

CHAPTER 90-190

Committee Substitute for Senate Bill No. 2834

An act relating to the Florida Deceptive and Unfair Trade Practices Act; amending s. 501.203, F.S.; providing that state attorneys are enforcing authorities under the act without regard to referral of cases by the Department of Legal Affairs; amending s. 501.204, F.S.; specifying the version of federal law to be given weight in construing the prohibition on deceptive and unfair practices; amending s. 501.205, F.S.; specifying the applicable version of federal law for rulemaking purposes; amending s. 501.207, F.S.; providing that the prerequisite for an action under the act is a written determination of the state attorney or the Attorney General; providing for admissibility of certain evidence notwithstanding the hearsay rule; creating s. 501.2065, F.S.; providing for use and confidentiality of criminal intelligence or investigative information; providing for review and repeal; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 501.203, Florida Statutes, is amended to read:

501.203 Definitions.—As used in this chapter, unless the context otherwise requires, the term:

(4) "Enforcing authority" means the office of the state attorney if a violation of this part occurs in or affects the judicial circuit under the office's jurisdiction ~~and if a complaint of such violation has been referred to the state attorney by the Department of Legal Affairs.~~ "Enforcing authority" means the Department of Legal Affairs if the violation occurs in or affects more than one judicial circuit or if the office of state attorney fails to act upon a violation within 90 days after a written complaint has been filed with the state attorney.

Section 2. Section 501.204, Florida Statutes, is amended to read:

501.204 Unlawful acts and practices.—

(1) Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.

(2) It is the intent of the Legislature that, in construing subsection (1), due consideration and great weight shall be given to the interpretations of the Federal Trade Commission and the federal courts relating to s. 5(a)(1) of the Federal Trade Commission Act, 15 U.S.C. 45(a)(1), ~~as amended and in effect on April 1, 1983.~~

Section 3. Subsection (2) of section 501.205, Florida Statutes, is amended to read:

501.205 Rulemaking power.—

(2) All substantive rules promulgated under this part shall be consistent with the rules, regulations, and decisions of the Federal Trade Commission and the federal courts in interpreting the provisions of s. 5(a)(1) of the Federal Trade Commission Act, 15 U.S.C. 45(a)(1), ~~as amended and in effect on April 1, 1983.~~

Section 4. Subsection (2) of section 501.207, Florida Statutes, is amended, and subsection (7) is added to said section, to read:

501.207 Remedies of enforcing authority.—

(2) Before bringing an action under paragraphs (a) or (c) of subsection (1),

~~(a) The enforcing authority shall conduct an investigation and shall provide the party or parties being investigated with notice of the substance of the alleged violation and a reasonable opportunity to respond.~~

~~(b) the head of the enforcing authority shall review the matter and determine if an enforcement action serves the public interest. This determination shall be made in writing, but shall not be subject to the provisions of chapter 120.~~

(7) In any trial or other proceeding brought by the enforcing authority pursuant to this part, statements having circumstantial guarantees of trustworthiness may be used to supplement and explain other evidence and shall not be excluded as hearsay evidence, even though the declarant is available as a witness, if the trier of fact determines that:

(a) The statement is offered as evidence of a material fact;

(b) The statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and

(c) The general purpose of the Florida Rules of Evidence and the interests of justice will be best served by the admission of such statement into evidence.

However, a statement may not be admitted hereunder unless the proponent of it makes known to the adverse party, sufficiently in advance of the trial or proceeding to provide the adverse party with a fair opportunity to prepare to meet it, the proponent's intention to offer the statement and the particulars of it, including the name and address of the declarant.

Section 5. Section 501.2065, Florida Statutes, is created to read:

501.2065 Confidentiality of criminal intelligence or investigative information. Whenever criminal intelligence, criminal investigative, or other information held by any state or federal agency is available to the Department of Legal Affairs on a confidential or a similarly restricted basis, the Department of Legal Affairs, in the course of the investigation of any violation of this part, may obtain and use such information. Any such criminal intelligence or investigative information that is exempt from public inspection and examination pursuant to s. 119.07 retains its exempt status. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.

