



## DAILY LEGISLATIVE BRIEF FROM MARCH 12, 2008

The hot topic in the halls today was the “Guns in the Workplace” bill being heard by the House Environment and Natural Resources Council. 2008 marks the third year this issue has been filed in the Legislature. Once again, representatives from the business community, including AIF, packed the committee room in opposition to the bill that would prevent employers from keeping guns out of their parking lots. From most indications, it seems as though the bill is on a fast-track in the House. Last year, the measure was killed in the same council, but this year it passed by nearly a party-line vote. It seems that the House will “punt” the issue to the Senate this year, so that they can have the final say on this highly controversial piece of legislation.

### **Guns in the Workplace**

Today, the House Environment and Natural Resources Council considered HB 503 relating to what has become known as "guns in the workplace". The bill sponsor, Representative Greg Evers (R-Milton) explained that the bill's goal is to allow individuals to "protect themselves while going to and from work." However, the bill has several provisions that are of concern to the business community. These include creating the possibility of a special protected class of workers who maintain concealed weapon permits, as well as awards of attorney fees.

Although the version of the bill that passed contains some efforts to make the bill more palatable, many concerns with the bill remain. Therefore, at this time AIF remains opposed to this bill. The bill undermines the doctrine of employment at will and threatens employers' ability to protect their property rights, employees and customers. AIF will continue to work on this bill with Representative Evers and other House leaders throughout the session and we will continue the fight to protect the rights of Florida's business owners.

After passing its only committee of reference, HB 503 will now be considered on the floor of the House of Representatives.

**AIF opposes legislation that prohibits businesses from enforcing or maintaining policies that ban guns in the workplace. Employers should be allowed to establish these types of policies and exert their rights as property owners. Maintaining a safe work environment is paramount for the longevity of any employer in Florida.**

### **Secondary Metal Theft**

Today, the House Safety and Security Council unanimously passed HB 799 Relating to the Theft of Copper or Other Nonferrous Metal by Representative Sandy Adams (R-Oviedo).

Representative Adams explained that the bill provides that a person who knowingly and intentionally takes copper or other nonferrous metals from a utility or communications service provider commits a first degree felony if the theft damages, interrupts, or interferes with the facilities or service of a utility or communications service provider. Representative Adams stated that the bill was very important because this theft could cause an outage of emergency 911 services.

There were no questions from the committee members on the legislation. Only one Sheriff had signed up to testify but he waved his time in support of the bill.

HB 799 will now be considered by the House Policy and Budget Council.

**AIF and Floridians for Cooper & Metal Crime Prevention support this bill because of its potential to curb the practice of secondary metal theft. Utility and communications interruptions lead to costly repairs, but more importantly they have the potential to call into question the public safety of Florida's residents.**

## Space

The House Constitution and Civil Law Committee met this morning to hear HB 737 Relating to Informed Consent for Spaceflight, sponsored by Representative David Simmons (R-Altamont Springs).

HB 737 is a priority for Associated Industries of Florida because it provides a limitation on liability for commercial launch firms and their subcontractors, who provide human spaceflight services from Florida launch sites. Florida has nearly \$10 billion in invested infrastructure to support aerospace assets represented by over 1000 companies employing 30,000 people with an estimated financial impact of \$1.68 billion on Florida's economy. This legislation will keep Florida's competitive edge in the aerospace industry – allowing us to recruit and maintain new business to Florida.

The House Committee adopted a series of clarifying amendments before unanimously passing the bill. HB 737 will now be considered by the Safety and Security Council, while its companion bill, SB 2438 Relating to Spaceflight/Informed Consent by Senator Bill Posey (R-Rockledge), has yet to be heard by any committee in the Senate.

**AIF supports full funding of pro-space legislation and other space related programs that will help Florida leverage its existing space-related infrastructure. This will ensure that Florida remains the frontrunner in the space industry for years to come.**

## Education and Workforce Development

The Senate Education K-12 Committee considered two bills today that align with AIF's education priorities:

SB 1906 Relating to Pre-K through 12 Education by Senator Don Gaetz (R-Niceville) would create a pilot program for high school students enrolled in rigorous career academies to earn alternative credit in specific math and science courses, such as Integrated Math 1 and 2, Algebra 1a and 1b, Algebra 1, Geometry, and Biology. The bill would allow the alternative credit, provided the standards and essential concepts of these courses were included in their career coursework and the students could verify mastery of the core content on approved end-of-course-assessments. The bill also provides a bonus in the Florida Education Finance Program (FEFP) for mastery of content on an end of course exam.

SB 1906 was unanimously passed by the Committee and will now be considered by the Senate Education Pre-K – 12 Appropriations Committee.

SB 1908 Relating to Pre-K through 12 Education by Senator Don Gaetz (R-Niceville) provides criteria to be used for school grade calculation in addition to the FCAT. Beginning with the 2009-10 school year, half of the school grade will be based on the FCAT and the other half will be based on performance data in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, post-secondary readiness as measured by the SAT, ACT or the common placement test, and achievement of industry certification in career courses. An amendment offered by Senator Ted Deutch (D-Delray) will also allow standardized statewide end-of-course exams to be counted toward high school grades. The bill was supported by Florida Education Commissioner Eric Smith and the Foundation for Florida's Future.

