

DAILY BRIEF



From April 22, 2014

LEGAL & JUDICIAL

SB 470 – relating to Malt Beverage Tastings

On Tuesday, April 22nd, SB 470, relating to Malt Beverage Tastings, by Senator Nancy Detert (R-Venice) unanimously passed the Senate Committee on Appropriations. **AIF Senior Vice President of State and Federal Affairs, Brewster Bevis**, stood in support of the bill during the committee. The bill now heads to the Senate Committee on Rules.



The bill repeals the prohibition against beer tastings and creates conditions under which the tastings could be held. More specifically, the bill allows malt beverage tastings on premises of any vendor authorized to sell alcoholic beverages by the drink for consumption on premises or the premises of any vendor authorized to sell alcoholic beverages only in sealed containers for consumption off premises if it has at least 10,000 square feet or is a licensed package store. Current law permits only wine and liquor distributors and vendors to conduct wine and liquor tastings at licensed premises that are authorized to sell such beverages.

AIF supports this legislation because it creates a level playing field here in the state for beer manufacturers.

TAXATION

SB 898 – relating to Communications Services Tax

On Tuesday, April 22nd, SB 898, relating to Communications Services Tax, by Senator Joseph Abruzzo (D-Wellington) unanimously passed the Senate Committee on Appropriations. **AIF Senior Vice President of State and Federal Affairs, Brewster Bevis**, stood in support of the bill during the committee. The bill now heads to the Senate floor.



This bill, brought to the attention of the legislature by the hotel and lodging industry, intends to relieve hoteliers, both large and small, from erroneous application of the Communications Services Tax (CST) by the Florida Department of Revenue on hotels, their franchises and properties. Specifically, the bill provides clarification that certain communications over the internet do not make a hotel a provider of communications services and thus those communications are not subject to the CST.

AIF supports this bill because the impact of the state's tourism industry, along with the lodging industry, affects every corner of the state and further and erroneous taxation of the hotel and lodging industry can only harm local economies.

SB 294 – relating to Emergency Communication System

On Tuesday, April 22nd, SB 294, relating to Emergency Communication System, by Senator Alan Hays (R-Umatilla) unanimously passed the Senate Committee on Appropriations. **AIF Senior Vice President of State and Federal Affairs, Brewster Bevis**, stood in support of the bill during the committee. The bill now heads to the Senate floor.

The bill would reduce the current charge for 911 services on all phone lines, including mobile. In addition, the legislation implements the findings of the E911 Board, allowing for the collection of the 911 fee at the retail point of sale for prepaid wireless phone plans. Implementing a point of sale collection method for prepaid plans and enabling the fee to be collected from everyone with access to 911 may make it possible to reduce the fee for all consumers. The bill would also put priority on allowing counties to use funds to upgrade and replace 911 systems for next generation.

AIF supports lessening the 911 surcharge on Florida's phone users as well as supports a robust and modern emergency communications system vital to the welfare of Florida's business community.

HB 5601 – relating to Economic Development

On Tuesday, April 22nd, HB 5601, relating to Economic Development, by House Finance & Tax Subcommittee, Senator Dorothy Hukill (R-Port Orange), and Representative Ritch Workman (R-Melbourne) unanimously passed the Senate Committee on Appropriations. AIF stood in support of the bill during the committee. The bill now heads to the Senate floor.

The bill provides a broad range of tax cuts and spending aimed at either directly or indirectly encouraging economic development. The bill incorporates provisions from a handful of other bills AIF has been advocating this session. Specifically, the bill includes tax holidays for consumers, an increase in the corporate tax exemption, a sales tax exemption for machinery and equipment, modernization of communication services taxes, and the Commissioner of Agriculture's priority of reducing the sales tax on electrical usage for businesses while increasing revenues for the Public Education Capital Outlay fund. AIF has been advocating for all of these provisions individually throughout the 2014 legislative session.

AIF supports reducing the tax burden on Florida's businesses and any measure that will make the state more attractive for conducting business.

HEALTH CARE

SB 1354 – relating to Health Care

On Tuesday, April 22nd, SB 1354, by Senator Denise Grimsley (R-Sebring) unanimously passed the Senate Committee on Appropriations. **Tammy Perdue, AIF's General counsel**, stood in opposition of the bill during the committee, stating concerns that according to the staff analysis it will significantly increase costs to employers and individuals. The bill now heads to the Senate floor.



SB 1354 makes health care more expensive and impedes our mission to provide greater access to quality health care at more affordable costs for employers.

As this bill now heads to the Senate floor, AIF encourages legislators to have more awareness on this legislative proposal that would create more red tape and higher costs for Florida businesses.

AIF opposes legislation that would make quality health care more expensive for Florida's residents and employers.

HB 1275 – relating to Physician Assistants

On Tuesday, April 22nd, HB 1275, relating to Physicians Assistants, by Representative Larry Ahern (R-St. Petersburg) passed the House chamber by a 100-19 vote. The bill now heads to the Senate for consideration.

The bill increases the number of physician assistants a physician may supervise from four to eight. An amendment adopted during the committee exempts this increased ratio for dermatologists' office, which generally requires more hands-on supervision by a physician. An additional amendment added allows a physician to supervise a PA at a site other than their primary office for the provision of specialty skin services if certain training is completed. Further, the bill would simplify the reporting system for PA's who work under multiple physicians in hospitals. Currently, a PA is required to list all of the physicians with whom they work in a report to the Department of Health (DOH). This bill would require the PA to report to DOH only their primary supervising physician.

AIF supports access for Floridians to high-paying jobs, such as physician assistant.

