

WEEKLY UPDATE



From April 24, 2015

ENVIRONMENT & AGRICULTURE

SB 1468- Relating to Regulation of Oil and Gas Resources

On Tuesday, April 21st, **SB 1468**, relating to the Regulation of Oil and Gas Resources, by **Senator Garrett Richter (R-Naples)** passed through the **Senate Appropriations Committee** with 13 yeas and 6 nays. SB 1468 is the Senate companion bill to **HB 1205**.

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.

SB 1468 will now head to the Senate floor for a vote. **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.

After the committee meeting Tuesday, AIF's Brewster Bevis released this statement:

AIF Statement on Senate Appropriations Committee Advancing Legislation to Regulate the Onshore Oil & Gas Industry

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 Committee for advancing Senate Bill 1468, relating to regulation of oil and gas resources.

"This session, Senator Richter has sponsored Senate Bill 1468, which will provide a commonsense regulatory framework for the onshore oil and gas industry in Florida that will allow the industry, which has successfully operated without incident for decades, to grow and continue to employ Floridians.

"Under this legislation, the onshore oil and gas industry will operate under a clearer definition of high-pressure well stimulation and will be subject to increased oversight of high-pressure well stimulation techniques, including having to apply, and be granted, an additional permit by DEP before this type of well stimulation is conducted. These proposed changes, which if successful, will apply to operators exploring and producing oil and gas in Florida, will give certainty to the industry, so it can continue to be successful and contribute to Florida's bottom line, and also carefully protects Florida's fragile environment.

"AIF does have concerns about the study that is laid out in the bill in its current form, as we believe this may inhibit the industry's growth within Florida, but applaud the members of this committee for advancing this legislation today that grants regulatory certainty to this good industry."

SB 918- Relating to Environmental Resources

On Tuesday, April 21st, **SB 918**, relating to Environmental Resources, by **Senator Charlie Dean (R-Inverness)** passed through the **Senate Appropriations Committee** with 16 yeas and 2 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.

While AIF supports the improvements in the legislation, some problems still remain. We will continue to work with senators and staff to address them. SB 918 will now head to the Senate floor for a vote. **Legal counsel for AIF's Florida H2O 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 653- Relating to Environmental Control

On Friday, April 24th, **HB 653**, relating to Environmental Control, by **Representative Cary Pigman (R-Sebring)** passed through the House floor with 111 yeas and 6 nays.

The House made significant steps toward reaching an agreement with the Senate on a water bill, by amending much of SB 918 into HB 653. HB 653 contained a variety of environmental provisions before the amendment. In addition to some minor clarification language, HB 653 added language from SB 918 related to springs protection, self-suppliers, regional water suppliers, the Central Florida Water Initiative, and the Northern Everglades.

Noticeably absent from the amended version of HB 653, were provisions from SB 918 related to recreational trails for bicycles (it is reported that this language is important to the Senate President), provisions encouraging water management districts to fund certain water supply pilot projects, and provisions creating a Water Resource Advisory Council to advise the Legislature on water projects, presumably those projects that could be funded using Amendment One funds.

HB 653 will now be referred to the **Senate Environmental Preservation and Conservation Committee, Senate Appropriations Subcommittee on General Government**, and the **Senate Appropriations Committee**.

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

SB 158- Relating to Civil Liability of Farmers

On Wednesday, April 22nd, **SB 158**, relating to the Civil Liability of Farmers, by **Senator Greg Evers (R-Pensacola)** was read by the House chamber and then substituted for the House companion, **HB 137**. After SB 158 was substituted for HB 137 a vote was taken and SB 158 unanimously passed through the House floor with 113 yeas and 0 nays.

This bill addresses an exemption from civil liability for farmers who allow citizens onto their land to harvest excess crops. SB 158 will now head to the desk of Governor Scott to be signed into law.

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

EDUCATION

SB 118- Relating to Voluntary Contributions for Public Education Facilities

On Monday, April 20th, **SB 118**, relating to Voluntary Contributions for Public Education Facilities, by **Senator Alan Hays (R-Umatilla)** unanimously passed through its last committee stop in the **Senate Fiscal Policy Committee** with 10 yeas and 0 nays.

This bill sets up a process for businesses to solicit and collect voluntary contributions for the construction and maintenance of public education facilities. Under the bill, participating businesses are required to remit the contributions to the Department of Revenue for deposit into the Public Education Capital Outlay and Debt Service (PECO) Trust Fund.