**AIF supports legislation that will improve Florida's nationally recognized system of school accountability, expand access to rigorous courses, and strengthen the linkages between industry and career education. Businesses in Florida are counting on the public school system to produce graduates who can read, write, and communicate effectively and these two bills should assist in that endeavor.**

## Infrastructure

The House Conservation & State Lands Committee held a workshop today on proposed committee bill ENRC 09, the Florida Forever Successor Program. Florida Forever was created by the Florida Legislature in 2001 and is an acquisition program designed to purchase lands for the preservation of the state's natural resources. Florida Forever is scheduled to end in 2009; therefore, the Legislature will decide this year whether or not to continue the program as is or make changes.

At the beginning of the workshop, Chairman Will Kendrick (R-Carrabelle) announced that his committee will be looking at developing a successor to the Florida Forever program that focuses on centralized land management, accountability of natural and financial resources, public access to lands and water, as well public-private partnerships. Many of the Committee members including Representative Will Weatherford (R-Zephyrhills) and Representative Robert Schenck (R-Springhill) agreed with Chairman Kendrick that it was essential to engage the private sector as a way to enhance the future of the Florida Forever program.

Several members of the audience testified in support of the Committee's commitment to the program including AIF's Jose Gonzalez, who testified on behalf of the *Florida Coalition for Responsible Preservation of Public Land* (RPPL) – a diverse group of over 25 business associations and companies interested in crafting a successor program that preserves Florida's lands, but does so in a way that keeps up with Florida's growing population and economic needs.

Reenacting a successor program to Florida Forever is important to the business community because Florida's natural beauty is a strong selling point for businesses looking to relocate to our state. The millions of acres of public land represent an opportunity for growth in our economy through expanded recreational use and eco-tourism.

**AIF and the Florida Coalition for Responsible Preservation of Public Land support adding additional uses of public lands that would include alternative water supply programs, expands the use of mitigation programs for imperiled species, allows for utility infrastructure access to public lands, and emphasizes public access to water for outdoor recreational opportunities.**

## Energy

The House Energy Committee continued its workshop of proposed committee bill ENRC 01, which is the House's energy package for 2008. The Committee heard several presentations from staff, representatives from the Department of Environmental Protection, and the Florida Energy Office on a number of proposals that will eventually make up this omnibus bill. Some of the proposals include:

- **Legislation on Electric Power Plant and Transmission Power Plant Siting:** this proposal would allow utilities to pay the state a certain amount in order to be allowed to construct new transmission lines or improve existing lines.
- **New Energy Policy Governance Structure:** this legislation would create the "Florida Energy and Climate Commission," a new bureaucratic entity tasked with overseeing a number of energy related programs and with the power to direct Florida's energy and climate change policies. This new commission would have 7 members all appointed by the Governor.
- **Renewable Fuel Standard:** requires that after December 31, 2010 all gasoline sold or offered for sale in Florida must contain, at a minimum, 10 percent ethanol.
- **Appliance Standards:** this particular portion of the energy package would establish a schedule of increases in the energy performance of buildings subject to the Florida building code and establishes new standards for commercial and residential products (water heaters, pool pumps, and swimming pool heaters) sold in Florida, mainly mandating that these products use solar technology as an energy source.
- **Metropolitan Planning Organizations:** encourages MPOs to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gases.
- **Wind Energy and Wind Turbines Sales Tax Exemption:** exempts wind turbines from the state sales tax, up to \$1 million each fiscal year and provides a corporate income tax credit for 75 percent of all capital costs, operation and maintenance costs, and research and development costs, up to \$9 million per fiscal year, in connection with an investment in the production of wind energy.
- **Net Metering for Utilities:** directs public utilities, municipal utilities, and rural electric cooperatives to develop a standardized interconnection agreement and net metering (allows customers to be "paid back" for any amount of energy returned to the grid through the use of renewable energy sources) program.

Members of the business community were on hand to express their concerns over some of the specifics in these proposals. Doug Buck of the Florida Home Builders Association stressed to the Committee members the importance of differentiating between the power usage of home appliances (plasma TVs, computers, video game players, etc) and the structural components (heating and AC units) of a home. David Rogers, with the Florida Natural Gas Association, and Co-Chair of AIF's Florida Energy Council spoke in opposition to the provision in the appliance standards proposal, which mandates that all pool heaters only use solar thermal radiation as a heat source.

It is expected that the Energy Committee will be voting on this proposed committee bill next week. On Thursday, the Senate Environmental Preservation and Conservation Committee will be debating the Senate's energy package.

**AIF and its Florida Energy Council recognize the importance energy plays in keeping Florida's economy healthy and vibrant. Any recommendations considered in the formation of Florida's energy policy should allow for reasonable implementation, should support efficiencies and should ensure that undue mandates and costs are not placed on Florida's businesses and consumers, thereby creating a unilateral economic disparity. Florida should ensure that every effort is made to undertake a balanced approach that avoids unrealistic requirements on energy producers and suppliers. AIF is especially troubled and opposes any effort to restructure Florida's energy policy governance. In an era of shrinking state revenues, increasing the size and scope of government does not make sense.**