EDUCATION & WORKFORCE

HB 7083 – relating to School Choice

On Tuesday, April 22nd, HB 7083, relating to Charter Schools, by the House Choice & Innovation Subcommittee and Representative Manny Diaz (R-Hialeah) passed the House chamber by a 68-50 vote. The bill now heads to the Senate for consideration.

This bill creates new opportunities for high-performing charter school operators to establish quality charter schools in Florida, including charter schools in hard-to serve areas. The bill authorizes an out-of-state entity that successfully operates a system of

charter schools to apply and qualify for high-performing charter school system status. The state board must adopt rules specifying a process and criteria for evaluating out-of-state entities for “high-performing” status. Eligibility criteria must be aligned with the priorities specified in the federal Charter Schools Program Grants for Replication and Expansion of High-Quality Charter Schools, which emphasizes student achievement. Additionally, the bill shifts the focus of the state’s program for replicating quality charter schools towards meeting school district needs for innovative school choice options and serving areas served by struggling traditional public schools.

AIF supports educational choice. In addition, AIF supports capital outlay funding for public charter schools, removing artificial enrollment caps that prevent public charter schools from meeting the demand of students on waiting lists, restricting authority of school districts from imposing additional regulatory burdens on public charter schools and changes to funding formulas to require that funding follows the individual student.

ENERGY

HB 281 – relating to Keystone XL Pipeline

On Monday, April 21st, HB 281, relating to Keystone XL Pipeline, by Representative Mike Hill (R-Pensacola Beach) passed the Senate Committee on Rules by a 10-3 vote. The bill now heads to the Senate floor.

The bill is a memorial that urges the President to issue final approval of the Keystone XL Pipeline Project (Project). The proposed Project involves the construction of an 875-mile pipeline between Morgan, Montana, and Steele City, Nebraska. The Project would also cross the U.S.-Canadian border at Morgan, Montana. The construction of the Project is the fourth and final phase of the larger Keystone Pipeline (Pipeline), a pipeline infrastructure that would have the capacity to deliver roughly 830,000 barrels per day of crude oil from oil sands in Canada to the Gulf Coast of Texas. Memorials have no force of law, as they are mechanisms for formally petitioning the U.S. Congress to act on a particular subject.

AIF supports developing memorials to Congress and the President supporting the expansion of hydraulic fracturing and the building of the Keystone XL pipeline.

ENVIRONMENT

SB 312 – relating to Agriculture

On Tuesday, April 22nd, SB 312, relating to Agriculture, by Senator Wilton Simpson (R-New Port Richey) unanimously passed the Senate Committee on Appropriations. AIF stood in support of the bill during the committee. The bill now heads to the Senate floor.

The bill allows a farmer who enrolls in a Dispersed Water Storage program offered by a water management district retain the "Greenbelt" land classification on his property as long as he participates in the programs. The bill also provides several sales tax exemptions for agriculture producers.

AIF supports legislation which allows land owners to continue to have their property classified as “agricultural” if they are participating in a water retention program. This bill will benefit Florida’s farmers in the form of reduced taxes.

SB 1576 – relating to Springs

On Tuesday, April 22nd, SB 1576, relating to Springs, by Senator Charles Dean, Sr. (R-Inverness) passed the Senate Committee on Appropriations. The bill now heads to the Senate floor.

The bill provides for the protection of springs in Florida. Specifically, the bill provides for funding from documentary stamp revenues to pay for changes to the makeup and mission of the Acquisition and Restoration Council (ARC) and requires the establishment of minimum flows and levels (MFLs) in Outstanding Florida Springs (OFSs). The bill also requires a study of nutrient reduction improvements for row crops and the beneficial use of reclaimed water, stormwater, and excess surface water.

AIF supports state funding for alternative water supply projects but opposes this bill due to the lack of adequate funding to implement its provisions as well as the heavy regulatory burdens it would place on Florida’s businesses.

INSURANCE

SB 1672 – relating to Property Insurance

On Monday, April 21st, SB 1672, relating to Property Insurance, by the Senate Committee on Banking and Insurance passed the Senate Committee on Rules by an 11-1 vote. AIF stood in support of the bill during the committee. The bill now heads to the Senate floor.

The bill addresses several aspects of Citizens eligibility for commercial residential multi-peril policies, allows surplus lines insurers to make offers of coverage in the Citizens Clearinghouse, and increases the mandatory residential property insurance deductible offering for non-hurricane losses to \$1,000 from \$500. During Monday's committee, amendments were adopted to restrict the ability of public adjusters to choose the contractors who will repair a property and prohibit mitigation inspectors from paying agents to get referrals.

AIF supports common sense reforms to depopulate Citizens in a continuing effort to reduce assessments on all insurance policyholders. AIF also supports reducing fraud in the property insurance marketplace, which helps control insurance costs for businesses and homeowners alike.

IT GOVERNANCE

SB 242 – relating to Security of a Protected Consumer's Information

On Tuesday, April 22nd, SB 242, relating to Security of a Protected Consumer's Information, by Senator Nancy Detert (R-Venice) unanimously passed on the House floor. The bill will now be sent to the Governor for consideration.

The bill creates the "Keeping I.D. Safe (KIDS) Act" to authorize a representative of a minor consumer younger than sixteen years of age, or a guardian, to place a security freeze on that consumer's credit report. The reason being, while parents typically apply for a Social Security number for their child shortly after birth, a credit reporting agency does not create a credit report or history until an application for credit is received. An identity thief will typically apply for credit with a child's Social Security number, but with a different name and date of birth. As a result, the identity theft may go undetected for years. A recent study conducted by ID Analytics estimated that more than 140,000 instances of identity fraud are perpetrated on minors in the United States each year.

AIF supports protecting consumer information to guard minors from potential identity theft. Any legislation resulting in reduced instances of credit fraud is a common-sense action for the Legislature.