

WEEKLY UPDATE



From April 10, 2015

TAXATION

HB 7141- Relating to Taxation

On Thursday, April 9th, **HB 7141**, formerly FTC5, by the **House Finance & Tax Committee** and **Rep. Matt Gaetz (R-Fort Walton Beach)** passed through its third reading on the floor of the House with 112 yeas and 3 nays.

HB 7141 is a tax package bill that will encompass a wide variety of issues, from tax exemptions including agricultural items; like feed for aquatic organisms, irrigation equipment, costs of maintenance and repairs of irrigation and power farm equipment, stakes, and certain trailers, the reduction of taxes on state communications services tax (CST), tax exemptions on school supplies, to extending dates for tax credit in certain community contribution donations.

Now that HB 7141 has passed through the House, this tax package will head to the Senate chamber for a vote.

AIF supports tax cuts for Florida's consumers and businesses.

ECONOMIC DEVELOPMENT

HB 451- Relating to Entertainment Industry Tax Credit Program

On Wednesday, April 8th, **HB 451**, relating to Entertainment Industry Tax Credit Program, by **Rep. Mike Miller (R-Orlando)** passed through the **House Economic Affairs Committee** with 12 yeas and 5 nays.

The bill proposes significant modifications to the current incentives and benefits the state offers for companies within the film and entertainment industry. HB 451 both modifies the processes by which companies may receive such tax credits and exemptions and creates an additional incentive, the "Production Action Fund".

HB 451 heads to the House floor for its second reading. **AIF stood in support of this bill.**

AIF supports the Entertainment Tax Credit Program due to the jobs a more robust film industry would produce here in the state of Florida.

HB 933- Relating to Sector Plans

On Tuesday, April 7th, **HB 933**, relating to Sector Plans, by **Rep. Mike La Rosa (R-St. Cloud)** and **Rep. Keith Perry (R-Gainesville)** passed through the **House Transportation & Economic Development Appropriations Subcommittee** with 8 yeas and 4 nays.

This bill combines a number of growth management proposals in the House which include; doing away with the Development of Regional Impact review process for new projects going forward, restructuring Regional Planning Councils, requiring local governments to include a private property rights protection element as part of their comprehensive plan and limit proportionate share payments when concurrency and impact fees are being charged.

HB 933 has one committee stop left in the **House Economic Affairs Committee**. **AIF stood in support of this bill.**

AIF supports this legislation, which will foster development and growth in Florida.

SB 1032- Relating to Point-of-sale Terminals

On Wednesday, April 8th, **SB 1032**, relating to Point-of-sale Terminals, by **Senator Garrett Richter (R-Naples)** passed through the **Senate Appropriations Subcommittee on General Government** with 5 yeas and 1 nay.

This bill would allow limited use of “Point-of-sale Terminals” for the sale of lottery tickets or games. A “Point-of-sale Terminal” is a charge card reader, like those used at a retail counter, self-service fuel pump or self-service checkout line. The bill authorizes the Department of the Lottery, approved vendors, and approved retailers to use point-of-sale terminals to facilitate sales of lottery tickets or games, provided that the purchaser is verified to be 18 years of age or older and the terminal does not dispense lottery winnings.

A point-of-sale terminal does not reveal winning numbers and may not be used to redeem a winning ticket. Lottery ticket sales revenue generated from point-of-sale terminals must be used to enhance instructional technology resources for students and teachers in Florida.

The next and final stop for SB 1032 is the **Senate Fiscal Policy Committee**. **AIF’s Senior Vice President, Brewster Bevis, stood in support of this bill.**



AIF supports innovative means to help fund Florida’s education system. In addition, enactment of this legislation would create more manufacturing jobs in the State.

ENERGY

HB 1205- Relating to the Regulation of Oil and Gas Resources

On Tuesday, April 7th, **HB 1205**, relating to the Regulation of Oil and Gas Resources, by **Rep. Ray Rodrigues (R-Fort Myers)** passed through the **House Agriculture & Natural Resources Appropriations Subcommittee** with 9 yeas and 4 nays.

