



DAILY BRIEF

From April 22, 2010

Thursday was another “day in the fast lane” as members of the House & Senate passed legislation of great importance to AIF members. One of the top priorities for AIF’s Florida Maritime Council, HB 821 Relating to International Commercial Arbitration by Representative Perry Thurston (D-Ft. Lauderdale), was passed by both chambers. Furthermore, House Joint Resolution 37 Relating to Healthcare Services by Representative Scott Plakon (R-Longwood) was also approved in a similar fashion. This hotly contested bill dealing with federal healthcare legislation drew much partisan opposition.

Friday will continue in a similar fashion with the House and Senate scheduled to start session at 9:30 am.

Ports

During a meeting of the full Senate this afternoon, members unanimously passed HB 821 Relating to International Commercial Arbitration by Representative Perry Thurston (D-Ft. Lauderdale).

This bill has been a top priority of the AIF Florida Maritime Council for the 2010 Legislative Session. HB 821 allows Florida companies engaged in international commerce to conduct arbitrations on a more regular basis in Florida. By design, this will decrease their costs while simultaneously boosting Florida’s reputation as an international leader in commercial arbitration. The bill will bring additional arbitration business to the state, as well as business that is currently lost to other countries. Furthermore, this measure will further strengthen Florida’s position as a global leader for international trade and commerce.

HB 821 passed the Florida House of Representatives earlier this morning and subsequently passed the Senate this afternoon. The bill is now headed to the Governor’s desk to be signed into law.

AIF SUPPORTS this legislation because of its ability to make Florida a more attractive location for international business. Businesses look for the familiar, and the acceptance of the Model Law in so many jurisdictions around the world would prove to be a positive consideration in deciding where to locate international companies and conduct business transactions. AIF proudly salutes the bill sponsors, Senator Dan Gelber (D-Miami Beach) and Representative Perry Thurston (D-Ft. Lauderdale) for their vision and leadership in bringing this important business-friendly bill to the Florida Legislature.

Healthcare

Today, the Florida Senate passed HB 37 Relating to Healthcare Services by Representative Scott Plakon (R-Longwood) that will add language relating to health care to the Florida Constitution. This joint resolution will allow employers, individuals and health care providers to opt-out of the federally mandated insurance provision. Specifically, this legislation will maintain the availability of private health insurance coverage and would protect employers and individuals from fines or penalties that the federal government may attempt to levy for non-compliance.

During the bill's first consideration in the House today, Representative Adam Fetterman (D-Port St. Lucie) offered an amendment that would ensure no individual may accept or request public, taxpayer-funded health insurance or health services, excluding emergency services, while uninsured. Representative Plakon urged members to support the bill as introduced today, explaining that this measure has been carefully crafted and that unintended consequences may create additional bureaucracy in dealing with the uninsured. Representative Plakon prevailed and the amendment failed.

Despite passing both the House and Senate today, the final passage of HR 37 was not without opposition. Democratic members consumed a significant amount of time during debate to explain the merits of federal healthcare legislation. The final vote fell largely along party lines with 26 yeas and 11 nays.

As with any constitutional amendment, HB 37 will require 60 percent approval by voters during the upcoming November general election.

AIF OPPOSES federal mandates that force Florida's citizens & business owners to purchase health insurance. AIF salutes Representative Plakon for his proactive legislation that will soften the blow from federally mandated healthcare.

Economic Development

Today, members of the Senate passed SB 1178 Relating to Dynamic Scoring by Senator Mike Haridopolos (R-Melbourne). This bill is AIF's top economic development priority this session as it could set the predicate for policies that will enact positive changes to economic development procedures for the state of Florida.

This legislation creates a new law which allows the Speaker of the House or the Senate President to request a special impact session of consensus estimating conferences to evaluate proposed legislation using dynamic scoring, return on investment or cost-benefit techniques; an exercise that businesses perform on a daily basis.

Furthermore, the bill requires the Office of Economic and Demographic Research to recommend protocols and procedures which, upon approval by the Speaker and the President, will govern the application of specific techniques when requested by the Speaker or the President. The measure passed nearly unanimously with 33 members voting for the measure and one nay from Senator Dan Gelber (D-Miami Beach).

SB 1178 will now be reported to the House for final passage.

AIF SUPPORTS legislation that addresses the cost-benefit analysis of economic development incentive policies. Additionally, AIF applauds Senator Haridopolos for continuing to move this bill through the Senate and will continue to work diligently towards its final passage

Space

The Florida House of Representatives unanimously passed HB 1389 Relating to Space & Aerospace infrastructure by Representative Steve Crisafulli (R-Merritt Island) today. This bill designates the "Space Transition & Revitalization (STAR) Act" which allows the use of 20 percent of the Quick Action Closing Fund to be used for attracting and retaining aerospace and high-tech jobs. Additionally, the language provides Space Florida with flexibility in using funds appropriated for Launch Complex 36 for other launch complexes or related uses.

HB 1389 will now be sent to the Senate to await consideration by its members. The Senate companion, SB 2500 by Senator Thad Altman (R-Melbourne), is waiting to be heard by the Senate Policy and Steering Committee on Ways and Means.

AIF SUPPORTS giving Space Florida the flexibility to allocate any of the un-obligated Launch Complex (LC) 36 funds for any purpose determined to have the greatest benefit to the commercial space industry in Florida. AIF also SUPPORTS this legislation as it will establish a number of incentives for luring new commercial space projects to Florida.

Insurance

Today, the Florida Senate passed SB 2264 Relating to Public Adjustors by Senator Mike Bennett (R-Bradenton) with no debate or questions by members.

This legislation aims at reigning in unscrupulous public adjustors who entice homeowners to reopen claims against insurance companies. As a result of this practice, millions of dollars of re-opened claims from the 2004-2005 hurricane seasons are creating a financial strain on insurance companies and the state of Florida. SB 2264 would require greater disclosure to homeowners from the part of these public adjustors. In addition, this measure also shortens the time frame that claims can be open from five years to three.

SB 2264 will now be sent to the House for consideration by its members.

AIF SUPPORTS legislation that will reduce abusive practices performed by public adjusters and protect businesses from risk of excess taxation. AIF commends Senator Bennett for his legislation that affords insurers the opportunity to underwrite policies in Florida without facing burdensome assessments.

Transportation

Today, the Florida House of Representatives unanimously passed HB 7213 Relating to Capital Formation for Infrastructure Projects by Representative Dave Murzin (R-Pensacola). The bill creates the Florida Infrastructure Fund Partnership, a contingent tax credit program designed to leverage investment and private funding for state infrastructure projects. The Partnership is authorized to raise \$350 million in private funds for direct investment in infrastructure projects, including water or wastewater systems, communication systems, power systems, transportation systems, renewable energy systems, ancillary or support systems, or other strategic infrastructure needs. Tax credits are available for redemption no earlier than 2023 and are used only as a guarantee on an investment partner's principal investment. The Florida Opportunity Fund will serve as the general partner of the program. A separate entity, the Florida Infrastructure Investment Trust, will administer the tax credit program.

HB 7213 has now been sent to Senate messages for consideration by its members.

AIF SUPPORTS legislation that seeks to increase investments in infrastructure. These kinds of investments will lead to job creation at a time when over 1 million Floridians are unemployed.