

WEEKLY UPDATE



From April 17, 2015

HEALTH CARE

SB 478- Relating to Telehealth

On Tuesday, April 14th, **SB 478**, relating to Telehealth by **Senator Aaron Bean (R-Jacksonville)** and **Senator Arthenia Joyner (D-Tampa)** unanimously passed through the **Senate Appropriations Subcommittee on Health and Human Services** with 7 yeas and 0 nays.

The bill establishes that the standard of care for a telehealth service is the same as the standard of care for a health professional providing in person services. A telehealth provider is not required to research the patient's medical history or conduct a physical examination if the telehealth provider conducts an evaluation sufficient to diagnose and treat the patient. Additionally, a telehealth provider must document health care services in the patient's medical record under the same standard as for in-person care.

SB 478 has one last committee stop in the **Senate Appropriations Committee** before heading to the Senate floor for a vote. **AIF continues to support this bill.**

AIF supports legislation that permits an unfettered role for telemedicine services that will allow our citizens access to better quality care at lower costs.

On Tuesday, Tammy Perdue released the following statement:

AIF Applauds Senate Appropriations Subcommittee on Health & Human Services for Approving Telehealth Legislation

Tallahassee, Fla. – The **Associated Industries of Florida (AIF)** today released the following statement attributable to its general counsel, Tammy Perdue, applauding lawmakers on the Senate Appropriations Subcommittee on Health and Human Services for passing Senate Bill 478, relating to Telehealth.

“This good, bipartisan public policy, championed by Senators Bean and Joyner, strives to ensure patients in rural parts of the state, as well as under-served regions, receive the health care they need by connecting them with providers using technology, like the Internet and smart phones.”

“This is an important piece of legislation that will expand access to affordable, quality health care; and, we at AIF, are hopeful it is successful this legislative session.”

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

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ENERGY

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

On Tuesday, April 14th, **HB 1205**, relating to the Regulation of Oil and Gas Resources, by **Rep. Ray Rodrigues (R-Fort Myers)** passed through the **House State Affairs Committee** with 12 yeas and 5 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.

HB 1205 will now head to the House floor for a vote. **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.

On Tuesday AIF's Brewster Bevis released this statement:

**AIF Thanks Members of House State Affairs Committee for
Advancing Legislation to Better Regulate Onshore Oil & Gas Production**

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 State Affairs Committee for advancing House Bill 1205, relating to the regulation of onshore oil and gas resources.

"We thank Representative Rodrigues for bringing this good bill forward and also thank the members of the House State Affairs Committee for considering it today. This session, AIF, through its Florida Mineral Rights Working Group, is supporting this legislation, as well as similar legislation by Senator Richter, because the onshore oil and gas industry has successfully operated in Florida for more than seven decades, delivering jobs and capital to our state, but now needs the regulatory certainty this public policy provides.

"And, while we remain concerned about the inclusion of a study in HB 1205, we thank the members of this committee for advancing the bill today, as it provides for the type of certainty this industry needs, in order to continue to grow and prosper." For more information on AIF, please visit **AIF.com** and follow **@VoiceofFLBiz**.

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SB 1468- Relating to Regulation of Oil and Gas Resources

On Tuesday, April 14th, **SB 1468**, relating to the Regulation of Oil and Gas Resources, by **Senator Garrett Richter (R-Naples)** unanimously passed through the **Senate Appropriations Subcommittee on General Government** with 6 yeas and 0 nays.

SB 1468 is the Senate companion bill to **HB 1205**. While the House bill has passed through all of its committee stops and is heading to the House floor for a vote, SB 1468 has one committee stop left in the **Senate Appropriations Committee**. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke 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's Brewster Bevis also released a statement regarding SB 1468:

AIF Thanks Members of Senate Appropriations Subcommittee on General Government for Passing 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 Senate Appropriations Subcommittee on General Government for passing Senate Bill 1468, relating to the regulation of onshore oil and gas resources.

“This legislation by Senator Richter is essential to providing the certainty needed for the onshore oil and gas industry to continue to grow and be successful in the Sunshine State. SB 1468, if adopted by the legislature this session, would not only provide a clear regulatory framework that will govern all oil and gas activities in the state, including adding an additional layer of oversight to newer work-over procedures, it will also ensure the environment is protected.

“The onshore oil and gas industry has been operating in Florida since 1943 and in that time has provided needed jobs to Floridians and contributed capital to Florida’s economy; and with the fair passage of this legislation, the industry can look forward to continuing that terrific track record and positively impacting Florida’s economy.

