis and submit it to the Legislature and Governor before the project can proceed. These contracts valued at greater than \$10 million, will have new restrictions placed on them to ensure that they are not changed in any way without a thorough review by the Legislature and the Governor's office. The legislation further requires that when a privatization contract is valued in excess of \$1 million, one of the negotiators must be certified as a contract negotiator by the Department of Management Services and when a contract is valued in excess of \$10 million; one of the negotiators must be certified as a Project Management Professional. The bill also places new restrictions about the ways in which private contractors may communicate with state officials during the initial bid and contract review process and specifies new restrictions on contractor supervision of state employees, and prohibits contractor involvement in procurements in which the contractor has an interest. Unfortunately, several important provisions regarding the re-employment of displaced state workers were removed during the amendatory process.

The Florida AFL-CIO has long known that the privatization experiment would end in failure but the Legislature rushed in regardless. While this legislation does not fix the process, it is an important first step. Once this program is in place, the mechanisms will be in place to help collect the information needed to convince legislative leaders to reverse course and begin restoring state services to the people's control through state government.



# **Public Employees**

## **Public Employee Per Diem / Travel Expenses** **Passed**

**SB 428** by Lawson, Smith, Fasano  
**HB 477** by Ausley, Macheck, Mealor, Waters

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

**SB 428** – Passed Senate, House, **signed by Governor May 30<sup>th</sup>**  
**HB 477** – Combined with HB 117 into HB 6001, **substituted by SB 428**

The Legislature last increased the rates for per diem and meals in 1981, and the rate for mileage in 1994. The bill amends s. 112.061, F.S., effective July 1, 2006, so that:

- The \$50 per diem rate for travelers would be increased to \$80.
- The \$3 breakfast rate for travelers would be increased to \$6.
- The \$6 lunch rate for travelers would be increased to \$11.
- The \$12 dinner rate for travelers would be increased to \$19.
- The 29 cents per mile rate for travelers using a privately owned vehicle would be increased to 44.5 cents per mile.

The bill also permits specified county-level entities to enact policies that vary from the standard rates so long as those rates are not less than the authorized rates for FY 2005-2006.

## **FRS – Special Risk Retirement – Forensic Workers** **Failed**

**SB 2246** by Lawson  
**HB 1223** by Macheck, Jennings Jr., Richardson

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

**SB 2246** – Passed Senate Criminal Justice, **died in Governmental Oversight and Productivity**  
**HB 1223** – Passed House Governmental Operations, **died in Local Government Council**

## **FRS – Special Risk Retirement – Juvenile Justice** **Failed**

**SB 748** by Wise, Fasano  
**HB 601** by Meadows

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

**SB 748** – Passed Senate Criminal Justice, **died in Governmental Oversight and Productivity**  
**HB 601** – **Died in House Governmental Operations**

The Special Risk Category of the FRS was designed to provide additional retirement assistance to those workers who serve the public in jobs that pose unique and serious hazards. Traditionally, special risk retirement status has been afforded to police officers, firefighters and others in especially challenging or potentially dangerous occupations. In recent years, the number and type of employees who qualify for special risk status has increased. Unfortunately, petty politics has clouded this process. In many cases, upper level managers and supervisors have been afforded special risk status while workers on the front line, the ones doing the truly difficult or dangerous work, have not. For example, in forensic health care facilities, managers and professional personnel have been given special risk status but the frontline

staffers, the workers who deal directly with dangerous patients, have not. In other areas of the public sector, the workers have been left out of consideration for special risk status altogether. Juvenile Justice Detention workers are placed in harm's way each and every day as they try to provide the services the young people in the system deserve. In spite of these dangers, these workers have yet to have been granted special risk status under the Florida Retirement System. These bills would have corrected these injustices and ensured that more public sector workers are granted the special risk status they deserve. Unfortunately, this issue has not yet been a made a priority by the legislative leadership. The Florida AFL-CIO and ULL will continue to work with our allies to make sure that this problem is corrected.

## **FRS – Increased Health Insurance Subsidy **Failed****

**SB 442** by Lawson, Argenziano, Bennett

**HB 105** by Allen, Antone, Ausley, Barreiro, Bilirakis, Brandenburg, Brutus, Bullard, Culp, Fields, Greenstein, Hays, Henriquez, Justice, Kendrick, Kravitz, Kreegel, McInvale, Porth, Reagan, Rice, Richardson, Sansom, Sorensen, Zapata

Florida AFL-CIO Position: **SUPPORT**

**SB 442** – Passed Senate Governmental Oversight and Productivity, **died in Ways and Means**

**HB 105** – Passed House Governmental Operations, died in **Fiscal Council**

Everyone is aware that health insurance costs are spiraling. While Congress has tinkered with Medicare, which has done nothing but provide the drug companies with windfall profits, they have done NOTHING to reduce health care costs. Similarly, in Tallahassee, Jeb Bush is pushing to privatize Medicaid to lower the state's share of the costs, but is doing NOTHING to reduce costs within the health care system. Retirees are often in a particularly difficult position. These bills would have increased the monthly health insurance premium subsidy (HIS) payable to retirees and beneficiaries of the Florida Retirement System by \$2 per month per year of creditable service, so that the minimum subsidy would rise to \$42 monthly and the maximum \$210. HB 105 also provided that a spouse at the time of an FRS participant's death will be considered a beneficiary for purposes of the retiree health insurance subsidy unless a different beneficiary has been designated. These changes would have helped members of the Florida Retirement System and their families cope with rising health care costs and better satisfy the needs of public employees who have given years of service to the people of Florida. The Florida AFL-CIO and ULL will continue to fight for these needed changes while simultaneously pursuing other policy options designed to reduce the overall cost of health care for everyone.

