

WEEKLY UPDATE



From March 10, 2017

Welcome back for the 2017 Legislative Session! As this first week comes to a close, we see that this Session will be one for the books. With big issues on the horizon – from workers’ compensation rate increases, insurance premium tax credits, the threat of losing all economic incentive programs, mandating prejudgment interest on tort cases, to the State’s proposed land buy south of Lake Okeechobee – AIF will remain vigilant in the fight for our members and Florida’s businesses as a whole.

Earlier this week, we held our annual Legislative Reception which provided Legislators, lobbyists and AIF members the opportunity to relax, socialize and re-connect before the opening of the regular session. The link below filmed during the Reception, features Legislators, Cabinet officials and State Department Heads highlighting what is to come this session:

https://www.youtube.com/watch?v=_UntlV0FUjw&feature=youtu.be

ECONOMIC DEVELOPMENT

HB 7005-Relating to Economic Programs

On Monday, March 6th, **HB 7005**, relating to Economic Programs, sponsored by the **House Careers & Competition Subcommittee** and **Representative Paul Renner (R-Palm Coast)**, was heard by the **House Rules & Policy Committee** and passed by a vote of 15 yeas to 3 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition of this bill.**

On Friday, March 10th, **HB 7005** was read for a third time on the House floor and passed by a vote of 87 yeas to 28 nays.

This legislation threatens to eliminate ALL incentive programs that help many of Florida’s businesses and economy thrive, specifically incentives for;

- Enterprise Florida,
- The Qualified Defense and Space Contractors tax refund,
- The Qualified Target Industry business tax refund,
- The Quick Action Closing fund, and
- The Office of Film & Entertainment and entertainment industry tax programs.

Enacting this legislation would be detrimental to not only our state's economy but our tourism industry, an industry that sets Florida apart from the rest. However, contrary to the bills previous hearings, an amendment by the sponsor was adopted to take VISIT Florida off of the list above and is now being dealt with within its own bill, **HB 9** (see below).

HB 7005 will now go to the Senate floor to be heard.

AIF OPPOSES removing agency incentives as it would result in an economic downturn for Florida.

HB 9-Relating to Florida Tourism Industry Marketing Corporation

On Monday, March 6th, **HB 9**, relating to Florida Tourism Industry Marketing Corporation, by **Representative Paul Renner (R-Palm Coast)** was heard by the **House Rules & Policy Committee** and passed by a vote of 15 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs stood in opposition to this bill.**

On Friday, March 10th, **HB 9** was read for a third time on the House floor and passed by a vote of 80 yeas to 35 nays.

The bill moves the Florida Tourism Industry Marketing Corporation (dba VISIT Florida) from the supervision of Enterprise Florida, Inc., to the Department of Economic Opportunity (DEO) in an attempt to revamp Visit Florida. The bill also modifies current law to provide greater accountability and oversight of Visit Florida.

HB 9 will now go to the Senate floor to be heard.

Please see the below statement from our President & CEO, Tom Feeney, released on Monday, March 6th, regarding AIF's opposition to HB 7005 and HB 9:

AIF Opposes Termination of EFI & Revamp of VISIT FLORIDA

Tallahassee, Fla. – The **Associated Industries of Florida** (AIF) today released the following statement on behalf of its President & CEO Tom Feeney regarding the opposition to House Bill 9, by Representative Paul Renner (R-Palm Coast), relating to Florida Tourism Industry Marketing Corporation, and House Bill 7005, by the House Careers & Competition Subcommittee, relating to Economic Programs. HB 9 and HB 7005 were today heard in the House Rules & Policy Committee.

“These two bills, HB 9 and HB 7005, that would eliminate Enterprise Florida and revamp VISIT FLORIDA are detrimental to Florida's employers and employees. Enterprise Florida and VISIT FLORIDA contribute immensely to our economy, cultivating a competitive and innovative business environment that maximizes revenues and our job base.

“As these bills head to the House floor, we encourage an open dialogue among our state’s leaders on the importance of transparency and accountability measures, but we must continue to have and fund these good public-private partnerships that are vital in making Florida the No. 1 destination to do business.”

