

# Insurance bill narrowly escaped demise

By Julie Patel May 12, 2011 02:05 PM

A [sweeping property insurance bill](#) that cleared the Senate last week was much closer to being axed than the vote, 26 to 11, indicates.

Time was running out, the bill sponsor said, so a change proposed by Sen. Mike Fasano, R-New Port Richey, would have effectively killed the bill if it was approved.

The change – to delete a provision allowing premiums to increase up to 15 percent a year – was voted down by a [narrow 20-to-18 margin](#). But it would have passed were it not for some anomalies involving South Florida legislators that day:

**The bill was taken up when an opponent, Sen. Rene Garcia, was out** at a funeral. If it had been taken up earlier in the day when Garcia, R-Hialeah, was there, he told us that he would have voted for Fasano's amendment and against the bill.

**Sen. Lizbeth Benacquisto switched her vote** to a "yes" for Fasano's amendment *after* the roll call – at which point it could not count.

Benacquisto, R-Wellington, and her staff could not be reached despite calls and emails.

**Two "no votes" were cast by Sen. Ellyn Bogdanoff**, R-Fort Lauderdale. She voted from her machine then from Sen. J.D. Alexander's, who wasn't at his desk, according to a [video](#) taken by the *Sarasota Herald Tribune*.

State rules bar a Senator from voting for another who is not somewhere inside the chamber.

Bogdanoff told us Monday that the majority leader informs her when a Senator she is voting for is out and she was only told that Alexander left the chamber *after* the vote on Fasano's amendment.

She said being a “button pusher” for Senators who sit nearby is common, especially if you have a sense of their general position on issues. Alexander "has been consistent on the insurance issue. Had he been in the chamber, he would have voted yes, no question," she said.

Alexander and his staff could not be reached about whether he was technically in or outside of the chamber for the vote, despite phone calls and emails to them.

A group opposing the bill questioned what it called multiple "voting irregularities [happening] on the same critical and close vote."

Republican leaders in the Senate “had lost so much of their own caucus and had no idea if anyone would get [the votes] they needed to defeat the amendment...while they were voting,” said Jay Neal, Florida Association for Insurance Reform, [a new group](#) of more than 900 member against the bill. “Is it possible that the leadership needed some ‘insurance’ to make sure Fasano didn't get the necessary votes?”

Gov. Rick Scott has until May 26 to sign or veto the bill. Consumers who want to weigh in on the bill can contact his office at 850-488-7146 or through his [website](#).