## **Education**

### **Class Size Amendment Repeal / 65% Deception **Failed****

**SJR 1150** by Pruitt, Alexander, Webster, Wise, Baker, Argenziano, Sebesta, Constantine, Fasano, Lynn, Saunders, Crist, Peaden, Bennett, Haridopolos, Carlton, Posey, King, Atwater, Clary

**HJR 447** by Pickens, Hasner, Stargel, Arza, Baxley, Brummer, Cannon, Carroll, Grant, Harrell, Hays, Kottkamp, Kreegel, Legg, Murzin, Proctor, Reagan, Sansom, Zapata

Florida AFL-CIO Position: **OPPOSE**

**SJR 1150** – Passed Senate Education Committee, Education Appropriations, **failed on the Senate floor (tie vote, 3/5 required for passage)**

**HJR 447** – Passed the House, **died in the Senate**

Governor Jeb Bush has made repealing the voter mandated constitutional amendment on class size a

cornerstone of both his education policy and his overall legacy as Florida's governor. Consequently, this single issue became pivotal, and perhaps more than any other, will historically define the 2006 Legislative Session. The Governor's push to repeal the class size amendment involved incredible arm twisting, millions of dollars in appropriations, stripping the Senate majority leader of his post and a major split in the majority party in the Senate. Just like the attempts made by the Governor last year, the changes in these proposed amendments were completely unacceptable.

They would have removed hard caps on the number of students that could be crammed into a single classroom and replaced them with two rosy sounding policies taken right out of the extreme right-wing's anti-education propaganda play book, the 65% Solution and class size district averages.

The "65% Solution" is being pushed nationwide by an organization called First Class Education and Patrick M. Byrne, the President and Chairman of Overstock.com. Byrne, who has become something of a voucher zealot and darling of the Republican Party, has been pushing states to enact policies that require all school districts to spend at least 65% of their total budgets on classroom expenses. This will make it easier to privatize school functions, undercut the bargaining power of school employee unions and allow for an overall reduction in school funding (paying for nice big tax cuts).

This 65% figure has always been completely arbitrary, and the definition of classroom expenses was never defined in the proposed amendment or during the debate. The proposed amendment did nothing to mandate reductions in class sizes or increases in teacher pay and did not account for other critical student expenses like transportation and food service. If districts were forced to take funding from these important service areas, what will happen to the bus drivers, cafeteria personnel and safety officers? More importantly, what will happen to our kids without them? Many districts could already claim that they were meeting this mandate, but their classes were still too large and their teachers are not being adequately compensated for their work. Supporters of the "65 Percent Solution" argued that this change MAY have led to \$1 billion more in classroom dollars. However, repealing the class size WOULD HAVE eliminated \$15 billion in constitutionally guaranteed revenues for our public schools.

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? If the class size amendment had been changed to use district wide averages, wealthy suburban schools with smaller class sizes could have compensated for poorer urban schools with larger classes. Floridians demanded smaller class sizes for all students, not an average.

The ULL worked with the Florida Education Association which mounted a heroic fight to protect the Class Size Amendment. Thousands of teachers, parents and students all over the state pressured their elected officials to do the right things and tell Jeb once and for all that the will of the voters must be respected and the class size amendment honored. In spite of the titanic power wielded by this Governor, his threats of withholding appropriations in the budget and to unseat any Republicans who did not vote his way, six Republicans broke ranks and robbed him and his supporters of the 3/5 vote needed to put the measure on the ballot. This was a major victory for Florida's kids, one that should prove a definitive one for the future of education policy in Florida.

OUR VOTE "N" - 20

Repealing the Class Size Amendment							
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)	Y	Lawson (D)	N	Sebesta (R)	Y
Baker (R)	Y	Dockery (R)	N	Lee (R)	Y	Siplin (D)	N
Bennett (R)	Y	Fasano (R)	Y	Lynn (R)	N	Smith (D)	N
Bullard (D)	N	Garcia (R)	N	Margolis (D)	N	Villalobos (R)	N
Campbell (D)	N	Geller (D)	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

"N" - 40

"Y" - 74

OUR VOTE "N"

Repealing the Class Size Amendment									
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)	N
Altman (R)	Y	Carroll (R)	Y	Goodlette (R)	Y	Llorente (R)	N	Roberson (D)	N
Ambler (R)	NV	Clarke (R)	Y	Gottlieb (D)	N	Lopez-Cantera (R)	Y	Ross (R)	Y
Anderson (R)	Y	Coley (R)	Y	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)	N	Grimsley (R)	Y	Mayfield (R)	Y	Ryan (D)	N
Attkisson (R)	Y	Cusack (D)	N	Harrell (R)	Y	McInvale (R)	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)	NV	Hays (R)	Y	Mealor (R)	Y	Seiler (D)	N
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)	Y	Slosberg (D)	N
Bendross-Mindingall (D)	N	Domino (R)	Y	Homan (R)	N	Negron (R)	Y	Smith (D)	NV
Bense (R)	Y	Evers (R)	Y	Hukill (R)	Y	Patterson (R)	Y	Sobel (D)	N
Benson (R)	Y	Farkas (R)	Y	Jennings (D)	NV	Peterman (D)	N	Sorensen (R)	Y
Berfield (R)	N	Fields (D)	N	Johnson (R)	Y	Pickens (R)	Y	Stansel (D)	N
Bilirakis (R)	Y	Flores (R)	Y	Jordan (R)	NV	Planas (R)	N	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)	Y	Quinones (R)	N	Vana (D)	N
Brummer (R)	Y	Gelber (D)	N	Kravitz (R)	Y	Reagan (R)	Y	Waters (R)	Y
Brutus (D)	N	A. Gibson (D)	N	Kreegle (R)	Y	Rice (R)	NV	Williams (R)	Y
Bucher (D)	N	H. Gibson (R)	Y	Kyle (R)	Y	Richardson (D)	N	Zapata (R)	Y

## **Constitutional Amendment for Private School Vouchers Failed**

**SJR 2170** by Education Appropriations, Education, Judiciary

**HJR 1573** by Rubio, Altman, Murzin, Traviesa

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

**SJR 2170** – Passed Senate Judiciary, Education, Education Appropriations, failed on the Senate floor (23-16 vote, 1 short of the required 3/5 majority)

**HJR 1573** – Died on House Calendar

Last year, Florida’s Supreme Court handed Jeb Bush a stinging defeat when it declared his “opportunity scholarship” voucher scheme as unconstitutional. The court ruled that use of state funds for private schools violated the people’s constitutional right to a high-quality *public* education. The Senate Judiciary Committee staff, under the direction of Chairman Daniel Webster, had been working to craft several different “fixes” long before the court’s ruling was handed down that would satisfy any possible reasoning by the court. SJR 2170 would have obliterated the current constitutional right to a high quality *public* education and replaced it in such a way as to allow vouchers on demand. Much like the class size amendment, the Governor was relatively quiet on this issue publicly, but privately he threw himself into the fray, engaging in some of the most heavy-handed arm twisting that veteran Capitol watchers had ever seen. The Florida Education Association and the ULL worked tirelessly on the issue, lining up enough votes to block the supermajority necessary to pass it. As soon as the votes were secured – threats, promises and high priced budget items were thrown in the mix by the Governor and it was back to the drawing board.