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TRANSPORTATION

HB 725-Relating to Autonomous Vehicles

On Tuesday, March 7th, **HB 725**, relating to Autonomous Vehicles, by **Representative Jason Brodeur (R-Sanford)** was heard by the **House Transportation & Infrastructure Subcommittee** and unanimously passed by a vote of 14 yeas to 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This bill authorizes the use of vehicles in autonomous mode, with the autonomous technology being considered the human operator of the motor vehicle and provides that various provisions of law regarding motor vehicles such as rendering aid in the event of a crash do not apply to vehicles in autonomous mode where a human operator is not physically present as long as the vehicle owner promptly contacts law enforcement. The bill also addresses the applicability of laws regarding unattended motor vehicles and passenger restraint requirements as they relate to vehicles operating in autonomous mode where a human operator is not physically present in the vehicle.

HB 725 will now move on to the **House Government Accountability Committee.**

AIF SUPPORTS legislation that authorizes the use of autonomous vehicles and regulates the responsible party should there be an incident.

HEALTH CARE

HB 449- Relating to Health Insurance

On Tuesday, March 7th, **HB 449**, relating to Health Insurance, by **Representative Paul Renner (R-Palm Coast)** was heard by the **House Insurance & Banking Subcommittee** and passed. **AIF stood in opposition to this bill.**

This bill creates the Patient Savings Act, which requires health insurers to create a shared savings incentive program (Program) to encourage insured individuals to shop for high quality, lower cost health care services and share any savings realized as a result of the insured’s choice. While this bill has good intentions, when you look at paying an insured individual’s difference in cost, the insurance company will end up paying a midway point which will in turn be pushed off onto Florida businesses.

HB 449 will now go to the **House Health & Human Services Committee** for its next hearing.

AIF OPPOSES this legislation due to the concern over cost increase to business owners across the state.

TELECOMMUNICATIONS

SB 596-Relating to Utilities

On Tuesday, March 7th, **SB 596**, relating to Utilities by **Senator Travis Hutson (R-Palm Coast)** was heard by the **Senate Committee on Communications, Energy, and Public Utilities** and passed by a vote of 7 yeas to 1 nay. **AIF stood in support of this bill.**

This bill creates the Advanced Wireless Infrastructure Deployment Act which would ultimately allow for 5G technology throughout the state of Florida.

SB 596 will now go to its second committee hearing in the **Senate Committee on Governmental Oversight and Accountability.**

AIF SUPPORTS legislation that accommodates for the increasing need for reliable wireless networks to help support communities and businesses of the future.

Please see below statement from our President & CEO, Tom Feeney, released Tuesday, March 7th, on 5G technology:

AIF: Florida Can Have Smart Cities with 5G Technology

Tallahassee, Fla. – The **Associated Industries of Florida (AIF)** today released the following statement on behalf of its President & CEO Tom Feeney regarding the support of Senate Bill 596, by Senator Travis Hutson (R-St. Augustine), relating to Utilities. SB 596 was today heard in the Senate Communications, Energy, and Public Utilities Committee, its first committee of reference.

“AIF supports legislation to bring our state into the next generation of wireless technology in order to support communities of the future. By implementing small cell technology around our state, Florida will be able to be a part of the smart cities revolution and bring ultra-fast speeds to our businesses.

“AIF encourages Florida lawmakers to support this good public policy that will not only transform the way we do business at faster speeds, but attract innovative and technologically advanced companies to our state and give Florida families the bandwidth they need at their fingertips to live within this revolution.”

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ENVIRONMENT

SB 532-Relating to Public Notification of Pollution

On Tuesday, March 7th, **SB 532**, relating to Public Notification of Pollution, by **Senator Bill Galvano (R-Bradenton)** was heard in the **Senate Committee on Environmental Preservation and Conservation** and passed by a vote of 5 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs stood in opposition to this bill.**

This bill will require companies to notify the state Department of Environmental Protection (DEP) about the release of any dangerous substance within 24 hours of discovery, and DEP must then publish a public notice within 24 hours.

SB 532 will now go to the **Senate Appropriations Subcommittee on the Environment and Natural Resources** to be heard.

AIF OPPOSES the need for this legislation because the DEP must already report pollution.

SB 442-Relating to Advanced Well Stimulation Treatments

On Tuesday, March 7th, **SB 442**, relating to Advanced Well Stimulation Treatments, by **Senator Dana Young (R-Tampa)** was heard by the **Senate Committee on Environmental Preservation and Conservation** and passed by a vote of 5 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs stood in opposition to this bill.**

This bill prohibits the performance of advanced well stimulation treatments on oil or gas wells. The bill defines the term "advanced well stimulation treatment" to include all stages of well intervention performed by injecting fluids into a rock formation.

