



DAILY LEGISLATIVE BRIEF FROM APRIL 28, 2008

The last week of session has officially begun. The budget has been delivered to legislators and it must now go through the 72-hour “cooling off” period mandated by law. It is expected that both chambers will begin debating the budget Thursday and pass the budget on Friday – the last day of session.

The Senate was in session for only a brief period of time debating and passing a number of non-controversial bills. The House began the day much earlier – but they adjourned shortly after 6:00 pm in order to allow representatives to attend a number of social functions this evening.

Taxation

The House passed HB 129 Relating to Just Valuation of Property by Representative Carlos Lopez-Cantera (R-Miami) on a 114-1 vote. This proposed legislation modifies the factors used to determine the highest and best use of the property, the condition of the property, and the net proceeds of sale of property.

HB 129 changes the method used by property appraisers in deriving the just valuation of a property by tightening the definition of highest and best use and requiring that all government approvals and permits be in place before the higher value can be assessed.

It also adds a provision which will require property appraisers to appraise multi-unit residential and commercial properties solely on the income produced from that property. HB 129 also creates, for the purpose of receiving a lower valuation, the ability for residential rental, multi unit commercial, marinas and mobile home parks to apply for a voluntary deed restriction with a minimum of 5 years guaranteeing that the smaller or lower use of a property will be used.

Representative Jim Waldman (D-Coconut Creek) asked if the bill was intended to assist taxpayers. Representative Lopez-Cantera responded that its purpose was to be fairer for the taxpayer. In debate, Representative Waldman argued in favor of this excellent bill.

Representative Lopez-Cantera stated that “It is unfair for government to take advantage of a weakness in our law to tax property owners based on a higher use and value than is currently being realized by the property owner.” He added, “Ensuring property in Florida is justly valued is another important step in restoring fairness and affordability to Florida’s property tax system.”

The only dissenting vote on the bill was Representative Ron Shultz (R-Homosassa), a retired property appraiser. HB 129 is now ready to be considered by the Senate, where it may not be heard because its companion bill has not been passed out of committee.

AIF supports HB 129 by Representative Lopez-Cantera. Reducing property taxes for employers is a priority for AIF and this is one more way to help property owners pay their fair share and no more.

Education & Workforce Development

The House unanimously passed (115-0) HB 207 Relating to Educator Certification by Representative Maria Sachs (D-Delray Beach), which aims to broaden the number of foreign languages available in Florida's schools by changing the way teachers can be certified to teach a foreign language. The bill codifies into law an existing Department of Education rule dealing with this same subject.

HB 207 is now ready for consideration on the Senate floor.

AIF supports students having access to classes in modern languages that are used around the world for commerce. Access to these languages will give our students the foundation they need to compete in the global workforce, thus ensuring that Florida’s businesses can compete with their counterparts across the world.

Infrastructure

The House unanimously approved (114-0) HB 199 Relating to Desalination Technology by Representative Kurt Kelly (R-Ocala). This proposed legislation requires the Secretary of the Department of Environmental Protection (DEP), in coordination with the five water management districts, to conduct a study examining all current and available desalination technologies. The study along with plan recommendations must be submitted by June 30, 2009 to the Governor, President of the Senate and the Speaker of the House.

Two additional amendments were offered and adopted during today's debate. The first would allow long term alternative water supply programs on rural lands. The second deals with Florida Friendly Landscaping and provides definitions.

HB 199 is now ready for consideration on the Senate floor.

To prepare for future growth, Florida needs to diversify its source for water. AIF supports HB 199 as it begins the process to find desalination technologies that are both environmentally and fiscally sound.

The house also unanimously passed (116-0) HB 547 Relating to Water Pollution Control by Representative Paige Kreegel (R-Punta Gorda). This legislation will set up a trial water quality credit trading program for the Lower St. Johns River Basin.