Intense pressure was focused on members of the Black Caucus as the Governor used his influence (and lots of money in local projects for faith-based type initiatives) to pressure African-American church leaders to make this an issue of race and religion. During debate, Minority Leader Les Miller said, "Black members of this body have been unfairly targeted and the black community has been lied to about vouchers and churches. This never should have happened. This is extremely hypocritical. On the one hand people in this body are working to stop people from amending the Constitution while on the other hand trying to put stuff in. This whole issue has been handled wrong and shameful." Senator Larceria Bullard said, "This is deja-vu. People aren't talking to you, growling at you. I am being held hostage here because I can't go to my office because there are too many people there. This is Terri Schaivo all over again, only this time they are using little black children." As desperation grew, so did the arguments with Senator Wise claiming that historically black colleges like Bethune-Cookman and schools like Florida Southern would lose all of their students because scholarships would be illegal. He also vowed that the FEA (he actually never got the name right) would be filing lawsuits to prevent McKay Scholarships and others, which was news to the FEA. In the end the measure failed on May 1<sup>st</sup> on a 23-16 vote, falling just one short of the supermajority required for passage of a joint resolution. It wasn't over.

Late in the evening on May 2<sup>nd</sup>, in the final moments of the day's session, Senator Jim King quickly made a motion to reconsider SJR 2170, taking many of the Senators and many in the gallery completely by surprise. Rule books flew as Democrats rose for several points of order, arguing that the motion could not be made by a member who voted on the losing side and that the rules clearly stated that the motion had to have been made on the same day as the original vote. It all came down to who was charge and the Rules Chair, Senator Ken Pruitt, ruled that in his "interpretation" the motion was in order and it passed with a simple majority vote of 22-17. The issue was still alive. The next morning, still fuming from the naked power grab of the rules by the majority, Senator Les Miller invoked a little used constitutional rule that says that with a 1/3 vote of the body, all bills must be read in full. The reading of two hundred page bills delayed the Senate over two critical hours. The minority point had been made - in the Senate everyone has to work together. In the end, the Governor never got the votes he needed to save his voucher programs in spite of threats to Senators' personal jobs, the firing of Senator Villalobos, and the promise of a stadium to the Miami delegation. The voucher fight is over for this year and may never return in such a vitriolic form, but the damage done to the integrity, collegiality and dignity of the Florida Senate will take some time to repair. Rather than saving the Governor's legacy, this campaign became a dark spot on the legacy of Tom Lee and the record of the Senate.

"N" - 16

"Y" - 23

OUR VOTE "N"

Constitutional Amendment for School Vouchers							
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)	Y	Lawson (D)	Y	Sebesta (R)	Y
Baker (R)	Y	Dockery (R)	Y	Lee (R)	Y	Siplin (D)	N
Bennett (R)	Y	Fasano (R)	Y	Lynn (R)	N	Smith (D)	N
Bullard (D)	N	Garcia (R)	Y	Margolis (D)	N	Villalobos (R)	N
Campbell (D)	N	Geller (D)	N	Miller (D)	N	Webster (R)	Y
Carlton (R)	Y	Haridopolos (R)	Y	Peaden (R)	Y	Wilson (D)	NV
Clary (R)	Y	Hill (D)	N	Posey (R)	Y	Wise (R)	Y

“N” - 17

“Y” - 22

OUR VOTE “N”

Vote for Reconsideration - School Vouchers							
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)	NV	Klein (D)	N	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)	Y	Siplin (D)	N
Bennett (R)	Y	Fasano (R)	Y	Lynn (R)	N	Smith (D)	N
Bullard (D)	N	Garcia (R)	Y	Margolis (D)	N	Villalobos (R)	N
Campbell (D)	N	Geller (D)	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

**Paycheck Deception for Education Professionals Failed**

**SB 2706** by Haridopolos  
**HB 1059** by Rivera, Lopez-Cantera

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

**SB 2706 – Died in Senate Ethics and Elections**  
**HB 1059 – Passed House Government Appropriations, State Administration Council, died on House Calendar**

The anti-public education folks in the Legislature have really been falling down on the job in terms of coming up with new and innovative ways to dismantle our public schools. Instead, they keep trotting out the same tired old gimmicks and schemes hoping that the third, fourth, or even fifth time is the charm. Such is the case with our old friend, paycheck deception. This is the third time in the past four years that a couple of anti-union extremists have raised the issue; one an old vet, the other a wide-eyed newbie. It is also the third time that the measure picked up almost no support in the Senate.

Paycheck deception is similar to Right to Work in that it represents a national effort to undermine the American labor movement. The law has taken various forms in different states. This particular version would have removed the right for a collective bargaining agent for instructional personnel only to have its dues and uniform assessments deducted and collected by the employer. Instead, it would have made deduction and collection a permissive subject of collective bargaining. If an agent was successful and secured the payroll deduction and collection of dues, the bill limits the collectively bargained agreement to payroll deduction amounts not to exceed the actual costs for activities of the agent necessary to perform duties regarding resolution of labor management issues, contract administration and grievance adjustment. The bill would also have required: the written authorization of the employee; that commencement of the deduction is contingent upon the bargaining agent’s written request to the employer; and that reasonable costs incurred by the employer for making such deductions would have been collected. The bill also stated that the collective bargaining agreement must contain revocation provisions and a prohibition upon the public employer from collecting fines, penalties, special assessments, or any other amount for purposes other than labor-management issues. The bills restricted the use of any dues or uniform assessments and precluded any use for purposes including, but not limited to: electoral activities; independent expenditures or contributions to any candidate, political party; political committee, or committee of continuous existence, voter registration campaigns; or any other political or legislative cause, including, but not limited to, ballot initiatives.

