



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920



2009 SESSION PRIORITIES

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Business Regulation

Regulation is necessary in many cases to protect the welfare and safety of Floridians. In some cases, it is necessary to protect our environment. Recently, however, businesses are facing duplication of regulation by state agencies and local governments. This duplication is costing businesses not only an enormous amount of money, but time as well. To make matters worse, there are times when an employer complies with one regulation for a permit, only to be denied a permit from another agency because of that compliance.

Leadership in the Florida House of Representatives and Florida Senate has also acknowledged there is a problem. President Jeff Atwater (R-North Palm Beach) has created the Senate Select Committee on Florida's Economy. One of its objectives is "finding and reducing redundant, overlapping or non-essential regulatory activities which increases government spending and inhibits economic growth." In the House of Representatives, the elimination of over-regulation is one of the top priorities. The 2006 Government Accountability Act, which created the Sunset Review Process and the Joint Sunset Review Committee continues to be in effect. This process is responsible for reviewing the activities and processes of all state agencies in Florida. It has the power to recommend that an agency be abolished or that certain activities be suspended or given to another agency to manage more efficiently.

The areas where regulatory relief can be achieved are too numerous to list. For example, state agencies are currently involved in **duplicative monitoring** of outsourcing providers; efforts to **expedite permitting** for environmental and economic development permitting have been thwarted, and retailers and other businesses are forced to deal with a myriad of local and state ordinances with no **uniformity**. In addition, the issue of protection of **personal information** continues to be addressed by the Legislature. AIF will support all efforts to eliminate duplication and overlap in regulatory requirements and permitting processes.

In the area of business regulation reform, AIF will focus on the following issues:

Expedited Permitting

AIF SUPPORTS legislation aimed at improving the permitting process for existing businesses in Florida and for those companies looking to invest in our state. Accomplishing this goal will have a dramatic effect on helping stimulate our economy and reduce government spending. This proposal would require the Department of Environmental Protection (DEP) and water management districts to create a 45-day expedited permitting process for businesses that have been identified as a "targeted industry" business by the state Office of Tourism, Trade, and Economic Development (OTTED). It would also require a mandatory pre-application review process to reduce permitting conflicts by providing guidance to applicants regarding the permits needed from each agency and governmental entity, site planning and development, site suitability and limitations, facility design, and steps the applicant can take to ensure expeditious permit application review. This proposal passed the House last year, but it stalled in the Senate during the final weeks of session. We certainly expect it to be considered once again this session; and, with an emphasis on increasing efficiency and reducing government regulation, this proposal has an excellent shot of passing.

Privacy and Identity Theft

AIF will continue to OPPOSE any effort to limit legitimate commercial access to personal information. Additionally, AIF will oppose any effort to prevent access to important information used in everyday commercial transactions, including social security numbers. Identity theft and privacy concerns continue to plague Florida citizens and its businesses. As a result, the Florida Legislature will continue to search for new ways to protect those who are vulnerable. However, many proposed solutions would hinder Florida businesses who rely on the sharing of information as part of everyday commerce.

A very large part of Florida's economy is dependent upon accessing personal information. In the digital age, important information is a click away and can provide information on underwriting criteria, verification of identity in financial services and retail settings, important public records information and other information



that businesses use to make important decisions. Social Security numbers are an individual's only unique identifier and are vital to matching public records documents to the correct person when making commercial decisions. If the Legislature restricts Florida business' access to such information, then it could increase the cost of doing business here and require costly changes in commercial operations.

Monitoring and Oversight of Outsourcing Providers

AIF SUPPORTS legislation to create a more efficient and sustainable business practice for entities providing essential services to the state through the elimination of duplication and costly redundancies. One area where state government can make dramatic reductions in regulation and save money at the same time is in their monitoring practices of government outsourcing providers, particularly in the field of human services. For the 2009 Legislative Session, AIF's Governmental Outsourcing Council (GOC) has proposed significant legislation that would ensure accountability, eliminate duplication, and improve efficiencies, thereby lowering the costs associated with providing services and maximizing the use of state dollars. One way to achieve this goal is by the designation of a lead agency responsible for monitoring. Currently, non-profit providers are monitored for quality assurance by a number of agencies, thus creating inefficient duplication of services and costing providers valuable time and money. In addition, the state of Florida should consider accepting national accreditation in lieu of state agency review of documents, forms, and other monitoring requirements. For more information on this proposal, please turn to the GOC section of this publication on page 33.

Fertilizer Ordinance

AIF SUPPORTS legislation that develops an overarching model for fertilizer regulation that applies statewide. It is unreasonable and a logistical nightmare for retailers to be held responsible for keeping legal products on their shelves when the definition of what's legal and allowable can change from one town and county to their adjacent neighbors. A troublesome practice of local governments micro-managing state regulated industries has emerged across Florida. While

this is in a specialized industry at the moment, this is a bad precedent to set.

Almost 20 cities, counties, or municipalities have approved, or are in the midst of approving an ordinance regulating the application of fertilizer. In the name of saving our water resources, local governments have decided, without scientific proof, that fertilizer is the enemy. The problem with this is that the ordinances only address those persons applying fertilizer who are already regulated by the Department of Agriculture and Consumer Services (DACS). The ordinances don't address homeowners or "yard men" that purchase fertilizer and apply it themselves.

It is disconcerting when a regulated industry is required to jump through increased regulatory hoops — different ones for each city, county and municipality. Legislators should look to correct this inefficiency this session.

Competitive Parity

AIF SUPPORTS legislation that promotes more competition and choice in telecommunications.

The world of telecommunications has changed dramatically. We communicate today in ways we never envisioned — over many different transmission lines and infrastructures. Florida customers have many choices for their telecommunications needs, with providers ranging from satellite to terrestrial wireless, from cable to powerline, Voice over Internet Protocol (VoIP) to traditional wireline providers. Yet, only traditional wireline providers face regulation by the Florida Public Service Commission. We know that competition in communications delivers new and better choices to consumers. Competition is a better way to assure lower prices, product quality, service innovation and consumer choices. Florida communication laws need to be updated to ensure that there is an even playing field for communications providers to deliver more and better choices to Florida consumers.

AIF Lobby Team Members Assigned to the Area of Business Regulation Include:

Keyna Cory	Expedited Permitting
Peter Harris	Outsourcing Issues
Nick Iarossi	Privacy Issues
Frank Meiners	Competitive Parity