Section 6. This act shall take effect October 1, 1990, and shall apply to violations occurring on or after that date.

Approved by the Governor June 25, 1990.

Filed in Office Secretary of State June 25, 1990.

STORAGE NAME: s2834s1z.jud
DATE: July 24, 1990

**HOUSE OF REPRESENTATIVES
COMMITTEE ON JUDICIARY
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: CS/SB 2834

RELATING TO: Florida Deceptive and Unfair Practices Act

SPONSOR(S): Economic, Professional & Utility Regulation

EFFECTIVE DATE: October 1, 1990

DATE BECAME LAW: June 25, 1990

CHAPTER #: 90-190, Laws of Florida

COMPANION BILL(S): Compare CS/HB 1013

OTHER COMMITTEES OF REFERENCE: (1) Appropriations
(2)

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I. SUMMARY:

A. PRESENT SITUATION:

The Florida Deceptive and Unfair Trade Practices Act (Act), Chapter 501, Florida Statutes, regulates consumer sales practices to protect consumers from suppliers who commit deceptive and unfair trade practices. The Act is enforced by the state attorneys and the Department of Legal Affairs.

Currently, the Act provides that a state attorneys' office may only enforce the Act if the violation arose within its jurisdiction and if a complaint of such violation has been referred to the state attorney by the Department of Legal Affairs. Section 501.203(4), Florida Statutes. In many instances, injured consumers file their complaint with the state attorneys' office instead of the Department of Legal Affairs. The complaint must be refiled at the Department of Legal Affairs and referred back to the state attorneys' office before the state attorneys' office can enforce the Act.

The Act also calls for great weight and due consideration to be given to the Federal Trade Commission Act, 15 U.S.C. 45(a)(1), as amended and in effect on April 1, 1983; however, in October of 1983 the Federal Trade Commission articulated a new standard of what connotes "deceptive." The body of case law since October 1983 is built on this new standard.

Moreover, the Act requires the enforcing authority to notify any party being investigated of the investigation when seeking an action on behalf of one or more consumers for actual damages. Injunctive relief is normally sought along with actual damages. Consequently, the enforcing authority must disclose the investigation whenever actual damages are sought, which allows

the person under investigation to dispose of his assets or alter his operating activities, thus inhibiting the investigation.

Furthermore, in many cases, hundreds of consumers living throughout the nation may have been harmed by a defendant. The true extent of the harm is difficult to measure unless each consumer is able to testify. Statements from these consumers are generally inadmissible in court as hearsay, if the consumer is available but not in court to testify. The cost of bringing in all the consumers for live testimony is often prohibitive for the enforcing authority.

In addition, whenever federal or state agencies provide criminal intelligence information to the Department of Legal Affairs for the purpose of enforcing the Act, that information is subject to public inspection. Consequently, law enforcement agencies are reluctant to provide such information to the Department.

B. EFFECT OF PROPOSED CHANGES:

CS/SB 2834 provides that state attorneys are enforcing authorities under the Florida Deceptive and Unfair Practices Act without regard to referral of cases by the Department of Legal Affairs.

The bill amends the Act to conform with the updated version of federal law that is to be given "great weight" in construing the prohibition of such practices.

The bill eliminates the requirement that the enforcing authority notify the party being investigated of the substance of the allegations and provide him with an opportunity to respond. The bill also provides that in a proceeding brought by the enforcing authority pursuant to the Act, statements may be used to supplement and explain other evidence and shall not be excluded as hearsay evidence, even though the declarant is available to testify, if certain conditions are met.

The bill also provides that whenever any state or federal agency provides the Department of Legal Affairs confidential criminal information, the Department may use such information, including exempting the information from public inspection pursuant to section 119.07, F.S.

C. SECTION-BY-SECTION ANALYSIS:

Section 1 amends subsection (4) of section 501.203, Florida Statutes, by striking "and if a complaint of such violation has been referred to the state attorney by the Department of Legal Affairs." This amendment permits the state attorney's office to enforce the Act without requiring referral of the complaint from the Department of Legal Affairs.