In Florida, paycheck deception measures have always been used as political hammers and have not been proposed as serious policy initiatives and these bills were no different. They provided a number of fallacious arguments stated as “legislative findings” to justify the new restrictions. These included: in-

structional personnel are the largest group of employees; that teacher shortages have reached critical proportions; that attracting new teachers as well as retaining existing teachers is a priority; that the Legislature has a substantial and compelling interest in protecting the First Amendment rights of instructional personnel and that the state's ability to recruit and retain instruction personnel should be enhanced by having personnel pursue these First Amendment Rights and to make informed decisions regarding their political and social participation within the context of their collective bargaining rights. The bills argued that that, as a result of the merger of AFT and NEA in Florida that a virtual monopoly had been created, depriving instructional personnel of the benefits of competition and that the state must redouble its efforts to remain neutral in the process.

These "findings" were mere demagoguery, taken right out of the right-wing think tanks that exist solely to destroy the labor movement. They were based on anti-union ideology rather than actual fact. Luckily as in the past, cooler, more rational heads prevailed and the legislation did not get a single hearing in the Senate. No doubt this disgraceful political theater will be played again in the future while the real needs of Florida's kids continue to go unsatisfied. When it does, the Florida AFL-CIO will continue to work with its partners at FEA to ensure its defeat.

House Governmental Operations	
Rivera (R)	Y
Mealor (R)	Y
Attkisson (R)	Y
Benson (R)	Y
Sansom (R)	Y
Gottlieb (D)	N
Ausley (D)	N

House State Administration	
Brown ( R )	Y
Bogdanoff ( R )	Y
Adams ( R )	Y
Jordan ( R )	N
Reagan ( R )	Y
Rivera ( R )	Y
Brandenburg (D)	N
A. Gibson (D)	N
Holloway (D)	N

## Voucher Accountability

**Passed**

**SB 256** by King, Wise, Atwater, Crist

**HB 7041** by Brummer, Cannon, Culp, Goodlette, Hasner, Homan, Mahon, Sansom, Stargel, Waters

Florida AFL-CIO Position: **WATCH**

**SB 256** – Passed the Senate, House, **signed by Governor on June 6<sup>th</sup>**

**HB 7041** – Passed the House, **substituted by SB 256**

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 press accounts 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 rolls or who do not qualify for vouchers. These bills should begin the process of bringing enact much needed regulation and oversight for several of the voucher programs. While we oppose vouchers, we support attempts to tighten the system and create much needed financial accountability to the taxpayers.

*(excerpt from the Florida Education Association)*

This legislation attempts to add fiscal and academic accountability in the John M. McKay Scholarships for Students with Disabilities Program and the Corporate Tax Credit Scholarship Program.

Concerning the McKay Vouchers, the bill revises conditions for eligibility for a student receiving a McKay

scholarship, including prohibiting a student from receiving a McKay scholarship along with a Corporate Tax Credit (CTC) scholarship. It revises the eligibility requirements for participating private schools to include annual registration of schools, a notarized sworn compliance statement, and evidence of criminal background checks of employees, officers, and contracted personnel. Further, the bill clarifies the obligations of school districts, private schools, and program participants.

Concerning changes to the Corporate Tax Credit Scholarship Program, the bill reduces the amount of credit set aside for small businesses from 5 percent to 1 percent. It allows the total amount of tax credits that may be granted to be adjusted each year by the same percentage as the increase or decrease in total funding under the Florida Education Finance Program. However, the total amount of tax credits that may be granted may not increase by more than 5 percent in any year, and the amount may not increase unless the prior year's total tax credit limit is reached. The new language deletes the provision that forbids a taxpayer from contributing more than \$5 million to any single eligible scholarship-funding organization (SFO) in a given year. The bill requires criminal background checks of owners and operators of SFOs and private schools.

This bill allows students who received a scholarship from the State of Florida the previous year like an opportunity scholarship, - to receive the same priority in awarding scholarships as students who received a CTC scholarship the previous year, subject to the low-income eligibility requirements under the CTC. This provision places existing opportunity scholarship students in the CTC program.

Further, the bill requires a private school annually to administer or make provisions for scholarship students to take a nationally norm-referenced test that compares to the Program or the Opportunity Scholarship Program while receiving a CTC scholarship and it increases the CTC tuition scholarship amount from \$3,500 to \$3,750.

## **Phased Retirement Program**

**Failed**

**SB 2556** by Saunders, Crist

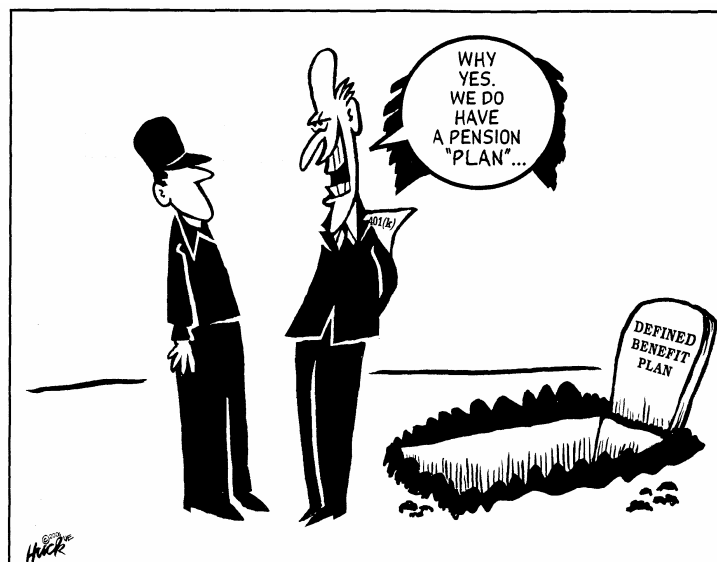
**HB 779** by M. Davis, Fields

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

**SB 2556** – Passed in Senate Education, died in Governmental Oversight and Productivity

**HB 779** – Died in House Governmental Operations

The 2003 Legislature passed more flexible rules for K-12 classroom teachers pertaining to DROP and reemployment after retirement. This legislation would have applied those same standards to K-12 Education Staff Professionals and instructional staff who are not classroom teachers and to higher education faculty. The bills would have provided school boards, community colleges, universities & Florida School for Deaf & Blind the ability to reemploy a retired member after 30 days without that member forfeiting retirement pay. The bill also would have revised the election period in DROP for employees in grades K-20 & extended participation in DROP (up to 96 months) to personnel in grades K-20 who receive administrative authorization.