SB 442 will now go to the **Senate Appropriations Subcommittee on the Environment and Natural Resources** to be heard.

AIF OPPOSES the prohibition of advanced well stimulation treatments as it could cause a deficit when it comes to meeting the energy needs of the State.

SB 10-Relating to Water Resources

On Wednesday, March 8th, **SB 10**, by **Senator Rob Bradley (R-Orange Park)** was heard in the **Senate Appropriations Subcommittee on the Environment and Natural Resources** and passed by a vote of 5 yeas to 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill authorizes the purchase of approximately 60,000 acres of land below Lake Okechobee and the construction of a reservoir near the lake to attempt to remedy the pollution flowing East and West of the lake.

SB 10 will go to the full **Senate Committee on Appropriations** next.

AIF OPPOSES this legislation as we do not believe that simply buying the land below Lake Okeechobee will ratify this long term issue.

Below is a statement from Brewster Bevis, released on Wednesday, March 8th, regarding SB 10:

Statement from AIF's H2O Coalition Regarding the Senate Appropriations Subcommittee on the Environment and Natural Resources' Passage of SB 10

Tallahassee, Fla.—Associated Industries of Florida's Senior Vice President of State and Federal Affairs Brewster Bevis released the following statement regarding the Senate Appropriations Subcommittee on the Environment and Natural Resources' passage of Senate Bill 10:

"During today's debate on Senate Bill 10, it was abundantly clear from objections raised by members that the bill remains seriously flawed. Despite the amendment to the bill, it still spends billions on a plan that is not proven to adequately address the local water quality issues in coastal communities.

"It also has a negative economic impact on the communities south of Lake Okeechobee according to the bill's own cost estimate, which says, 'converting the agricultural land to a reservoir will have an indeterminate negative fiscal impact to the sugar mills and local farmers due to the reduction in available farmland.'

"An independent analysis from the James Madison Institute confirms this showing the bill will cost Florida 4,000 jobs and \$700 million. At a time when the Florida Legislature has been focused on job creation, the last thing we need is a job killer of this magnitude.

"The Senate should follow the science showing storage is needed at the source of entry to the north of Lake Okeechobee before buying additional land to the south."

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TAXATION

HB 21-Relating to Limitations on Property Tax Assessments

On Thursday, March 9th, **HB 21**, relating to Limitations on Property Tax Assessments, by **Representative Colleen Burton (R-Lakeland)** was heard in the **House Commerce Committee** and was reported favorably with a vote of 24 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

In 2008, Florida voters approved Amendment 1 which, among other things, created a 10% cap on the annual increase of property taxes for all non-homestead properties. However, this amendment included a sunset provision that goes into effect on Jan. 1, 2019. HB 21 proposes a constitutional amendment be added to the ballot during the 2018 General Election to let the voters decide in making this cap 10% tax cap permanent.

HB 21 will now go to the House floor to be heard.

AIF SUPPORTS a permanent 10% property tax cap on second homes and commercial property.

LEGAL & JUDICIAL

SB 334-Relating to Prejudgment Interest

On Thursday, March 9th, **SB 334**, relating to Prejudgment Interest, by **Senator Greg Steube (R-Sarasota)**, was heard by the **Senate Committee on Rules** and was temporarily postponed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill seeks to mandate that prejudgment interest be awarded to both economic and noneconomic damages recovered. For economic damages, interest would accrue from starting the date the plaintiff incurred economic losses. For noneconomic damages, interest would accrue starting from the date the defendant received notice of a claim from the plaintiff. Currently, prejudgment interest is awardable on economic losses at the discretion of the judge. Florida businesses are gravely concerned about the addition of prejudgment interest on noneconomic losses due to the subjective nature of these costs.

Today, an amendment offered by **Senator Tom Lee (R-Brandon)**, was adopted. This amendment takes out the provision for awarding prejudgment interest on economic damages and removes the mandate that the court must award prejudgment interest. While AIF thanks Senator Lee for offering this amendment, AIF still has concerns with noneconomic damages remaining in the bill.

AIF OPPOSES legislation that will increase the already daunting costs of litigation on Florida's businesses.