



# DAILY BRIEF

**From March 21, 2011**

While there has been hardly a slow day in the 2011 legislative Session, some may characterize today as the “calm before the storm” in the Florida Legislature. While a handful of AIF’s priorities saw their way through the committee process today, AIF has several of its biggest priorities scheduled for consideration on Tuesday. These include:

- ▶ **Destination Resorts:** Florida has an opportunity to create a premier gaming environment that can rival destinations around the world. HB 1415 by Representative Erik Fresen (R-Miami) and SB 1708 by Senator Dennis Jones (R-Seminole) will authorize limited gaming at up to five destination resorts that will attract a wide variety of tourists, domestic and international.
- ▶ **Bad Faith Insurance Reform:** Increased civil litigation directly costs businesses through increased insurance premiums. SB 1592 by Senator John Thrasher (R-Jacksonville) will level the playing field for Florida’s businesses where statutes lack significant procedural and enforcement controls that could better streamline and limit the volume of litigation and frivolous bad faith claims.
- ▶ **Outsourcing of Health & Human Services:** In regulating outsourced human service contracts, government has a fiduciary responsibility to ensure that tax dollars are spent efficiently to produce the desired outcomes. SB 226 by Senator Chris Smith (D-West Palm Beach) would enhance accountability, improve service delivery, eliminate duplicity and encourage savings when outsourcing these types of services.
- ▶ **Seaport Security:** As a priority of AIF’s Florida Maritime Council (FMC), the elimination of duplicative and burdensome security standards will provide an economic boom for Florida’s businesses at our 14 deepwater ports. HB 283 by Representative Dana Young (R-Tampa) will revoke these requirements and stimulate growth in one of Florida’s greatest, yet unrecognized, economic drivers – Florida ports.

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## **Growth Management**

Today, the Senate Community Affairs Committee took up and unanimously passed SB 1512 Relating to Growth Management by Senator Mike Bennett (R-Bradenton). The growth bill, which may form the basis of the Senate’s version of the growth management package, set a floor for determining “need” in a local comprehensive plan which goes to the justification of units which may be approved based on whether they would be necessary for the anticipated development needs of the planning area. In the past, this was used by the Department of Community Affairs (DCA) as a means to control growth at the local level, and was often controversial. The amended language now sets a “floor” rather than a “ceiling”, so that there would be protection from those local governments seeking to completely stop growth.

The bill also removes from a traffic analysis for proportionate fair share, any roads which have a deficiency, or backlog, thus requiring development to pay its fair share only, and not for pre-existing backlogs.

SB 1512 will now proceed to the Senate Military Affairs, Space and Domestic Security for further deliberation.

**AIF SUPPORTS efforts to re-write Florida's growth management laws in a way that will foster economic activity and job growth. Florida is a growth state and in order to turn our economy around we must repeal and reform some of the regulations that currently stymie responsible development.**

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## **Economic Development**

Today, the Senate Communications, Energy and Public Utilities Committee took up SB 1524 Relating to Telecommunications by Senator David Simmons (R-Altamonte Springs), known as the "Regulatory Reform Act."

Senator Simmons provided an overview of the state of communications in Florida and pointed out the significant loss of land line phone lines over the last several years. In fact, there are 16.7 million wireless accounts and only 9.4 million wire lines where it used to be just the opposite. Of the 9.4 million wire lines, 5.7 million are residential and of those, only 160,000 are basic plan of telephone service, or POTS.

Only those basic plans continue to be regulated by the state even though customers have many competitive alternatives available. Senator Simmons further explained that the bill continues the deregulation of the industries by deregulating those basic 160,000 plans; however, the Public Service Commission's role in resolving wholesale disputes between service parties remains.

Following an explanation of the bill, testimony included several major business organizations in support of the bill and only AARP speaking in opposition.

There was no debate and the bill passed unanimously as a committee substitute. It will now go to the President's office to be re-referred.