# Health Care

## **Fair Share Health Care**

**Failed**

**SB 1618** by Campbell

**HB 813** by Bucher

Florida AFL-CIO Position: **SUPPORT**

**SB 1618** – Died in Senate Health Care Committee

**HB 813** – Died in House Health Care Regulation Committee

The Governor and legislative leadership have been working for years to convince the people of Florida that the state's Medicaid system is in crisis. They have argued that the system is being crippled by rising medical costs and dramatic increases in the number of citizens on the Medicaid rolls. These arguments have been made in support of the Governor's biggest and most dangerous privatization scheme to date...the eventual privatization of Medicaid. Medicaid is one of the most important social safety net programs in the history of this country, one that helped millions of people as a public program. Last year, the Governor succeeded in opening the door to privatizing the system when he pushed through a Medicaid privatization program that will move millions of Florida's residents from Medicaid to private HMO's and other plans. A broad range of social service organizations and research institutes have argued that privatizing the plan will do nothing to reduce costs and will only serve to leave vulnerable citizens with no health care coverage. This session, the Florida AFL-CIO decided to help the Governor out and worked to introduce a real solution to the problem, one that would have provided health insurance for thousands of Floridians without coverage, saved taxpayers millions of dollars and help reduced health care costs for everyone – the Fair Share Health Care Act.

Fair Share Health Care requires large, profitable corporations to spend a certain percentage of their payroll to provide health care benefits for their employees or pay into a state health care fund. Fair Share will reduce the price taxpayers pay to cover profitable employers' employee expenses, ease the financial strain states face in growing Medicaid costs and help level the playing field between companies that provide good jobs and benefits and those that don't. We knew that passage of the legislation this year was unlikely. The Florida Retail Federation, Florida Chamber of Commerce, Florida Restaurant Association and the other big-time power brokers came out against this issue aggressively, pressuring House and Senate leadership to refuse to hold any hearings on the bills – but the Florida AFL-CIO pressed on. We held two major press conferences, a large rally and worked with the National AFL-CIO on an email campaign that got the notice of the press corps. Articles appeared in the Tallahassee Democrat, St. Petersburg Times, Tampa Tribune, Palm Beach Post and numerous other newspapers through Associated Press wire accounts. We even participated in an hour-long debate between our own Rich Templin and Bill Herrle from the Retail Federation.

In the end, the coverage was not enough for a hearing, but in the final week the inventive Representative Susan Bucher offered Fair Share Health Care as an amendment to SB 2728 when it was debated on the House Floor. The bill represents a massive \$160 million subsidy for some of the worst offenders in the state in terms of low wages and poor health care coverage. In floor debate Representative Bucher said, "Working people in Florida lack affordable health care coverage because all of the economic development money we are spending is on low-wage service jobs. This amendment simply says that if you get taxpayer dollars, you have to keep your workers off of Medicaid so that you are not double-dipping on the taxpayers." Representative Frank Attkisson led the charge against the amendment saying, "Why would you ever tell a business that it has to do something. This is an onerous requirement. We should be de-regulating more business ventures; this is very bad." Bucher responded, "If businesses don't want to do this, they don't have to, only if they are taking our money! This bill represents the biggest corporate subsidy we have seen in a long time. There has to be some requirement to take

care of the working people in our state.” Representative Dan Gelber also spoke for Fair Share saying, “We are creating jobs in our state but per-capita is falling – faster than the national average. We are in a crisis; we can’t sustain this for Florida’s future. We are going in the opposite direction of where we need to go and we are using the taxpayers’ money to do it.” The amendment failed on a 35-83 mostly party-line vote with the exceptions of Republican Pat Patterson who voted in favor and Democrat Dwight Stansel who voted against.

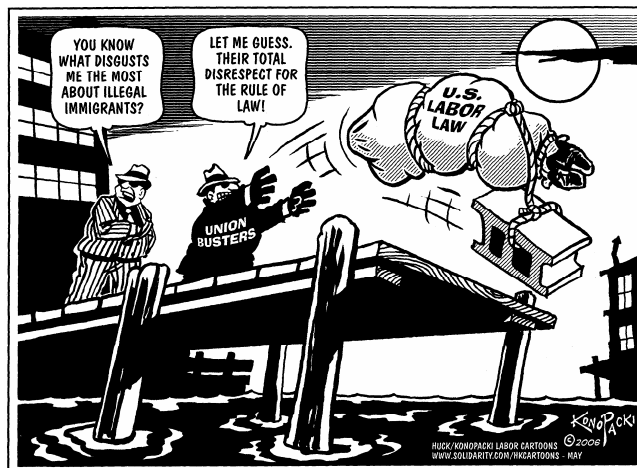
Our goal this year was to raise the issue, elevate the debate and prepare for the future and we accomplished that. The fight for Fair Share Health Care in Florida is far from over, it has only just begun. In the months ahead we will continue to organize and move this issue forward and use the movement to highlight the overall issue of health care in the upcoming elections.

“N” - 83

“Y” - 35

OUR VOTE “Y”

Fair Share Health Care 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)	N	Clarke (R)	N	Gottlieb (D)	Y	Lopez-Cantera (R)	N	Ross (R)	N
Anderson (R)	N	Coley (R)	N	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 (R)	N	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)	Y
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)	Y	Sobel (D)	Y
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)	N
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)	Y	A. Gibson (D)	Y	Kreegle (R)	N	Rice (R)	N	Williams (R)	N
Bucher (D)	Y	H. Gibson (R)	N	Kyle (R)	N	Richardson (D)	Y	Zapata (R)	N



# **Building Trades**

## **Funding for Registered Apprenticeship**

**Vetoed**

### **Appropriations**

Florida AFL-CIO Position: **SUPPORT**

Increased funding for registered apprenticeships approved by the House and Senate, **vetoed by the Governor**

There is a tremendous shortage of highly skilled workers in the construction industry. This lack of skilled and experienced workers is contributing to unsafe working conditions across the state. Business interests need high skill workers and labor is always looking for high wage jobs. Businesses can increase productivity with highly skilled workers and workers can increase their career potential through comprehensive training. The "registered" apprenticeship model has proven itself to produce the knowledge, skill and abilities that are needed by business and labor alike. Apprenticeship is defined as trainee employment wherein the worker and the business participate in a course of on-the-job training coinciding with classroom instruction over a certain period of time. The apprenticeship programs are an integral part of Florida's economic development engine.

