



# DAILY BRIEF

From March 6, 2013

On the second day of the 2013 Legislative Session, agriculture and education joined health care as the primary topics of the day while insurance, economic development, legal and judicial, and telecommunications issues were also covered.

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## Environment & Agriculture

In the House Economic Development and Tourism Subcommittee, chaired by Representative Carlos Trujillo (R-Doral), **Brewster Bevis, AIF's Senior Vice President of State and Federal Affairs** stood in support of HB 415, *Relating to Brownfields*, by Representative Travis Hutson (R-Palm Coast). If enacted, the legislation would reorganize the statute to provide a clearer description of the Brownfield area designation process. The bill specifies that redeveloping Brownfield areas can be a significant element in other revitalizations areas, such as community redevelopment areas, enterprise zones, and closed military bases. The legislation passed unanimously and will next be heard in House Local & Federal Affairs Committee, scheduled to meet Thursday, March 7th.



**AIF supports any legislation promoting Florida's Brownfield Program as it provides a variety of financial and regulatory incentives encouraging parties to voluntarily clean up and redevelop Brownfield sites. By restoring Brownfield sites, the properties get back on the tax rolls quicker and become useful to the community.**

AIF waived in support of Senator Alan Hays' (R-Umatilla), 30 year alternative water supply permitting bill, SB 364 in the Senate Appropriations Subcommittee on General Government. SB 364 expands water supply and reduces the cost of bonding such projects. The bill passed and will continue to the Senate Appropriations Committee, scheduled to meet tomorrow, March 7th.

**AIF supports any legislation expanding the water supply by funding and building sufficient water systems. The Water Protection and Sustainability Trust Fund (WPSTF) must be fully funded so alternative water supply projects, such as reclaimed water projects, desalination efforts and the collection and storage of rainwater, can be built to produce additional and sustainable future water supplies.**

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## Education

The Senate Education Committee heard SB 1076, *Relating to Education*, by Committee Chair John Legg (R-Lutz), a career education legislation that is Senate President Gaetz's (R-Destin) number one education priority. AIF spoke on behalf of the legislation, encouraging members to support and the bill passed 8 to 1. The bill revises current career education programs and target funding in an effort to better prepare and align Florida students to join the workforce. Specifically, the bill would encourage students' development of technology knowledge in prekindergarten through grade 12, thus effectively increasing

opportunities in which students earn industry certifications in high school and beyond. It will effectively expand the Career and Professional Education (CAPE) concept, created first in 2007, which jump started the creation of career and professional academies within school districts. Next, SB 1076 heads to the Senate Appropriations Subcommittee on Education, meeting Wednesday, March 13th.

**AIF supports any legislation geared toward preparing Florida's students for a successful transition into the workforce.**

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## Health Care

In the House Insurance and Banking Subcommittee, chaired by Representative Bryan Nelson (R-Apopka), HB 675, by Representative Clay Ingram (R-Pensacola), was unanimously approved. **AIF's General Counsel, Tammy Perdue**, supported the bill during the committee meeting. The bill would repeal the requirement on health insurers to submit the marketing materials they will use for their health insurance products, prior to their use. The bill would allow health insurers to get their products into the market sooner.



The bill will now head to the Health Innovation Subcommittee, scheduled to meet Wednesday, March 13th. The Senate companion, SB 648 by Senator Dorothy Hukill (R-Port Orange), has not yet been heard.

**AIF supports streamlining the regulations that create unnecessary barriers to ensure employers have options for coverage from which to choose.**

AIF also supported CS/SB 278 by Senator Garrett Richter (R-Naples) in the Senate Health and Human Services Appropriations Subcommittee, chaired by Senator Denise Grimsley (R-Sebring). The bill passed the committee by a vote of 10 to 3. The bill would allow certified optometrists who complete additional coursework and pass an examination to provide a broader range of services including administering and prescribing oral pharmaceutical agents. For the last several years, optometrists have sought to increase their scope of practice, noting they can provide additional services for patients at a lower cost. The committee's staff analysis stated passage of this bill would result in savings for the state's Medicaid program.

The bill will head next to the Senate Appropriations Committee. The House companion, HB 239 by Representative Matt Caldwell (R-Ft. Myers), will be heard tomorrow, March 7th, in the House Health and Human Services Committee.

**AIF supports measures that allow health providers to practice to the full limit of their professional educational and training in order to increase access and lower the cost of health care services.**

The Senate Committee on Children, Families, and Elder Affairs, chaired by Senator Eleanor Sobel (D-Hollywood), unanimously approved SB 794 by Senator Jeff Brandes (R-St. Petersburg) this afternoon. The bill would allow an applicant in need of nursing home care, to name the State of Florida as the beneficiary of their life insurance policy. As a trade-off, the person would be eligible for nursing home services through the Medicaid program. The state would be allowed to recover some of the costs of providing that costly care through the person's life insurance policy. As a result, this measure would increase the affordability of nursing home care. The House companion, HB 535 by Representative Jimmy Patronis (R-Panama City), has not yet been heard.

