



APRIL 4, 2005

FUNDING FOR STATE COURT SYSTEM

The Senate Justice Appropriations committee unanimously passed SB 2048 Relating to Judges by Senator Victor Crist (R-Tampa). This bill deals with the certification of circuit court, county court, and district court judges. The bill's sponsor stated that the need for judge's is paramount and recommended an amendment that would certify 34 judges: 10 appointed circuit court judges, 10 elected circuit court judges, 6 appointed county court judges, 6 elected county court judges and 2 district court judges. The amendment was adopted by the committee following little debate.

Senator Crist explained that he chose, what could be considered, a low number of judges based purely on posturing in preparations for negotiations with the House. Senator Rod Smith (D-Gainesville) then stated that this was not the time for "wailing and gnashing of teeth" because the number of judges will certainly increase as a result of negotiations during the budget conference process. Its House companion HB 263, by Representative Bruce Kyle (R-Fort Myers), certifies 110 judges.

Senator Crist expressed that his goal would be funding a minimum of 55 judicial positions during this session, and certifying 110 judges before the cycle is over.

SB 2048 will now be heard by the Senate Ways and Means Committee.

The business community depends on the court system to resolve property disputes, contract disputes, and other civil matters. In fact, most of the court system's time is business-to-business activity. Therefore, AIF supports any effort by the Legislature to sufficiently fund our state's court system.

ENVIRONMENT

The Senate General Government Appropriations Committee unanimously passed SB 1318 Relating to Underground Petroleum Storage Facilities by the Committee on Environmental Preservation. This bill implements the recommendations of the Senate Environmental Preservation Committee's interim report no. 2005-153, relating to the state's underground petroleum storage tank cleanup program. Specifically, the bill is intended to encourage owners of underground petroleum storage systems to upgrade their tanks before 2009. SB 1318 would also allow owners or operators to be paid \$50,000 for a single facility to remove and treat soil contamination associated with the tanks upgrades and up to \$100,000 for certain circumstances.

The Legislature enacted the State Underground Petroleum Environmental Response Act (SUPER Act) to address the problems of pollution from leaking underground petroleum storage systems. As an incentive to report and clean up contamination from leaking petroleum storage systems, the SUPER Act established the Early Detection Incentive Program or EDI. Over 18,000 petroleum sites had been identified as having been contaminated and in need of cleanup. The incentives to participate in the reimbursement program proved to be extremely successful. So much so, that the demand for reimbursement exceeded the administrative capacity of DEP and the financial resources of the state. As a result the state had to implement a prior-approval requirement before underground storage facilities could be given funds to clean up. As of today, this is the type of program in effect.

AIF supports legislation that would encourage private owners and operators of underground petroleum storage facilities to clean up and upgrade their tanks. Providing these incentives will presumably prevent owners of underground tanks to wait until the last minute therefore, preventing a backlog in the system.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our “members only” Florida Business Network web site at <http://fbnnet.com>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.