Apprenticeship funding continues to receive considerable attention from the Legislature. Currently, the majority of funding for Building Trades apprenticeship programs is private and a result of collective bargaining with construction employers. Public funding is distributed by the Department of Education, Division of Workforce Education, and the amount varies from program to program. The public funding is "funneled" to the programs via school districts or community colleges called LEA's. The apprenticeship funding is a part of the overall workforce appropriation for each LEA. The LEA's have complete discretion on the amount and to whom the funding is distributed. The Building Trades is currently attempting to develop an "insulated" funding mechanism within workforce appropriations. The goal is to allow maximum funding to reach the programs while maintaining construction industry control that is vital to the viability of registered apprenticeship.

The Florida Building Trades worked diligently and succeeded in increasing the public funding available for registered apprenticeship programs. On Thursday, May 25 the Governor signed the state budget and issued a forty-five page line-item veto message. Included in that veto was \$3 million that was appropriated specifically for placing additional new students in registered apprenticeship programs. This veto does not effect the funding that each program has currently negotiated with the respective LEA's. While many of the items in the veto message were local projects and did not receive full legislative consideration or due process, the additional apprenticeship funding did receive full committee consideration and due process. The veto will deny up to 1,500 additional apprenticeship opportunities.

The Florida Building Trades and ULL has worked to elevate awareness as to the importance of the registered apprenticeship program with legislators. Next year we will make sure that the new Governor understands this as well.

## **The Jessica Lunsford Act / Glitch Fix**

**Failed**

**SB 2280** by Argenziano, Klein, Posey

**HB 7117** by Kravitz, Dean, Allen, Coley, Harrell, Murzin, Needelman, Traviesa, Waters

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

**SB 2280** – Passed the Senate, **died in House messages**  
**HB 7117** – Passed the House, **died in Senate messages**

There are several issues associated with the Jessica Lunsford Act that have had unintentional consequences, especially to workers in the construction industry. We fully support the Act that is intended to insure and enforce the prohibition of school ground access for sexual offenders and predators. The law applies to any worker who has access to school grounds when students may be present. Fingerprinting for a level two background screening is a requirement that has been established, and is administered in every county. When a worker moves from one county to another, a new fingerprinting and screening process must be done. This has proven extremely expensive and difficult to implement and has forced many law abiding workers to sit out workdays while their information is processed. This legislation would have established a statewide system allowing one screening that can be shared by all counties. Such a screening would have been valid for up to three years. Additionally, the list of offenses that prevent school ground access was developed and interpreted differently from county to county. This legislation would have standardized such prohibitive offenses statewide and would have better represented the purpose of the Act. Finally, the Act is being applied in some instances regarding new school construction where students are not present or nearby. This new language would have specified that the Act applies to only those locations where students are or may be present.

Unfortunately, the bill sponsors in each chamber were unable to reach a compromise and both died in the other chamber. The Florida Building Trades worked hard to help broker an agreement but were unable to break the logjam. Consequently, Florida's 67 counties will continue to interpret the act in 67 different ways until next session.

## **Farm Workers**

### **In-State Tuition for Farm Workers**

**Failed**

**SB 366** by Wilson, Bullard, Miller, Hill

**HB 119** by Zapata, Arza, Brandenburg, Bucher, Bullard, Fields, Flores, Garcia, Goldstein, Llorente, Planas, Quinones, Rivera, Robaina, Roberson, Ryan, Sansom

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

**SB 366** – Passed Senate Education, **failed in Domestic Security**

**HB 119** – Passed House Colleges & Universities, Education Appropriations, Education Council, **died on House Calendar**

Florida state colleges and universities charge a different tuition rate for Florida residents and non-Florida residents. These rates are categorized as resident or "in-state" and non-resident or "out-of-state". All persons designated resident for tuition purposes must live in Florida for at least one year before entering college.

Resident tuition at the University of Florida for the 2004-2005 year was \$2,045.00 while non-resident tuition was \$14,304.00. Though in-state tuition is supposed to be the rate for state resident students, many state resident students whose parents are farm workers, are excluded from this rate because of their immigration status. These students in Florida are disallowed from paying in-state tuition to attend state colleges and universities, regardless of the number of years they have lived in and attended secondary school in Florida. The high rates often prevent them from going to college. Most of these students have lived in the US for a majority of their lives. They and their parents have worked in this state for years and have paid their taxes. Oklahoma, Kansas, Washington, New York, Texas, California, Illinois and Utah have already made it possible for these students to receive an in-state tuition rate but Florida continues to deny our workers the same right. The Senate unanimously passed this legislation in 2003, and the House unanimously passed it through four committees before it died in an Appropriations

committee. In 2004 the Senate again passed the bill, but it died in the House. In 2005 the bills were caught up in an unrelated appropriations battle and failed to pass. The legislation has been caught in the anti-immigrant furor that has gripped the Republican Party so the bills fared worse this year. 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 for a chance to get an education and become more productive members of our economy. The Florida AFL-CIO will continue to fight with our allies to give them that chance.

## **Transportation Safety for Farm Workers **Passed****

**SB 258** by Alexander, Aronberg, Hill, Atwater

**HB 255** by Troutman, Antone, Bucher, M. Davis, Fields, Gannon, Kendrick, Machek, Quinones, Robaina, Sobel

Florida AFL-CIO Position: **SUPPORT**

**SB 258** – Passed Senate, House, **signed by Governor June 7<sup>th</sup>**

**HB 255** – Passed House Agriculture, Transportation, State Resources Council, **substituted by SB 258**

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. An Associated Press review of state and federal records found transportation-related accidents to be the leading cause of work-related deaths for Florida's farm workers, responsible for 83 deaths and more than 400 injuries. Florida law exempted the mandatory use of seat belts for buses and vehicles that weigh more than 5,000 pounds. A 20-passenger bus has a gross vehicle weight rating of 12,000 lbs; a 15-passenger van has a gross vehicle weight rating of 8,500 lbs. The majority of accidents involving farm workers have occurred in passenger vans -- which often do not even have seats. California ended a seat belt exemption for agricultural vehicles in 1999 after an accident involving an overcrowded van killed 13 farm workers. The following year, for the first time since 1992, there were no highway deaths resulting from farm labor vehicle accidents. This legislation will make the same changes in Florida. The bill revises the definition of "migrant farm worker" and "carpool" and adds a definition of "farm labor vehicle" to replace that of "migrant farm worker carrier." After January 1, 2008, every farm labor vehicle weighing 10,000 pounds or less will be required to be equipped with a seat belt for each passenger. Farm labor contractors will be prohibited from operating a farm labor vehicle unless authorized to do so by the Department of Business and Professional Regulation as evidenced by a permit sticker issued by the department and displayed on the vehicle. The bill authorizes monetary fines for failure to meet certain safety standard criteria related to farm labor vehicles.