Section 2 amends section 501.204(2), F.S., by striking "as amended and in effect on April 1, 1983." This amendment clarifies that current versions and interpretations of federal

law are to be given great weight in construing the statute.

Section 3 amends section 501.205(2), F.S., by striking the phrase: "as amended and in effect on April 1983." Similar to the change made in section 2 of the bill, this amendment clarifies that rules promulgated under this part are to be consistent with current versions and interpretations of federal law.

Section 4 amends section 501.207, F.S., by striking subsection (a), removing the requirement that the enforcing authority notify any party or parties being investigated of the substance of the alleged violation and providing a reasonable opportunity to respond.

Section 4 also amends section 501.207, F.S., by adding subsection (7), which would allow affidavits from injured consumers to be introduced into evidence at trial, even though the declarant is available as a witness, provided the affidavits meet the following criteria: the statement is sufficiently trustworthy, material, probative, in the interests of justice, and given to opposing parties with proper notice.

Section 5 creates section 501.2065, F.S., to provide that whenever criminal intelligence or investigative information held by any state or federal agency is available to the Department of Legal Affairs on a confidential basis, the Department, in the course of investigating any violation of the Act, may obtain and use such information. Any such criminal intelligence that is exempt from public inspection pursuant to section 119.07, F.S., retains its exempt status.

Section 6 provides an effective date of October 1, 1990 and that the act shall apply prospectively.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

By allowing affidavits of witnesses to be admitted in the trial, the bill will make it less costly for the state to prosecute under the Act.

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

The bill adopts new standards for causes of actions by consumers for deceptive and unfair practices.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

III. LONG RANGE CONSEQUENCES:

This bill does not affect the State Comprehensive Plan.

IV. COMMENTS:

This bill does not directly affect the House policy or Committee mission statements.

V. SIGNATURES:

COMMITTEE ON JUDICIARY:
Prepared by:

Mark Peres

Staff Director:

Richard Hixson

FINAL ANALYSIS PREPARED BY COMMITTEE ON JUDICIARY:
Prepared by:

David K. Sigerson, Jr.

Staff Director:

Richard Hixson

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| | <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|----|------------------|-----------------------|------------------|---------------|
| 1. | <u>Masterton</u> | <u>Krasovsky</u> | 1. <u>EPUR</u> | <u>Fav/CS</u> |
| 2. | _____ | _____ | 2. <u>JCI</u> | _____ |
| 3. | _____ | _____ | 3. _____ | _____ |
| 4. | _____ | _____ | 4. _____ | _____ |

SUBJECT:

Florida Deceptive and Unfair Trade Practices Act

BILL NO. AND SPONSOR:

CS/SB 2834 by EPUR Committee and Senator Weinstein

I. SUMMARY:

A. Present Situation:

Part II of chapter 501, Florida Statutes, is the Florida Deceptive and Unfair Trade Practices Act. It regulates consumer sales practices to protect consumers from persons who engage in consumer transactions in a deceptive or unfair manner. The act is enforced by the state attorneys and the Department of Legal Affairs. State attorneys are the enforcing authorities for violations of the statute which occur within their jurisdictions, while the Department of Legal Affairs is the enforcement authority when the violations cross jurisdictional lines.

Currently, the statute states the legislative intent that in construing Florida law great weight and due consideration is to be given to the interpretations of the Federal Trade Commission Act, 15 USC 45(a)(1), as amended and in effect on April 1, 1983. However, subsequent to that date (in October of 1983) the Federal Trade Commission articulated a new standard of what constitutes "deceptive." The body of federal case law since October 1983 is built on this new standard. Section 501.205, F.S., authorizing the Department of Legal Affairs to adopt rules to implement the act, also requires such rules to be consistent with the federal law in effect on April 1, 1983.

Section 501.207, F.S., requires the enforcing authority to notify any party being investigated when an investigation is initiated based on a potential action to obtain a declaratory judgment that an act violates that part of the chapter or is based on a potential action on behalf of one or more consumers for actual damages. Such notice is not required for an action to enjoin violations. The required notice in actions for damages potentially allows the person under investigation to dispose of assets or alter operating activities, thus inhibiting the investigation or prosecution of a violation.

