

ASSOCIATED INDUSTRIES OF FLORIDA
**LEGISLATIVE
DAILY BRIEF**



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MAY 2, 2007

Wednesday was a very eventful day at the capitol because of two major announcements that were made. The first major announcement was that negotiations on property tax reform have been suspended and legislators will be called back on June 12th for a Special Session on Property Tax Reform, which is slated to last for ten days. The second announcement came late this evening when Speaker Marco Rubio (R-Miami) informed his members that Senate President Ken Pruitt (R-Port St. Lucie) and he had agreed to Sine Die by 6:00 pm on Friday. Sine Die refers to the act of bringing the legislative session to a close. In recent years, session has not ended until minutes before midnight.

Several bills important to AIF and the business community are now on their way to the Governor's desk after passing both chambers. These include changes to the Jessica Lunsford Act which make it easier for businesses to work with school boards, the creation of a Tampa Bay Regional Transportation Authority, and legislation that allows financial institutions to maintain their access to important personal information for the purpose of combating identity theft and fraud.

Property Insurance Reform

The Senate continued the debate on property & casualty insurance reform today by considering SB 1864 Relating to Hurricane Damage Mitigation by Senator Bill Posey (R-Rockledge). The intent of this bill is to expand the "My Safe Florida Home" Program, which provides mitigation grants for homeowners to harden their homes in order to lessen the damage caused by hurricanes. The bill was brought back up today after it had been temporarily postponed on Monday after receiving several unfriendly amendments, which essentially gutted the intent of the bill. Please refer to Monday's AIF Daily Brief for more information on what took place.

SB 1864 received additional amendments during today's debate. Senator Mike Bennett (R-Bradenton) offered a series of amendments, which required homes located in high-risk zones that are valued at over \$750,000 to be fitted with protective window coverings in order to be eligible for Citizens. These same homes must install window coverings if a building permit is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more. Senator Posey spoke in support of the Bennett amendments by stating that although not the final solution, these proposals were a good first step in helping the state reduce some of the risk it is exposed to due to the expansion of Citizens and the unwillingness of the Legislature to have enough reserves to pay for the losses once the big storm hits. Both amendments were adopted after much debate.

The Senate then took up SB 1864's House counterpart, HB 7057 by Representative Trey Traviesa (R-Tampa) and substituted it for the Senate bill. HB 7057 was then amended to include the Senate language. It was further amended by Senator Steven Geller (D-Hallandale Beach) to include a grandfather provision, which exempts homes with existing shutters or protective window coverings from the requirements in the bill.

HB 7057 was then passed unanimously (39-0) by the Senate and will now be sent back to the House for consideration.

Although AIF supports the expansion and strengthening of the "My Safe Florida Home" program, we are disappointed with the deletion of critical portions of the bill which would have required all homeowners not just those whose homes are valued at over \$750,000 to harden their homes by installing hurricane shutters or other protective window coverings.

Economic Development

The Senate unanimously (40-0) passed HB 1325 Relating to the Entertainment Industry Economic Development Act by Representative Don Davis (R-Jacksonville Beach). The legislation is designed to encourage Florida to become a key state for filming and to develop the infrastructure and workforce to sustain a competitive market for film and entertainment. The bill received two amendments during debate today. The first amendment replaced the tax credit provisions in the original bill and replaced them with a direct appropriation that will fund incentives for encouraging film and TV productions to come to Florida. The second amendment specified the amount (\$25 million) of the appropriation.

The House must now concur with the Senate's amendments and pass the bill one more time as amended before it can go to the Governor for his signature. Representative Don Davis, who has been recovering from a health condition, will be present in the House chamber when the bill is brought up tomorrow.

AIF supports legislation that encourages growth in Florida's emerging film industry. The unequivocal success of this program is hard to ignore. Attracting large-scale film and entertainment productions to Florida is a boon to our economy.

Transportation

Regional transportation implementation took a step forward in Florida today with passage of SB 506 Relating to Tampa Bay Area Regional Transportation by Senator Mike Fasano (R-New Port Richey). The objective of the legislation is to create a new entity able to overcome the parochial pitfalls of addressing infrastructure needs on a county by county basis by creating the Tampa Bay Area Regional Transportation Authority (TRA). Companion bills in the Senate and House moved through the entire legislative process this session without a single dissenting vote.

There is also \$1 million dollars in the budget dedicated to getting the authority started and more proviso language that obtains further support for the authority's mission by designating additional expenditures from the Florida Department of Transportation.

SB 506 will now be sent to the Governor for his signature.

AIF supports the ability of multi-county areas in Florida to form regional transportation authorities, empowered to implement infrastructure improvements and to increase consideration for vital transportation corridors, seaports, airports and other regionally significant business centers.

Jessica Lunsford Act

The House passed SB 988 Relating to High-risk Offenders by Senator Nancy Argenziano (R-Crystal River) by a 115-1 vote. The bill makes significant changes to the Jessica Lunsford Act, which was enacted in 2005 to keep sexually predators away from school children. Unfortunately, the way the legislation was written, it made it very difficult for businesses to comply with its intent. Multiple background checks were being required for those businesses that had contracts with multiple districts. Definitions were also not clear of those who could not step on school grounds.