This bill makes many revisions to the Oil and Gas Program to make this program safer and more effective for all involved. The Department of Environmental Protection’s (DEP) Mining and Minerals Regulation Program in the Division of Water Resource Management (Division) oversees permitting for oil and gas drilling, production, and exploration within Florida through its Oil and Gas Program (Program). The Program’s primary responsibilities include conservation of oil and gas resources, correlative rights protection, maintenance of health and human safety, and environmental protection.

The next and final committee stop for HB 1205 is the **House State Affairs Committee**. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**



AIF supports the need to maintain appropriate permitting laws to protect the environment, to enhance efficiency between industry and the state, and to ensure appropriate standards are clearly communicated.

AIF released the following statement pertaining to HB 1205:

AIF Thanks Members of House Agriculture & Natural Resources Appropriations Subcommittee for Advancing Legislation Governing Onshore Oil & Gas Activities

Tallahassee, Fla. – The Associated Industries of Florida (AIF) today released the following statement attributable to its Senior Vice President of State & Federal Affairs, Brewster Bevis, thanking lawmakers on the House Agriculture & Natural Resources Appropriations Subcommittee for passing House Bill 1205, relating to the regulation of onshore oil and gas resources.

“The onshore oil and gas industry has a long and successful history in the State of Florida, and is an integral piece of our state’s economy, contributing jobs and capital; and, this industry needs the certainty that this legislation, House Bill 1205, sponsored by Representative Rodrigues, provides to continue to be successful.

“And, while we are still concerned about the inclusion of a study in HB 1205, we thank the members of this committee for considering and advancing this piece of legislation that provides the necessary framework to allow this industry to continue to grow and thrive in Florida, while also ensuring our environment is well protected.”

For more information on AIF, please visit AIF.com and follow [@VoiceofFLBiz](https://twitter.com/VoiceofFLBiz).

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INSURANCE

SB 916- Relating to Commercial Insurer Rate Filing Procedures

On Thursday, April 9th, **SB 916**, relating to Commercial Insurer Rate Filing, by **Senator Bill Montford (D-Tallahassee)** unanimously passed through the **Senate Rules Committee** with 12 yeas and 0 nays.

This bill removes inconsistencies in the statute with respect to commercial rate filings. In 2011, **Representative Brad Drake (R-Marianna)** unanimously passed a bill that exempted commercial insurers from filing rates for most types of commercial lines with the Office of Insurance Regulation (OIR). This flexibility was needed since commercial risks are varied, often complex, and need to be uniquely tailored to meet the needs of a particular industry and business. SB 916 removes a certification requirement to rate filings, and aligns the annual rate filing statute with the exemption for commercial multiple peril insurance and commercial motor vehicle insurance.

SB 916 will now head to the Senate floor for a vote. **AIF stood in support of this bill.**

AIF supports removing redundant or burdensome regulations that add no value to the end user, the consumers. AIF also supports a robust and competitive commercial marketplace, as this vibrancy results in better prices and better products for business owners.

PROPERTY RIGHTS

HB 383- Relating to Private Property Rights

On Wednesday, April 8th, **HB 383**, relating to Private Property Rights, by **Rep. Katie Edwards (D-Sunrise)**, passed through the **House Judiciary Committee** with 17 yeas and 1 nay.

The US Supreme Court has ruled that a government entity cannot demand that a property owner surrender property in order to receive land use permits unless there is a nexus between the government's demand on the landowner and the effect of the proposed land use. This legislation gives landowners the right to sue government entities for damages where local and state governmental entities impose conditions that rise to the level of unconstitutional exactions.

The bill also amends the Bert J. Harris, Jr., Private Property Rights Protection Act to provide that the safe harbor provisions for settlement agreements between a property owner and governmental entity apply regardless of when the settlement agreement was entered so long as it fully resolves all claims.

HB 383 now heads to the floor of the House for a vote. **AIF stood in support of this bill.**

AIF supports this measure to protect the interests of Florida property owners.