**AIF supports measures to make health care services more affordable while increasing access to those services.**

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## Insurance

The House Insurance & Banking Subcommittee, chaired by Representative Bryan Nelson (R-Apopka), heard HB 635, *Relating to Insurance*, by Representative Katie Edwards (D-Plantation), which included the adoption of 15 amendments and one withdrawn amendment. This bill includes provisions that allow for electronic proof of automobile insurance cards and to allow insurers to electronically deliver certain insurance policy forms. There was an extended discussion regarding the exemption of medical malpractice from the assessment base of the Florida Hurricane Catastrophe Fund. The exemption provided in current law is set to expire. The bill provided for a permanent exemption but an amendment was adopted that extends the current exemption for another three years.

**AIF supports legislation to restore the Florida Hurricane Catastrophe Fund (Cat Fund) to a safety buffer for Andrew-sized storms, thereby ensuring it can meet its obligations in the event of a storm and reducing the hurricane taxes funding its operations, as well as its possible deficits.**

Also passing the House Insurance & Banking Subcommittee was PCS for HB 835 by Representative John Wood (R-Winter Haven) and **PCB IBS 13-1** by Representative Bryan Nelson (R-Apopka), making changes to Citizens Property Insurance Corporation. These changes include the creation of an Inspector General who reports to the Financial Services Commission; precludes Citizens' policyholders from renewing insurance with Citizens if an insurer in the private market will insure the property for a premium up to five percent more than the Citizens renewal premium, and the creation of the Citizens Property Insurance Corporation Clearing Housing which would serve to enforce provisions of current law with regard to Citizens eligibility. If enacted, HB 835 would effectively phase out Citizens coverage of more expensive houses, specifically those costing more than \$500,000.

**AIF supports legislation to return Citizens to an insurer of last resort.**

The House Civil Justice Subcommittee, chaired by Representative Larry Metz (R-Groveland) unanimously approved HB 341, *Relating to Uninsured Motorist Coverage*, by Representative Clay Ingram (R-Pensacola). The bill reverses a recent court decision which deleted the option for the purchaser of an automobile insurance policy to sign a waiver of rights to combine policy limits from multiple vehicles for Uninsured Motorists (UM) coverage. By restoring this option, the bill allows businesses and other purchasers of UM coverage utilizing this option, to save 20% or more in premiums. The bill will next be heard in the House Regulatory Affairs Committee, scheduled to meet Thursday, March 14th.

**AIF supports the passage of legislation improving the regulatory environment for insurers and reducing the cost of insurance to businesses.**

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## Economic Development

The House Economic Development & Tourism Subcommittee, chaired by Representative Carlos Trujillo (R-Doral), met to hear several bills of importance to AIF and the business community. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis**, stood in support of HB 515, *Relating to New Markets Development Program*, by Representative Jose Oliva (R-Hialeah). The legislation authorizes another round of incentives under the successful New Markets Development Program, which has been encouraging economic development in our state's low-income communities since 2010. The bill passed the committee unanimously. The legislation will next be heard in House Finance and Tax Subcommittee, scheduled to meet Friday, March 8th.



**AIF supports Florida's continued participation in the New Markets Development Program as it has created or retained over 1,400 jobs and is anticipated to create 8,000 jobs by 2016.**

In addition, Mr. Bevis stood in support of HB 537, *Relating to Growth Management*, by Representative George Moraitis (R-Ft. Lauderdale). The legislation will foster business growth by removing barriers amending the referendum process for development orders, local comprehensive plan amendments and map amendments. The bill passed the committee unanimously and will be heard next in the House Local & Federal Affairs Committee, scheduled to meet Thursday, March 7th.

**AIF supports legislation removing any barriers to business in an effort to create a more business-friendly climate in Florida.**

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## **Legal & Judicial**

AIF waived in support of HB 827 by Representative Matt Gaetz (R-Fort Walton Beach), *Relating to Medicine*, as it passed through its first committee of reference, the House Civil Justice Subcommittee, with a party line vote. The bill focuses on reforms within the medical malpractice system, including ex parte or unilateral communication, among other issues. AIF commends Representative Gaetz for carrying bill and will continue to support his efforts as the bill moves through the committee process.

**AIF supports legislation sustaining the existing caps on non-economic damages arising from medical malpractice lawsuits. AIF also supports any legislation expanding immunity to health care providers who provide medical attention in certain situations.**

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## **Telecommunications**

Today, Senate Communications, Energy, and Public Utilities Committee Chair Dorothy Hukill, (R-Port Orange) called on Senator Nancy Detert, (R-Venice), to present CS/SB 52, *Use of Wireless Communications Devices*. Senator Detert explained an amendment to provide for an additional 2 points if the violation occurs within a school safety zone. The amendment passed with a unanimous voice vote. Senator Detert then explained the bill prohibits the operation of a motor vehicle while manually typing or entering multiple letters, numbers, symbols, or other text in a handheld wireless device. There were questions from several Senators, all of whom were in support of the bill, but wanted clarification. Senator Detert was prepared for all the questions and gave answers which satisfied each. In debate only supportive comments were offered. Public testimony was simply amazing as over 20 entities waived in support of the bill including the largest wireless provider, AT&T. The bill passed without opposition and heads to the Senate Judiciary Committee, next scheduled to meet Tuesday, March 12th.

**AIF supports SB 52 because it will effectively decrease automobile accidents thus lowering insurance costs for Florida's businesses.**