“With that said, AIF is concerned with the study that has been amended onto the bill and will work with members to resolve our concerns, as we feel this could be a deterrent to current and future businesses interested in bringing jobs and capital to our state through oil production activities.”

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ENVIRONMENT & AGRICULTURE

HB 137- Relating to Civil Liability of Farmers

On Tuesday, April 14th, **HB 137**, relating to Civil Liability of Farmers, by **Rep. Kevin Rader (D-Boca Raton)** unanimously passed through its last committee stop in the **House Judiciary Committee** with 18 yeas and 0 nays.

HB 137 addresses an exemption from civil liability for farmers who allow citizens onto their land to harvest excess crops.

This bill will now head to the House floor for a vote, along with the Senate companion bill **SB 158** by **Senator Greg Evers (R-Pensacola)**, which has already passed unanimously through the Senate chamber. **AIF continues to support this bill.**

AIF supports legislation that will reduce the number of frivolous lawsuits brought against Florida’s business owners.

ECONOMIC DEVELOPMENT

HB 933- Relating to Sector Plans

On Tuesday, April 14th, **HB 933**, relating to Sector Plans, by **Rep. Mike La Rosa (R-St. Cloud)** and **Rep. Keith Perry (R-Gainesville)** passed through the **House Economic Affairs Committee** with 14 yeas and 2 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 will now head to the House floor for a vote. **AIF stood in support of this bill.**

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

PERMITTING

SB 466- Relating to Low-Voltage Alarm Systems

On Tuesday, April 14th, **SB 466**, relating to Low-Voltage Alarm Systems, **Senator Anitere Flores (R-Miami)** unanimously passed through the Senate floor with 36 yeas and 0 nays.

SB 466 amends the current law related to permits required for low-voltage alarm system installation. The bill clarifies that the current law applies to “all” low-voltage alarm system projects for which a permit is required by local government or “local enforcement agencies,” including both residential and commercial low-voltage alarm systems. The bill clarifies that a permit is not required to install or service a “wireless alarm system,” and defines “wireless alarm system” as a burglar alarm system or smoke detector that is not hardwired. The bill lowers the maximum permitting fee from \$55 to \$40 per permit label.

Now that SB 466 has passed through the Senate floor, this bill will now be sent to the House floor for a vote. The House companion to this bill, **HB 413**, is also on the House floor for a vote before heading to the Senate chamber.

AIF supports legislature that will reduce unnecessary permitting on Florida businesses.

PROPERTY RIGHTS

HB 391- Relating to Location of Utilities

On Tuesday, April 14th, **HB 391**, relating to Location of Utilities, by **Rep. Clay Ingram (R-Pensacola)** passed through the **House Regulatory Affairs Committee** with 16 yeas and 1 nay.

HB 391 will clarify the difference between a Right of Way and an easement and also define which party is financially responsible for the transfer/move in both.

This bill will now head to the House floor for a vote while the Senate companion to this bill SB 896 still has one more committee stop in the **Senate Appropriations Committee** before heading to the Senate floor for a vote.

AIF’s Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.



AIF supports protecting the private property rights of Florida businesses.

SB 284- Relating to Private Property Rights

On Tuesday, April 14th, **SB 284**, relating to Private Property Rights by **Senator Miguel Diaz de la Portilla (R-Miami)** unanimously passed through the **Senate Appropriations Subcommittee on General Government** with 5 yeas and 0 nays.

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 a course of action 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.

SB 284 will now head to its last committee stop in the **Senate Appropriations Committee** . **AIF stood in support of this bill.**

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

LEGAL & JUDICIAL

HB 163- Relating to Public Records/Contractors

On Tuesday, April 14th, **HB 163**, relating to Public Records/Contractors, by **Rep. Halsey Beshears (R-Monticello)** unanimously passed through the **House State Affairs Committee** with 16 yeas and 0 nays.

This bill addresses the procedure for obtaining records relating to a public agency's contract for services with a private contractor. As it stands today, the Florida Constitution provides every person the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or of persons acting on their behalf.

However, the issue is who the party responsible for providing these public records is. If this bill becomes law, requests for records relating to a public agency's contract for services must be made to the public agency instead of the contractor. An agency who receives a request for records possessed by a contractor must attempt to obtain the records from the contractor.

HB 163 now heads to the House floor for a vote. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**



AIF supports legislation that reduces frivolous law suits against Florida businesses.