Another difficulty in enforcing the provision of the act occurs because criminal intelligence information provided to the Department of Legal Affairs to assist in enforcing the act is currently subject to the Public Records Law. The fact that this information is subject to public inspection causes law enforcement agencies to be reluctant to provide such information to the department. Generally, such information in the hands of law enforcement agencies is deemed confidential and not subject to inspection under the Public Records law.

B. Effect of Proposed Changes:

The committee substitute amends the definition of enforcing authority to eliminate the requirement that a complaint must be referred to a state attorney by the Department of Legal

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Affairs. In addition, the bill strikes language in the intent section referring to the effective date of April 1, 1983, for the Federal Trade Commission Act. This should allow the department to base its construction of the Florida law on current federal law in effect at the time the bill is passed rather than being restricted to the law in effect seven years ago. The bill also deletes the 1983 effective date in provisions requiring rules adopted by the department to be consistent with federal law.

The bill eliminates the requirement that the enforcing authority must notify the subject of an investigation of the substance of the alleged violation in an action to obtain a declaratory judgment or in actions on behalf of consumers for damages under the act. The bill also creates a section which provides for the confidentiality of criminal intelligence information provided to the Department of Legal Affairs by other agencies on a confidential or restricted basis. This exemption is specifically made subject to the Open Government Sunset Review Act.

The bill also expands the admissibility of certain types of evidence in proceedings brought by an enforcing authority, that would otherwise be excluded as hearsay. Before such evidence may be admitted; the adverse party must have received sufficient notice of it to enable such party to prepare a response.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. COMMENTS:

A similar bill, HB 1013, has been voted favorably out of the House Judiciary Committee as a committee substitute.

IV. AMENDMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|---------------------|-------------------------------------|------------------|---------------|
| 1. <u>Masterton</u> | ^{SSM} <u>Krasovsky</u> (✓) | 1. <u>EPUR</u> | _____ |
| 2. _____ | _____ | 2. <u>JCI</u> | _____ |
| 3. _____ | _____ | 3. _____ | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

Florida Deceptive and Unfair
Trade Practices Act

BILL NO. AND SPONSOR:

SB 2834 by
Senator Weinstein

I. SUMMARY:

A. Present Situation:

Part II of chapter 501, Florida Statutes, is the Florida Deceptive and Unfair Trade Practices Act. It regulates consumer sales practices to protect consumers from persons who engage in consumer transactions in a deceptive or unfair manner. The act is enforced by the state attorneys and the Department of Legal Affairs. State attorneys are the enforcing authorities for violations of the statute which occur within their jurisdictions, while the Department of Legal Affairs is the enforcement authority when the violations cross jurisdictional lines.

Currently, the statute states the legislative intent that in construing Florida law great weight and due consideration is to be given to the interpretations of the Federal Trade Commission Act, 15 USC 45(a)(1), as amended and in effect on April 1, 1983. However, subsequent to that date (in October of 1983) the Federal Trade Commission articulated a new standard of what constitutes "deceptive." The body of federal case law since October 1983 is built on this new standard.

Section 501.207, F.S., requires the enforcing authority to notify any party being investigated when an investigation is initiated based on a potential action to obtain a declaratory judgment that an act violates that part of the chapter or is based on a potential action on behalf of one or more consumers for actual damages. Such notice is not required for an action to enjoin violations. The required notice in actions for damages potentially allows the person under investigation to dispose of assets or alter operating activities, thus inhibiting the investigation or prosecution of a violation.

Another difficulty in enforcing the provision of the act occurs because criminal intelligence information provided to the Department of Legal Affairs to assist in enforcing the act is currently subject to the Public Records Law. The fact that this information is subject to public inspection causes law enforcement agencies to be reluctant to provide such information to the department. Generally, such information in the hands of law enforcement agencies is deemed confidential and not subject to inspection under the Public Records law.