ENVIRONMENT & AGRICULTURE

SB 918- Relating to Environmental Resources

On Wednesday, April 8th, **SB 918**, relating to Environmental Resources, by **Senator Charlie Dean (R-Inverness)** unanimously passed through the **Senate Appropriations Subcommittee on General Government** with 7 yeas and 0 nays.

The bill provides for the protection of springs and other water resources in Florida. SB 918 creates a council to provide recommendations for funding water projects throughout the state, provides transparency for the process by which projects are submitted and selected, and provides for statewide consistency in data collection and analysis. Several harmful sections of the bill were removed, and it has been significantly amended. SB 918 now includes a number of provisions that AIF's Florida H20 Coalition supports.

While AIF supports the improvements in the legislation, some problems still remain. We will continue to work with senators and staff to address them. The next and final stop for SB 918 is the **Senate Appropriations Committee**. **Legal counsel for AIF's Florida H20 Coalition, Greg Munson, stood to testify on behalf of AIF.**

AIF supports funding science-based programs and projects to improve the water quality and water quantity of Florida's major first-magnitude springs.

HB 569- Relating to Agritourism

On Thursday, April 9th, **HB 569**, relating to Agritourism, by **Rep. Neil Combee (R-Auburndale)** unanimously passed through its third reading on the floor of the Florida House with 112 yeas and 0 nays.

This bill addresses local government regulation of "agritourism" activities, and would remove the ability of local governments to regulate these activities.

HB 569 will now head to the Senate floor for a vote, and then hopefully onto the desk of the Governor. The Senate companion for this bill, **SB 594**, is on the calendar for its second reading on the Senate floor.

AIF supports any legislation that allows Florida farmers to safely expand their businesses through the use of Agritourism.

EDUCATION

HB 461- Relating to Independent Nonprofit Higher Educational Facilities Financing

On Thursday, April 9th, **HB 461**, relating to the Independent Nonprofit Higher Educational Facilities Financing, by **Rep. Jennifer Sullivan (R- Eustis)** passed through the floor of the House with 108 yeas and 5 nays.

The purpose of House Bill 461 is to expand the types of projects that may need to be funded for Universities throughout Florida, such as; costs for construction of dining halls, student unions, laboratories, research facilities, classrooms, athletic facilities, health care facilities, maintenance, storage, or utility facilities, and related facilities or structures required or useful for the instruction of students, research, or the operation of an educational institution and certain purchases of equipment and machinery.

HB 461 will now move on to the Senate chamber for a vote, while its Senate companion bill, **SB 622**, by **Senator Bill Montford (R-Tallahassee)**, still has one more committee stop left in the **Senate Appropriations Committee**.

AIF supports legislature to ensure that Higher Education Facilities receive the funding they need for their facility costs.

GAMING

HB 1233- Relating to Gaming

On Thursday, April 9th, **HB 1233**, relating to Gaming, by **Rep. Dana Young (R-Tampa)** passed through the **House Regulatory Affairs Committee** with 14 yeas and 4 nays. **AIF's Senior Vice President, Brewster Bevis, stood in support of this bill.** The legislation would create a statewide gaming commission to better regulate Florida's gaming industry.

In addition, there were two adopted amendments to HB 1233 **by Rep. Ritch Workman (R-Melbourne)** that AIF supports. One amendment would allow two existing, long-standing pari-mutuel facilities to offer slot machine wagering. This would allow these facilities to operate in a more competitive manner with other, nearby gaming facilities. The second **Workman** amendment would call for referendum votes to take place in Miami/Dade and Broward counties on the creation of destination resorts. This would put the decision into the hands of the communities where these resorts would be located. **AIF's Brewster Bevis also stood in support of these amendments.**



HB 1233 has two committee stops left in the House. The next stop is the **House Finance & Tax Committee.**

AIF supports the creation of a statewide gaming commission to better get arms around Florida's gaming industry. In addition we support allowing Florida's existing pari-mutual industry to operate in a competitive manner. AIF has long supported the creation of high-end destination resorts to bring jobs and outside capital to the state.