



# DAILY BRIEF

From January 27, 2016

## AGRICULTURE

### HB 59-Relating to Agritourism

On Wednesday, January 27th, **HB 59**, relating to Agritourism, **Rep. Neil Combee (R-Auburndale)** was read a third time and passed through the House floor unanimously with a vote of 118 yeas and 0 nays.

This bill prohibits local governments from enforcing any local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under Florida's greenbelt law. An "agritourism activity" is any agricultural related activity consistent with a bona fide farm or ranch or in a working forest that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions. Agritourism is one of the many methods farmers use to diversify and increase their income.

HB 59 will now go to the Senate chamber for consideration.

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

## ECONOMIC DEVELOPMENT

### HB 95- Relating to Public-Private Partnerships

On Wednesday, January 27th, **HB 95**, relating to Public-Private Partnerships, by **Rep. Greg Steube (R-Sarasota)** was heard in the **House Appropriations Committee** and passed with 24 yeas and 1 nay. **AIF stood in support of this bill.**

The bill takes the recommendations from the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force created by legislation in 2013, and incorporates many of the recommendations contained in the task force report into law. The bill aims to provide for more opportunities for the private sector to enter into contracts for construction services with state universities and local governments.

The bill expands the list of entities authorized to conduct Public-Private Partnerships (P3s) to include state universities, clarifies the P3 process, provides increased flexibility to the responsible public entity by permitting that entity to deviate from the provided procurement time frames, and authorizes the Department of Management Services to accept and maintain copies of agreements received from responsible public entities to share with municipalities/counties that may need assistance in the P3 process.

HB 95 will now head to the **House State Affairs Committee** for its last committee week hearing.

**AIF strongly supports utilization of the private sector in helping to solve public construction needs. Government's role is critical in securing and advancing our state's infrastructure.**

## ENERGY

### **HB 191- Relating to Regulation of Oil and Gas Resources**

On Wednesday, January 27th, **HB 191**, relating to Regulation of Oil and Gas Resources, by **Rep. Ray Rodrigues (R-Fort Myers)** was read for a third time and passed through the House floor after much deliberation between the House members. The bill passed by a vote of 73 yeas to 45 nays.

This bill makes many revisions to the Oil and Gas Program (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. In the State of Florida, according to statute, high pressure well-stimulation is already a legal practice. This regulatory program would amend said statute to include safer practices for conservation of oil and gas resources, correlative rights protection, maintenance of health and human safety, and environmental protection. High pressure well-stimulation will happen regardless of HB 191, the goal is to make this practice safer for all Floridians involved.

HB 191 will now go to the Senate chamber for consideration.

**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.**

HB 191 was, understandably, not an easy feat and we applaud the Legislature for doing its due diligence, asking all the necessary questions and passing this regulatory piece of legislation for Florida's future.

Below is a statement from our Senior Vice President of State and Federal Affairs, Brewster Bevis, on the passage of HB 191:

#### **AIF Statement on Legislation Regulating the Onshore Oil & Gas Industry Passing the Florida House**

**Tallahassee, Fla.** – The **Associated Industries of Florida (AIF)** today released the following statement attributable to its Senior Vice President of State and Federal Affairs Brewster Bevis regarding House Bill 191 passing the Florida House.

"Representative Ray Rodrigues has been steadfast in his goal to properly regulate the onshore oil and gas industry, and we commend him for successfully guiding this good piece of legislation through the Florida House today.

"By working in good faith with concerned citizens and third parties, we believe that the final product of HB 191 both appropriately empowers the Florida Department of Environmental Protection to properly regulate the onshore oil and gas industry, and also ensures the protection and preservation of Florida's environment.

"We look forward to seeing the companion bill, Senator Garrett Richter's Senate Bill 318, progress and also considered by the Florida Senate in the same deliberative manner."

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

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## LEGAL & JUDICIAL

### **HB 273- Relating to Public Records**

On Wednesday, January 27th, **HB 273**, relating to Public Records, by **Rep. Halsey Beshears (R-Monticello)** was read for a third time on the House floor and passed by a vote of 110 yeas to 7 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 of who the party responsible for providing these public records remains. If this bill becomes law, requests for records relating to a public agency's contract for services must be made to the contracting agency. An agency who receives a request for records possessed by a contractor must then attempt to obtain the records from the contractor.

HB 273 also provides that if a civil action is filed to compel production of public records, the court must assess and award against the contractor the reasonable costs of enforcement, including attorney fees, if the court determines that a contractor unlawfully refused to comply with the public records request within a reasonable time, and the plaintiff provided written notice of the public records request to the public agency and the contractor. The notice must be sent at least 8 business days before the plaintiff files the civil action. The bill specifies that a contractor who complies with the public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.

This bill will now go to the Senate floor for consideration.

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

## TRANSPORTATION

### **HB 509- Relating to Transportation Network Companies**

On Wednesday, January 27th, **HB 509**, relating to Transportation Network Companies, by **Rep. Matt Gaetz (R-Shalimar)** was read for a third time and passed the House floor by a vote of 108 yeas to 10 nays.

HB 509 allows for statewide regulation of ridesharing companies. This will unharness technology companies like Uber from draconian local ordinances, and also represents a compromise between ridesharing and insurance stakeholders to ensure appropriate commercial coverage is in place for the benefit of drivers and passengers.

This bill will now go to the Senate chamber for consideration.

**AIF supports statewide digital transportation service policies to create price competition, promote consumer choice, enhance customer experience, create jobs and remove anti-competitive local regulations.**