## **Growth Management**

### **Eminent Domain / Constitutional Amendment **Passed****

**SJR 626** by Saunders, Haridopolos, Bennett, Baker, Alexander, Atwater, Wise, King, Diaz de la Portilla, Posey, Fasano, Bullard, Campbell

**HJR 1569** by Rubio, Adams, Allen, Ambler, Attkisson, Baxley, Cannon, Carroll, Evers, Galvano, Grimley, Harrell, Hasner, Hays, Kottkamp, Kravitz, Kreegel, Needelman, Negron, Poppell, Rice, Sansom, Stansel, Stargel, Traviesa, Troutman

Florida AFL-CIO Position: **WATCH**

**SJR 626** – Passed Senate Community Affairs, **substituted by HJR 1569**

**HJR 1569** – Passed House, Senate, **filed with the Secretary of State for placement on the 2006 General Election Ballot**

The Supreme Court ruling that affirmed a local government's right to take privately owned land and give it to a private company for economic development sent shock waves through the nation. Private property rights advocates have been working across the country to ensure that the laws are changed to protect average citizens from similar actions. The Florida Legislature had many discussions about this issue during the interim committee meetings, and six bills were proposed seeking to provide greater protections for property owners and clarifications about the current law. This legislation places a proposed constitutional amendment on the 2006 ballot. This joint resolution proposes to amend the State Constitution to limit the conveyance of private property taken by eminent domain to a natural person or private entity. The limitation on conveyance applies prospectively to property taken by eminent domain if the property was taken pursuant to a petition of taking filed on or after January 2, 2007. The Legislature may provide exceptions to this limitation if passed by a three-fifths vote of the membership of each house.

**Eminent Domain / Property Rights** **Passed**

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**SB 2168** by King, Haridopolos

**HB 1567** by Rubio, Adams, Allen, Ambler, Antone, Baxley, Bullard, Cannon, Carroll, Evers, Galvano, Grimsley, Harrell, Hasner, Hays, Homan, Kottkamp, Kravitz, Kreegel, McInvale, Murzin, Negron, Pop-pell, Quinones, Roberson, Sansom, Stansel, Stargel, Traviesa, Troutman, Williams

Florida AFL-CIO Position: **WATCH**

**SB 2168** – Passed Senate Judiciary, Community Affairs, **substituted by HB 1567**

**HB 1567** – Passed House, Senate, **signed by Governor on May 11<sup>th</sup>**

This bill heightens the safeguards of private property rights by providing certain restrictions on the use of eminent domain and limiting the transfer of property that has been taken by eminent domain.

**Restrictions on the Use of Eminent Domain**

The bill eliminates the authority to take property for the purpose of abating or eliminating a public nuisance. The bill also prohibits the use of eminent domain for the purpose of preventing or eliminating slum or blight conditions. The bill repeals s. 163.375, F.S., which granted broad eminent domain power to counties, municipalities, or community redevelopment agencies, with the delegated authority of eminent domain, for community redevelopment and related activities. However, the use of eminent domain in a community redevelopment area (CRA) for a traditional public purpose is permitted in the same way as permitted outside the CRA. The bill prohibits a county or municipality from delegating the power of eminent domain to a community redevelopment agency.

**Restrictions on the Transfer of Property Taken by Eminent Domain**

The state, any political subdivision, or any other entity to which the power of eminent domain is delegated is prohibited from transferring property acquired by eminent domain to another private entity for 10 years with certain exceptions. The exceptions include transfers for: private entities engaged in common-carrier services; roads open to the public for transportation, whether at no charge or by toll; operating a public or private utility; or public infrastructure. The bill also has an exception for transferring surplus property. If property is acquired via eminent domain and is not needed for the original purpose, and it has been less than 10 years, it can be transferred if the original owner is first given a chance to repurchase the property at the price that the government paid him or her for the property. The bill provides for public notice and competitive bidding for the disposition of property taken by eminent domain.

# 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.*

	Cindy Hall Florida AFL-CIO	
J. B. Clark FEWA	Terry Kammer IBEW System Council U-4	Rich Templin Florida AFL-CIO
L. W. Fowler Florida AFL-CIO	Mark Neimeiser AFSCME 1199	Dwayne Sealy Florida AFL-CIO
Phyllis Garrett, Florida AFL-CIO	Frank Ortis Fl. State Council of Machinists	Mike Williams Florida Building Trades

## 2006 FLORIDA SENATE RANKINGS

Ranking	Senator	Score
1	Rod Smith	23.1
2	Walter `Skip` Campbell	22.3
3	Lesley Miller, Jr.	22.1
4	Ronald A. Klein	21.4
5	Anthony C. Hill	19.6
6	Alex J. Villalobos	19.3
7	Steven A. Geller	19.1
8	Dave Aronberg	18.9
9	Nan Rich	18.9
10	Frederica S. Wilson	18.7
11	Nancy Argenziano	17.9
12	Gwen Margolis	17.9
13	Alfred J. Lawson Jr.	16.8
14	Larcenia J. Bullard (L)	15.5
15	Rodolfo Garcia	15.3
16	James E. `Jim` King, Jr.	14.7
17	Dennis Jones	14.7
18	M. Mandy Dawson	14.4
19	Evelyn J. Lynn	13.9
20	JD Alexander	13.7
21	Burt L. Saunders	13.3
22	Gary Siplin	13.3
23	Paula Dockery	13.0
24	Lee Constantine	12.8
25	Stephen R. Wise	12.7
26	Victor Crist	12.2
27	Tom Lee	11.9
28	Jeff Atwater	11.9
29	Jim Sebesta	11.5
30	Ken Pruitt	11.4
31	Mike Fasano	11.1
32	Michael Bennett	11.0
33	Charlie Clary	11.0
34	Durell Peaden, Jr.	10.8
35	Bill Posey	10.6
36	Lisa Carlton	10.3
37	Daniel Webster	10.3
38	Alex Diaz de la Portilla	10.0
39	Carey Baker	9.7
40	Mike Haridopolos	8.1

