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Rep. McBurney talks business with the Business Law Section

The Business Law Section enjoys a "stellar reputation" among Florida's legislators because of the deliberative analytical approach it takes in advocating legislation that concerns commercial litigation and transactions, according to Rep. Charles McBurney, R-Jacksonville.

McBurney was the keynote speaker at the Business Law Section's luncheon at the Bar's recent Annual Convention in Orlando. He recapped some of the highlights of the recently completed legislative session in which lawmakers had to grappled with a \$6.3 billion deficit "and the worst economy since the Great Depression."

"It is during these interesting and challenging times that we all know both professionally and personally that we are challenged to bring out our very best," said McBurney, a former Fourth Circuit prosecutor who now practices business law at the Law Office of Charles W. McBurney, Jr., in Jacksonville. "Florida has gone through difficult times before . . . but each and every time Florida has come back and Florida has been stronger. I appreciate the opportunity – and I'm glad to have the opportunity – of being a part of bringing Florida back to her very best."



When the session was over, McBurney said, legislators agreed on \$66.5 billion budget, down from the \$73.6 billion just two years ago. To put that into perspective, McBurney noted the state's budget in 1987-1988 was \$18.5 billion and in 2002-2003 it was \$50.3 billion.

McBurney said the contraction of the budget required legislators to establish priorities, including funding public safety, education, and welfare, "with the welfare being basically health related."

He said two-thirds of the state's budget is consumed by education and health care costs and 70 percent of the health care spending is based on fixed costs.

Dealing with the revenue shortfall also forced legislators to go through the budget line-by-line.

"I'm frankly quite surprised we had not been doing it. Hopefully we will continue to do it."

Dealing with the federal stimulus package also made this year "particularly challenging," said McBurney, noting that without the stimulus dollars the state budget would have had to be cut by another \$5 billion.

"But there is no such thing as free money, especially when it comes from the federal government," McBurney said. "There are obligations which are imposed. Two years from now that money will not be there, but the obligations that come with the money will be there two years from now."

As far as matters of interest to the section, McBurney said the most “significant legislation” the Business Law Section helped pass was SB 2330, that made technical, clarifying, and modernizing revisions to Chapter 617 dealing with not-for-profit corporations.

McBurney said it was helpful to have the reputation of the Business Law Section behind that effort.

“It was known that this group took a very long and deliberative process in analyzing this proposed legislation,” McBurney said.

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