According to the staff analysis "*Water quality credit trading is a voluntary, market-based approach to promote protection and restoration of Florida's rivers, lakes, streams and estuaries that enhance other voluntary, regulatory and financial assistance programs already in place.*"

AIF supports this legislation because trading could lead to reduce the costs of pollutant reduction activities to businesses, industries, agriculture, and all taxpayers.

Only technical amendments were adopted today, and HB 547 is now ready for consideration on the Senate floor where the companion bill, SB 1208 by Senator Don Gaetz (Ft. Walton Beach), is still in the possession of the Senate Committee on General Government Appropriations.

AIF supports full funding of alternative water supply programs and will continue to work with the Florida Water Alliance and the Legislature to ensure that these vital programs are continued.

Economic Development

Today, two economic stimulus bills important to AIF were heard and voted on by the House and Senate.

The Senate met for just over two hours and unanimously passed (36-0) SB 432 Relating to Artificial Reefs/Placement of Vessels by Senator Mike Bennett (R-Bradenton), which is a bill that creates a state matching grant program that seeks to stimulate economic activity by allowing Florida to offer grants to local governments in order participate in the sinking of decommissioned naval vessels to serve as a tourist attraction. This bill has been tracked by AIF all session and would aide local communities searching for ways to help stimulate economic activity.

This grant proposal would be administered out of the Florida Fish and Wildlife Conservation Commission and would be used for sinking of such vessels in Florida, with the hopes that recreational divers and fishermen will take advantage of this and in turn bring millions in state revenues to the area. The grants may also be used for reconditioning and towing of these vessels. This House companion, HB 179 by Representative Doug Holder (R-Sarasota), remains in its last committee of reference and we hope the House will give the bill a hearing on the House floor.

AIF supports this creative way to stimulate Florida's economy by using the state's natural resources.

The House passed HB 7109 Relating to Small Business Regulatory Relief by Representative Frank Attkisson (R-Kissimmee) on a 115-1 vote. This bill establishes the Small Business Regulatory Relief Act, establishes the state's first Small Business Advisory Committee as well as creates the Small Business Advocate. This bill focuses on monitoring regulatory requirements for small businesses and makes recommendations to the Legislature on how these burdens may be revised or deleted to reduce the detrimental impact they may have on Florida's 2 million small businesses.

In addition, the Small Business Advocate is established to represent the views and interests of small businesses before state agencies and the Legislature. The advocate would also be charged with receiving and responding to complaints from small businesses about regulatory burdens that may be adversely affecting their business. The reviews of these should also be coordinated with the agency's sunset review process, a process by which state agencies are reviewed by the Legislature to determine if the agency and/or its rules and procedures are necessary.

HB 7109 is now ready for consideration on the Senate floor.

AIF supports this legislation in its entirety and we hope that as the 2008 Session comes to a close this issue related to economic development will be approved by the Legislature and sent to the Governor for his approval.

Health Care

The Senate unanimously passed (39-0) SB 1598 Relating to Health Insurance Coverage/Amino-acid-based Formula by Senator Durell Peaden (R-Crestview). This bill deals with a health insurance mandate that requires coverage for Amino-acid-based formulas. These formulas, used primarily by infants, are already covered by most health insurance plans; this bill would add formulas delivered by an enteral procedure (a tube placed through the stomach) as opposed to offering the formula intravenously.

SB 1598 is now ready to be considered on the House floor.

While a worthy proposal, AIF consistently opposes additional mandated coverages because the resultant cost increases could force some insurers out of the market and price health care insurance out of the reach of many employers and businesses.

Business Regulation

The House unanimously passed (116-0) HB 147 Relating to Expedited Permitting Process for Economic Development Projects by Representative Robert Schenck (R-Springhill). The bill would implement expedited permitting procedures for targeted industries in Florida. Specifically, businesses that have submitted certain permit applications to the state Department of Environmental Protection (DEP) or the local water management district, can receive expedited permitting of 45 days. Currently, DEP has 90 days to approve or deny wetland or environmental resource permits. This legislation would require mandatory application reviews to reduce any conflicts in permitting as well as require local government recognition that the business is desired, by a municipal or county government resolution, in order for a business to take advantage of this expedited permitting.