**AIF SUPPORTS legislation that modernizes Florida's communications laws and empowers consumers, not state regulation, to pick winners and losers. Further, AIF supports these much-needed reforms to keep and create jobs, and to spur investment, as Florida competes with states that have already created an attractive investment environment.**

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## Ethics & Elections

This morning, the Senate Rules Subcommittee on Ethics and Elections approved SB 1690 Relating to Elections by Senator Miguel Diaz de la Portilla (R-Miami). This bill increases Florida's archaic campaign contribution limit from \$500 per candidate to a series of caps that is stratified based on the office being sought: Governor, \$10,000; Cabinet and other statewide, \$5,000; Senate and House, \$2,500; and local government officers, \$1,000. The measure was explained as being needed to cure major constitutional concerns about Florida's unusually low cap and to reflect the dramatic inflation in costs relating to campaigning-- TV, postage, etc. that has occurred since the \$500 limit was adopted in 1996. As an example, the cost of a fairly substantial week-long statewide TV buy has more than doubled to at least \$1.7 million in the past four election cycles alone. The bill does not impose limits on amounts that can be donated to CCEs ("PACs"), ECOs ("527s"), or political parties.

**AIF will closely monitor any legislative proposals relating to campaign spending to ensure that the rights of the business community to freely participate in the elections process in a transparent manner are preserved.**

The Senate Rules Subcommittee on Ethics and Elections also approved SB 1504 Relating to Initiative Petitions by Senator David Simmons (R-Altamonte Springs) this morning. This bill addresses signature-gathering for initiative petitions and resolves a major issue between the Legislature and the Florida Supreme Court as to the Court's powers of review of ballot summaries for constitutional amendments proposed by the legislature. Under the bill, signature-gatherers must be Florida residents and must have their names on every petition form they gather. The company they work for must maintain records of every gatherer's name and address to facilitate locating a gatherer if fraudulent activity is found in regard to petitions that person collected. Most importantly, signature gathers must be paid by the hour and cannot be paid on the basis of the number of signatures they gather-- a "bounty system" that encourages fraud.

**AIF SUPPORTS efforts to reform Florida's petition signature gatherers. By bringing some accountability to the process, this bill will hopefully deter those out-of-state mercenary signature gathering firms from defrauding our citizens.**

Today, the full House Appropriations committee approved HB 1021 Relating to Labor and Employment by Representative Chris Dorworth (R-Heathrow). The bill prohibits state and local government from automatic payroll deductions for membership dues and Political Action Committee (PAC) contributions for members of public employee unions such as teachers, police, etc. The measure also allows a union member who has contributed to his or her union's PAC to request and receive a pro-rated refund of their contribution at any time during the year.

Members of the committee heard opposing testimony from representatives of various unions who harshly criticized the bill. As in prior committee stops, union members claim that this measure is an attempt at "union-busting" and an attempt to muzzle free speech. Rep. Dorworth, the bill's sponsor, countered that many of the concerns and allegations were without merit and in some cases outright false. He further added that government should simply not be in the business of collecting union dues and that many of the concerns expressed were outright false.

HB 1021 will now proceed to the House floor after passing its final committee of reference today. The Senate proposal, sponsored by Senator John Thrasher (R-Jacksonville), remains in the Senate Budget Committee for further consideration.

**AIF SUPPORTS efforts to give union members more of a say on how their union dues are spent. At a time when dollars are scarce, union members should be allowed to keep their hard-earned money if they decide not to support their union's political activity.**

## **Legal & Judicial**

Today, the House Community & Military Affairs Subcommittee unanimously passed HB 215 Relating to Emergency Management by Representative Joe Abruzzo (D-Wellington). This legislation provides civil immunity to any person who gratuitously provides housing, shelter, food or certain other provisions in the wake of a declared disaster to first responders. HB 215 is important to community recovery and business continuity following catastrophic events. When communities are able to provide for their own first responder communities they are able to restore services and return to a state of normalcy much more quickly.

The bill passed without any questions or debate from members of the committee.

HB 215 will now proceed to the House Judiciary Committee, its final committee of reference before heading to the floor. The Senate proposal, sponsored by Senator Mike Bennett (R-Bradenton), is in the Senate Judiciary Committee awaiting consideration.

**AIF SUPPORTS legislation that offers basic protection from unnecessary litigation to business owners who offer their services to first responders during natural disasters. Furthermore, AIF commends Senator Bennett for his vision and leadership in bringing forward this proposal.**