Under the bill, non-instructional personnel who are under direct supervision will not need the finger print background screening previously required and school districts will be able to share information with other school districts. Also, the amount a school district can charge for the background screening was capped.

SB 988 will now be sent to the Governor for his signature.

AIF supports SB 988 since it will help companies who do business with school districts save time and money on the background screening for those employees who do not have direct contact with students, while upholding the integrity of the original law to protect our children from sexual predators.

Business Regulation

The House passed SB 2234 Regulation of Building Inspection Professionals by Senator Steve Wise (R-Jacksonville). This pro-consumer bill establishes a licensure process administered by the Department of Business and Professional Regulation for home inspectors, mold assessors, and mold remediators in Florida.

Currently, any person or business can operate as a home inspector or mold assessor without having to uphold any uniform standards or educational requirements. The bill provides uniformity and peace of mind for the thousands of homeowners that trust their largest investments to these individuals. The bill gives current home inspectors and mold assessors/remediators until 2010 to comply with the bill's requirements.

SB 2234 did receive a technical amendment this afternoon, which removed the fiscal impact of the bill. This will require the bill to be sent back to the Senate for their approval before it can be voted on for final passage.

AIF supports this measure since it would provide accountability to home inspectors and mold remediators and would assist insurance companies to better assess the risks of certain homes that are affected by mold, thereby, potentially reducing the amount of litigation associated with this problem.

Ethics & Elections

The House passed SB 900 Relating to Initiative Petitions by Senator Bill Posey (R-Rockledge) by an 82-35 vote. Yesterday, during Second Reading, the bill was amended to include all of the provisions of its House counterpart, HB 7009. As passed by the Senate, SB 900 only included a petition signature revocation process. In addition to the signature revocation process, SB 900 now includes a number of provisions which regulate and provide stricter procedures for petition signature gatherers including:

- requiring petitions to be mailed to the supervisor of elections within 30 days of being signed;
- requiring the name and address of petition gatherers to be included on petition forms;
- requiring petition gatherers to wear a badge identifying them as “paid petition gatherers”; and
- prohibiting paying signature gatherers by the number of signatures collected.

There was strong opposition to the bill, mainly from members of Democratic Party who expressed concerns that this bill would have a chilling effect on the democratic process. Representative Charlie Dean (R-Inverness) spoke in support of the bill stating that “this bill brings greater transparency to the process of collecting signatures.” Representative Joe Pickens (R-Palatka), who presented the bill, urged his colleagues to support the bill by reminding them of the recent trend of amendments that have been placed on Florida’s Constitution. He even stated that he felt the bill did not go far enough since signatures in Florida are valid for 4 years. Representative Pickens believes that this is far too long and that it should be reduced to 2 years.

The Senate must now concur with the House amendments before a final vote on this bill can be taken.

AIF supports legislation that establishes a transparent and structured signature gathering process that is accountable to the voters of Florida. We especially appreciate the efforts of the bill sponsors to develop a signature revocation process and their efforts to ensure that private property owners have the right to regulate what political activity takes place on their premises.

Taxation

The House unanimously passed (116-0) SB 1014 Relating to 2007 Internal Revenue Code Adoption by Senator Mike Haridopolos (R-Melbourne). Known as the “Corporate Piggyback Bill” SB 1014 updates the Florida Income Tax Code to reflect changes in the U.S. Internal Revenue Code enacted by Congress in 2006. This definition provides for “piggybacking” each change made during 2006 in the Internal Revenue Code. This bill takes effect upon becoming a law and operates retroactively until January 1, 2007. This critically important bill must be passed every year so that businesses in Florida do not have to keep two sets of books. Passage of this bill ensures that corporations, which are subject to Florida income tax, can base their calculations on current IRS rules.

SB 1014 will now be sent to the Governor for his signature.

AIF supports the passage of this bill so that Florida businesses do not have to endure the burdensome task of filing duplicative tax records.

The House also passed (106-5) SB 90 Relating to Motor Fuel Taxes/Commercial Aviation by Senator Jim King (R-Jacksonville). This bill provides a refund of the motor fuel sales tax to companies that purchase and use motor fuel to operate aviation ground support vehicles. The only stipulation is that these vehicles not operate on public roads.

SB 90 will now be sent to the Governor for his signature.

AIF supports providing refunds on motor fuel taxes to the airline industry as an incentive for these companies to perhaps expand their services in the future.

Privacy

HB 7197 Relating to Public Records Exemptions for Social Security & Financial Account Numbers by the House Government Efficiency & Accountability Council was unanimously passed (40-0) by the Senate today.

The bill reenacts a public records exemption for social security numbers contained in public records. Despite opposition from the Florida League of Cities, AIF was able to maintain the ability of commercial entities to obtain social security numbers contained in public records for legitimate commercial purposes such as matching and verifying information, credit granting, insurance purposes and other commercial uses.

HB 7197 will now be sent to the Governor for his signature.

AIF supports this legislation because it continues to allow businesses to access critical personal identity information. Most financial institutions in our state depend on the sharing of personal information in order to cross reference loan and credit applications, verify the identity of customers, and even prevent fraud.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our “members only” Florida Business Network web site at <http://fbnet.com>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.