HB 147 is now ready for consideration on the Senate floor.

AIF supports legislation aimed at improving the permitting process for existing businesses in Florida and for those companies looking to invest in our state. Any legislation that helps this process will have a dramatic effect on helping to stimulate our economy.

Environment

The House approved HB 527 Relating to Environmental Site Redevelopment by Representative Trudi Williams (R-Ft. Myers) on 108-6 vote. The Brownfields Redevelopment Program empowers communities, local governments and other stakeholders in economic development to work together to assess, clean up, and reuse brownfields. A brownfield site is property, which may be complicated by actual or perceived environmental contamination during the expansion, redevelopment or reuse of the property. The bill provides for a one-time, 25 percent tax credit of up to \$500,000 for the construction and operation of new health care facilities or health care providers on brownfield sites. Also, solid waste removal costs can be a part of the tax credits allowed under this section.

On second reading the bill was amended to include clarifying language for owners of contaminated petroleum sites and the transfer of ownership.

HB 527 was sent to the Senate and substituted for SB 2018 by Senator Bill Posey (R-Rockledge). It is now ready for final consideration on the Senate floor.

AIF supports this legislation as it will hopefully increase participation in the redeveloping of brownfield sites and therefore promote economic development efforts. The reuse of property is an important component of sound land use policy and the economic development advantage is great in promoting the growth of new jobs.

Ports

The battle over seaport security credentialing began and ended early Monday morning. A little after 8 am Representative Sandy Adams (R-Oviedo) filed an amendment on her bad bill, HB 7119 Relating to Uniform Port Access Credential Card. She hoped it would help her pass the bill and send it to the Senate. AIF and the Florida Ports Council immediately reacted and Representative Kevin Ambler (R-Tampa) agreed to sponsor an amendment nullifying the Adam's amendment (which would still require duplicious security screenings in the form of an affidavit for port employees).

As many of our readers know, *AIF's Maritime Council* sent out a call to action and AIF lobbyists began communicating with House Members against Adams' amendment and HB 7119. The bill mandates double criminal background checks in Florida. Within a couple of hours, our friends in the House asked that AIF stand down. The controversy created convinced leadership to take action resulting in an agreement that the bill would not be heard today.

HB 7119 is awaiting a final vote on the House floor.

AIF and its *Florida Maritime Council* support efforts that begin the process of examining the impacts of security regulation on the competitiveness of Florida's 14 deep water ports. Florida's security requirements are much more stringent than federal requirements, and consequently we are beginning to lose business to other ports in the region because Florida's security costs are significantly higher.

Space

The Senate unanimously passed (39-0) HB 1373 Relating to Qualified Defense Contractor Tax Refund Program by Representative Thad Altman (R-Melbourne) after substituting it for its companion, SB 2666 by Senator Bill Posey (R-Rockledge). HB 1373 expands the successful qualified defense contractor tax refund program to allow for space flight businesses, or entities with space flight contracts, to now qualify for these tax refunds.

Associated Industries of Florida is a proud supporter of the space program in Florida. Along with our friends at Space Florida and Enterprise Florida, Associated Industries of Florida has made the expansion and commercialization of the space industry in Florida a major economic priority. HB 1373 is one of several key legislative priorities this session that will continue to make Florida the leader in space related business and activity in the world.

Specifically, HB 1373 would provide:

- Qualified applicants will receive \$3,000 per job;
- Projects in rural counties or enterprise zones will qualify for \$6,000 per job;
- An additional \$1,000 per job bonus is available when jobs pay 150 percent of the average private sector wage in the area; and
- An additional \$2,000 per job bonus is available when jobs pay 200 percent of the average private sector wage in the area.

HB 1373 will now be sent to the Governor for his consideration.

AIF supports adding space flight businesses to the Qualified Defense Contract Tax Refund Program. The incentives included in this successful program should go a long way in helping Florida maintain and attract commercial space industries.