## 2006 FLORIDA HOUSE RANKINGS

Ranking	Representative	Score	Ranking	Representative	Score	Ranking	Representative	Score
1	<u>Ken Gottlieb</u>	21.75	41	<u>Kim Berfield</u>	12.00	81	<u>Jeff Kottkamp</u>	8.60
2	<u>Tim Ryan</u>	21.57	42	<u>Greg Evers</u>	11.83	82	<u>Stanley Mayfield</u>	8.50
3	<u>Susan Bucher</u>	21.50	43	<u>Nancy C. Detert</u>	11.60	83	<u>Mark Mahon</u>	8.25
4	<u>Dan Gelber</u>	21.33	44	<u>Hugh Gibson, III (H)</u>	11.50	84	<u>Susan Goldstein</u>	8.20
5	<u>Christopher `Chris` Smith</u>	20.56	45	<u>Julio Robaina</u>	11.33	85	<u>Charles S. Dean</u>	8.00
6	<u>Arthenia Joyner</u>	19.89	46	<u>Ellyn Bogdanoff</u>	11.25	86	<u>Gayle Harrell</u>	8.00
7	<u>Eleanor Sobel</u>	19.83	47	<u>Joe Hill Pickens</u>	11.17	87	<u>Dick Kravitz</u>	8.00
8	<u>Charlie Justice</u>	19.63	48	<u>Adam Hasner</u>	11.00	88	<u>Bruce Kyle</u>	8.00
9	<u>Audrey Gibson (A)</u>	19.33	49	<u>Marco Rubio</u>	10.80	89	<u>Marcelo Llorente</u>	8.00
10	<u>Franklin Sands</u>	19.00	50	<u>Joe Negron</u>	10.67	90	<u>Dave Russell</u>	8.00
11	<u>Anne Gannon</u>	18.86	51	<u>Donald Davis (D)</u>	10.60	91	<u>Trey Traviesa</u>	8.00
12	<u>John P. Seiler</u>	18.75	52	<u>Allan George Bense</u>	10.43	92	<u>David Simmons</u>	7.83
13	<u>Shelley Vana</u>	18.43	53	<u>Leslie Waters</u>	10.33	93	<u>Thad Altman</u>	7.80
14	<u>Ronald L. `Ron` Greenstein</u>	18.29	54	<u>Ralph Arza</u>	10.20	94	<u>Kevin C. Ambler</u>	7.80
15	<u>Mary Brandenburg</u>	18.00	55	<u>Randy Johnson</u>	10.00	95	<u>Anitere Flores</u>	7.80
16	<u>Bob `Coach` Henriquez</u>	18.00	56	<u>Ken Littlefield</u>	9.80	96	<u>Ed Homan</u>	7.80
17	<u>Dorothy Bendross-Mindingall</u>	17.71	57	<u>Marti Coley</u>	9.75	97	<u>Juan-Carlos Planas</u>	7.75
18	<u>Joyce Cusack</u>	17.33	58	<u>Mike Davis (M)</u>	9.75	98	<u>John Quinones</u>	7.75
19	<u>Terry Fields</u>	17.33	59	<u>Anna Holly Benson</u>	9.50	99	<u>Dennis K. Baxley</u>	7.67
20	<u>Loranne Ausley</u>	17.11	60	<u>Rene Garcia</u>	9.50	100	<u>Dean Cannon</u>	7.50
21	<u>Priscilla Taylor</u>	17.00	61	<u>John Legg</u>	9.50	101	<u>Larry Cretul</u>	7.50
22	<u>Yolly Roberson</u>	16.83	62	<u>Juan C. Zapata</u>	9.50	102	<u>Denise Grimsley</u>	7.50
23	<u>Ed Jennings, Jr.</u>	16.00	63	<u>David J. Mealor</u>	9.20	103	<u>Baxter G. Troutman</u>	7.50
24	<u>Matthew Meadows</u>	15.83	64	<u>Pat Patterson</u>	9.20	104	<u>Rich Glorioso</u>	7.25
25	<u>Curtis Richardson</u>	15.71	65	<u>Sandra Adams</u>	9.17	105	<u>Alan Hays</u>	7.25
26	<u>Will S. Kendrick</u>	15.00	66	<u>Donald Brown</u>	9.17	106	<u>Carlos Lopez-Cantera</u>	7.25
27	<u>Gustavo Barreiro</u>	14.33	67	<u>J. Dudley Goodlette</u>	9.17	107	<u>Thomas Anderson</u>	7.20
28	<u>Bob Allen</u>	14.25	68	<u>Frank Attkisson</u>	9.00	108	<u>Gus Michael Bilirakis</u>	7.20
29	<u>Bruce Antone</u>	14.17	69	<u>Aaron Bean</u>	9.00	109	<u>Frank Farkas</u>	7.20
30	<u>Edward B Bullard (E)</u>	14.17	70	<u>Marsha Bowen</u>	9.00	110	<u>Michael Grant</u>	7.00
31	<u>Dwight Stansel</u>	14.00	71	<u>Sheri McInvale</u>	9.00	111	<u>Bill Proctor</u>	7.00
32	<u>Ari Porth</u>	13.80	72	<u>David Rivera</u>	9.00	112	<u>Ron Reagan</u>	7.00
33	<u>Frank Peterman</u>	13.40	73	<u>Jennifer Carroll</u>	8.80	113	<u>Ray Sansom</u>	7.00
34	<u>Ken Sorensen</u>	13.33	74	<u>Andy Gardiner</u>	8.80	114	<u>Trudi Williams</u>	7.00
35	<u>Dennis Ross</u>	13.25	75	<u>John Stargel</u>	8.80	115	<u>Faye Culp</u>	6.75
36	<u>Phillip J. Brutus</u>	13.00	76	<u>Donna Clarke</u>	8.75	116	<u>Dorothy Hukill</u>	6.75
37	<u>Wilbert Holloway</u>	12.80	77	<u>Mitch Needelman</u>	8.75	117	<u>Paige Kreegel</u>	6.75
38	<u>Irving Slosberg</u>	12.67	78	<u>Fred Brummer</u>	8.60	118	<u>L. Ralph Poppell</u>	6.75
39	<u>Richard A. Machek</u>	12.60	79	<u>Bill Galvano</u>	8.60	119	<u>Everett Rice</u>	5.40
40	<u>Carl J. Domino</u>	12.25	80	<u>Stan Jordan</u>	8.60	120	<u>Dave Murzin</u>	5.00