SB 118 will now head to the Senate floor for a vote. **AIF stood in support of this bill.**

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

HB 461- Relating to Independent Nonprofit Higher Educational Facilities Financing

On Thursday, April 24th, **HB 461**, relating to the Independent Nonprofit Higher Educational Facilities Financing, by **Rep. Jennifer Sullivan (R- Eustis)** was read on the Senate floor and substituted for its Senate companion bill **SB 622**. After HB 461 was substituted for SB 622 the bill was read for a third time and a vote was taken. HB 461 unanimously passed through the Senate floor with 40 yeas and 0 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 head to the desk of Governor Rick Scott to be signed into law.

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

LEGAL & JUDICIAL

SB 224- Relating to Public Records/Public Agency Contracts

On Friday, April 24th, **SB 224**, relating to Public Records/Public Agency Contracts, by **Senator Wilton Simpson (R-New Port Richey)** was substituted for **HB 163** by the House. This legislation was then read for a third time and passed with 116 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.

SB 224 will now head to the desk of Governor Scott to be signed into law.

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

INSURANCE

SB 916- Relating to Commercial Insurer Rate Filing Procedures

On Friday, April 24th, **SB 916**, relating to Commercial Insurer Rate Filing, by **Senator Bill Montford (D-Tallahassee)** passed through the Senate floor with 38 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 go to the House floor for a vote.

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.

GAMING

HB 1233- Relating to Gaming

On Tuesday April 21st, **HB 1233**, relating to Gaming, by **Rep. Dana Young (R-Tampa)** passed through the **House Finance & Tax Committee** with 10 yeas and 8 nays.

The legislation would create a statewide gaming commission to better regulate Florida's gaming industry. There have been two good amendments to HB 1233 that AIF supports. One would allow two existing, long-standing pari-mutuel facilities to offer slot machine wagering, which would then allow these facilities to operate in a more competitive manner with other nearby gaming facilities. The second amendment would call for referendum votes to take place in Miami/Dade and Broward counties on the creation of destination resorts, which would put the decision into the hands of the communities where these resorts would be located.

HB 1233 has one committee stop left in the **House Appropriations Committee**. **AIF's Senior Vice President, Brewster Bevis, stood in support of this bill.**



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.

PROPERTY RIGHTS

HB 383- Relating to Private Property Rights

On Friday, April 24th, **HB 383**, relating to Private Property Rights, by **Rep. Katie Edwards (D-Sunrise)** passed through the House floor with 113 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 will now be referred to the **Senate Environmental Preservation and Conservation Committee, Senate Appropriations Subcommittee on General Government,** and the **Senate Appropriations Committee.**

SB 284- Relating to Private Property Rights

On Tuesday, April 21st, the Senate version of HB 383, **SB 284**, relating to Private Property Rights by **Senator Miguel Díaz de la Portilla (R-Miami)** passed through the **Senate Appropriations Committee** with 17 yeas and 2 nays.

SB 284 will now head to the Senate floor for a vote. **AIF stood in support of this bill.**

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

HB 391- Relating to Location of Utilities

On Friday, April 24th, **HB 391**, relating to Location of Utilities, by **Rep. Clay Ingram (R-Pensacola)** passed through the House floor with 110 yeas and 5 nays.

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 Senate floor for a vote while the Senate companion bill, **SB 896**, is waiting to be heard by the **Senate Appropriations Committee.**

AIF supports protecting the private property rights of Florida businesses.

PERMITTING

SB 466- Relating to Low-Voltage Alarm Systems

On Wednesday, April 22nd, **SB 466**, relating to Low-Voltage Alarm Systems, **Senator Anitere Flores (R-Miami)** was read on the House floor and then substituted for the House companion bill **HB 413**. After the Senate bill was substituted for the House bill a vote was taken and SB 466 unanimously passed through the House chamber with 115 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.

The next and final step for SB 466 this session is to head to the desk of Governor Scott to be signed into law.

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

ECONOMIC DEVELOPMENT

SB 1216- Relating to Community Development

On Friday, April 24th, **SB 1216**, relating to Community Development, by **Senator Wilton Simpson (R-New Port Richey)** passed through the floor of the House with 83 yeas and 31 nays. The House substituted **HB 933**, relating to Growth Management, with its Senate companion bill SB 1216.

SB 1216 combines a number of growth management proposals in the House, including replacing the Development of Regional Impact review process with a State Coordinated Review for new projects going forward, restructuring Regional Planning Councils, and creating a connected-city corridor pilot program in Pasco County.

This legislation will now head to the desk of Governor Scott to be signed into law.

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