Section 501.2105, F.S., provides that a court may award reasonable attorneys fees to the prevailing party in an action brought by the enforcing authority under the act, only if there was a complete absence of a justiciable issue raised by the losing party or bad faith on the part of the losing party. Attorneys fees and costs awarded to state attorneys or the Department of Legal Affairs are deposited in the Consumer Frauds Trust Fund and used to cover the costs incurred by these entities to enforce the act.

B. Effect of Proposed Changes:

The bill amends the definition of enforcing authority to eliminate the requirement that a complaint must be referred to a state attorney by the Department of Legal Affairs. In addition, the bill strikes language in the intent section referring to the effective date of April 1, 1983, for the Federal Trade Commission Act. This should allow the department to base its construction of the Florida law on current federal law in effect at the time the bill is passed rather than being restricted to the law in effect seven years ago.

The bill eliminates the requirement that the enforcing authority must notify the subject of an investigation of the substance of the alleged violation in an action to obtain a declaratory judgment or in actions on behalf of consumers for damages under the act. The bill also creates a section which provides for the confidentiality of criminal intelligence information provided to the Department of Legal Affairs by other agencies on a confidential or restricted basis. This exemption is specifically made subject to the Open Government Sunset Review Act.

The bill amends s. 501.2105, F.S., relating to attorney's fees to provide that in litigation initiated by the enforcing authority, the enforcing authority is entitled to an award of reasonable attorney's fees and costs should it prevail. If the enforcing party does not prevail, the prevailing party is entitled to attorney's fees only if there was a complete absence of a justiciable issue or bad faith on the part of the enforcing authority.

II. ECONOMIC IMPACT AND FISCAL NOTE:**A. Public:**

To the extent that losing parties in civil litigation brought by the enforcing authority under the act must pay the attorney's fees and costs of the enforcing authority, they will incur additional costs.

B. Government:

To the extent that state attorneys or the Department of Legal Affairs prevail in civil actions brought under the act and recover attorney's fees and costs, they will receive an economic benefit.

III. COMMENTS:

Section 501.205, F.S., provides rulemaking authority for the Department of Legal Affairs in conjunction with the Governor and Cabinet. The section provides that rules adopted under the act shall be consistent with the interpretations of the Federal Trade Commission Act in effect on April 1, 1983. For purposes of conformity, the 1983 effective date in this provision should be deleted, as it is deleted by the bill for s.501.204, F.S. A technical amendment has been drafted to address this issue.

A similar bill, HB 1013, has been voted favorably out of the House Judiciary Committee as a committee substitute.

IV. AMENDMENTS:

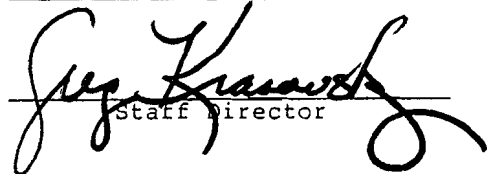
None.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2834

The committee substitute deletes the provisions relating to attorneys fees contained in the original bill.

It also adds a provision expanding exemptions to the hearsay evidence rule in proceedings brought by the enforcing authority pursuant to the act.

Committee on Economic, Professional and
Utility Regulation


Staff Director

(FILE TWO COPIES WITH THE SECRETARY OF THE SENATE)

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COMMITTEE INFORMATION RECORD
House of Representatives

Committee on Judiciary

Date of Meeting 5/8/90

Time 1:45 p.m.

Place 21 HOB

Bill No.: HB 1013

FINAL ACTION: Favorable
 Favorable with Amendments
 Favorable with Substitute
 Unfavorable

VOTE:

| YEA | MEMBER | NAY |
|-----|-----------|-----|
| x | Albright | |
| x | Burke | |
| x | Canady | |
| x | Cosgrove | |
| | Crotty | |
| | Davis | |
| | De Grandy | |
| x | Drage | |
| x | Frankel | |
| x | Geller | |
| | Graham | |
| | Hanson | |
| x | Harden | |
| x | Liberti | |
| x | Martinez | |
| x | McEwan | |
| x | Press | |
| x | Renke | |
| x | Roberts | |

| YEA | MEMBER | NAY |
|-----|------------------|-----|
| x | Rush | |
| x | Simon | |
| x | Wallace | |
| x | Trammell (Chair) | |
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Total Yeas 18 Total Nays 0

IF PRESENT, MEMBER WOULD HAVE VOTED:

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Robert D. Trammell
Chairman

APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill:

| Name | Representing | Address |
|------|--------------|---------|
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Note: Please indicate by an "X" any State employee appearing at the request of the Chairman.

(FILE WITH THE CLERK AND ATTACH SUBCOMMITTEE REPORT IF APPLICABLE)

SUBCOMMITTEE REPORT/INFORMATION RECORD
 File with Parent Committee

House of Representatives

TO: Chairman, Committee on Judiciary

Subcommittee on Court Systems, Probate & Consumer Law

Date of Meeting 4/18/90

Time 8:30 a.m.

Place 16 HOB

BILL NO. HB 1013

FINAL ACTION: Favorable
 Favorable with Amendments
 Favorable with Proposed Substitute
 Unfavorable

VOTE:

| YEA | MEMBER | NAY |
|-----|------------------|-----|
| | Albright | |
| x | Burke | |
| x | Davis | |
| x | De Grandy | |
| | Hanson | |
| | Martinez | |
| x | Cosgrove (Chair) | |
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| YEA | MEMBER | NAY |
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Total Yeas 4

Total Nays 0

IF PRESENT, MEMBER WOULD HAVE VOTED:

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Robert D. Thammell
 Subcommittee Chairman

APPEARANCE RECORD

The following persons (other than legislators) appeared before the subcommittee during the consideration of this bill:

| Name | Representing | Address |
|---------------|----------------------------|--------------------------------------|
| Kent J. Perez | FL Attorney General's Ofc. | 1793 Vineyard Way Tallahassee, FL |
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Note: Please indicate by an "X" any State employee appearing at the request of the Chairman.

Received by Parent Committee:
 Date: _____
 Received by: _____

BILL VOTE SHEET

(VS-88: File with Secretary of Senate)

BILL NO. SB 2834

COMMITTEE ON: Economic, Professional and Utility Regulation

DATE: May 21, 1990

ACTION:

TIME: 8:00 a.m. - 10:00 a.m.

Favorably with _____ amendments

PLACE: Room 1-C, Capitol

Favorably with Committee Substitute

Unfavorably

OTHER COMMITTEE REFERENCES:
(in order shown)

Submitted as a Committee Bill

JCI

Temporarily Passed

Reconsidered

Not Considered

No Quorum

THE VOTE WAS:

| FINAL BILL VOTE | | SENATORS | 5/21/90 | | 5/21/90 | | 5/21/90 | | 5/21/90 | | 5/21/90 | |
|-----------------|-----|------------------------------|------------------|-------------|----------|----------|-------------------|-----|---------|-----|---------|-----|
| Aye | Nay | | #1 by Sen. Davis | #2 by staff | #3 title | #4 title | rcs by Sen. Beard | | | | | |
| Aye | Nay | | Aye | Nay | Aye | Nay | Aye | Nay | Aye | Nay | Aye | Nay |
| X | | Beard | | | | | | | | | | |
| | | Kirkpatrick | | | | | | | | | | |
| | | Kiser | | | | | | | | | | |
| X | | Malchon | | | | | | | | | | |
| | | Marqolis | | | | | | | | | | |
| X | | McPherson | | | | | | | | | | |
| | | Myers | | | | | | | | | | |
| X | | Peterson | | | | | | | | | | |
| | | Scott | | | | | | | | | | |
| | | MAJORITY LEADER Weinstein | | | | | | | | | | |
| X | | VICE-CHAIRMAN Davis | | | | | | | | | | |
| X | | CHAIRMAN Jennings | | | | | | | | | | |
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| 6 * | 0 | TOTAL | FVV | - | FWO | - | FWO | - | FWO | - | FWO | - |
| Aye | Nay | | Aye | Nay | Aye | Nay | Aye | Nay | Aye | Nay | Aye | Nay |

* Present at the table without objection

Please Complete: The Key sponsor appeared (X)
 A Senator appeared ()
 Sponsor's aide appeared ()
 Other appearance ()