

2008 Regular Session Wrap-up

Sixty-Day Regular Session



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920

Florida's Business Coalition's ECONOMIC STIMULUS PACKAGE

The Legislature adjourned, Sine Die, at 6:02 pm Friday, May 2nd bringing the tumultuous 2008 legislative session officially to a close. Both chambers filed a total of 2,503 bills this year. Only 313 were passed by the House and Senate and are now on their way to the Governor for his signature. For the 2008 session, the AIF lobby team tracked over 900 bills — the most in recent years. This is due in part to the growth of our AIF Council System, which has increased the breadth of the subject matter important to AIF members.

The 2008 session will be remembered as one of the most challenging in recent years because of the state's dramatic economic slowdown. Legislators were faced with slashing over \$6 billion dollars from last year's state budget — a task that at times overshadowed any lawmaking. AIF reacted to the state's fiscal crisis, and with the help of 18 business organizations (see page 8 for listing) crafted an *Economic Stimulus Package (ESP)* earlier this year. The package was presented to committees in both the House and Senate and the recommendations helped guide legislators when deciding how best to appropriate scarce dollars to stimulate Florida's economy.

The 2008 budget includes the following *ESP* endorsed infrastructure investments, which will go a long way in re-invigorating our economy:

- **\$300 million in affordable housing** (*with an emphasis on down payment assistance*)
- **\$60 million in alternative water supply projects**
- **\$32 million for Florida's 14 deep water ports**
- **\$15 million for infrastructure improvements associated with commercial spaceflight**
- **\$1.25 million for space-related workforce development**
- **\$36 million for targeted tourism marketing**

AIF and the business community had a successful legislative session this year, given the difficult budget year. This report will highlight AIF's victories as well as the bad business legislation that we were instrumental in defeating this year in an easy to read chart format. In some cases AIF and our lobby team was able to water-down bills so that what eventually passed will not be as hurtful to our private-enterprise system. Then we include AIF's session priorities by subject matter and a short description of the bills that were considered relating to each issue. As always, AIF will be publishing its widely anticipated *Voting Records* and *Champions for Business* publication in the coming weeks. In addition, AIF will be releasing its post-session *Employer Advocate* Publication. Each of these publications will also be available on our website www.aif.com.



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2008 Session At-A-Glance

AIF Successfully Defeated the Following Attempts to Damage Florida's Legal and Business Climate:

Changes to Arbitration	HB 1219 by Rep. McBurney SB 2076 by Sen. Deutch	Increased litigation for employers	Died in Committee
Unemployment Compensation	HB 1057 by Rep. Soto SB 2706 by Sen. Hill	Increased employer contributions	Died in Committee
Unitary Tax	HB 1237 by Rep. Gelber SB 2766 by Sen. Deutch	Substantial tax increase for large employers doing business in Florida	Died in Committee
Port Security	HB 7119 by Rep. Adams SB 1470 by Sen. Dean	Duplicitous security screenings & increased costs for port tenants	Died on the Floor
Rental Car Surcharge	Amendments filed to Omnibus Transportation bills (HB 1399/SB 1978)	Large tax increase on car rentals at airports	Died on the Floor
Cigarette Tax	HB 259 by Rep. Waldman SB 2790 by Sen. Deutch	Unfair tax increase	Died in Committee

As the Voice of Florida's Business, AIF Successfully Advocated the Passage of the Following Bills:

Property Insurance			
Citizens Insurance Reduction	HB 269 by Rep. Hays	Establishes task force to return Citizens to insurer of last resort	Included as part of SB 2860
Taxation			
Value Adjustment Boards/ Highest and Best Use	HB 909 by Rep. Nehr	Protects businesses from over taxation and establishes fairness in VAB process	PASSED
Space Contractors	SB 1373 by Rep. Altman	Allows Space Contractors to qualify for tax refunds	PASSED
Education & Workforce			
Curriculum Standards & Increased Accountability	SB 1908 by Sen. Gaetz	Legislation to better prepare future workforce for challenges of global economy	PASSED
Infrastructure			
Florida Forever	SB 542 by Sen. Saunders	Re-enacts land buying program with emphasis on public access to lands	PASSED
Economic Development			
Economically Targeted Investments	SB 2310 by Sen. Ring	Invests 1.5% of State Retirement Fund in Florida Start-Ups	PASSED
Legal & Judicial			
APA	SB 704 by Sen. Bennett	Makes employer-friendly changes to Administrative Procedures Act (APA)	PASSED
Informed Consent for Spaceflight	SB 2438 by Sen. Posey	Provides immunity for liability during commercial spaceflight	PASSED
Healthcare			
Cover Florida Plan	SB 2534 by Sen. Peaden	Low-cost, limited benefit plan for uninsured employees	PASSED
Health Flex	HB 461 by Rep. Patronis	Expands eligibility to this market-based solution for more employees	PASSED
Business Regulation			
Secondary Metal Theft	HB 105 by Rep. Troutman	Makes the costly theft of these metals more difficult	PASSED
	HB 799 by Rep. Adams	Increases criminal penalties for theft of metals used by electric & other utilities	PASSED
Plastic Bag Ordinances	Amendment to HB 7135	Prevents local govts. from banning use of plastic bags by retailers	PASSED
Small Business	HB 7109 by Rep. Atkisson	Creates Office of Small Business Advocate	PASSED

The topic of property insurance once again dominated the legislative landscape during the 2008 session. In the Senate, legislation (SB 286) was filed, which set out to punish private property insurance companies through a series of onerous regulatory requirements. In addition, the legislation (as originally filed) would have subjected other lines of insurance to dangerous antitrust provisions that would have opened them up for increased litigation. CFO Alex Sink, drafted a proposal (SB 2156) to reduce Florida's CAT Fund; thereby, lowering the potential for future assessments or "hurricane taxes" to be paid by employers and residents. This concept was strongly supported by AIF and its members as a responsible way to reduce the state's dependence on assessments in exchange for placing more of the risk within the private market. In the House, legislation (HB 269) was once again filed to establish a mission-review taskforce tasked with the job of finding ways to return Citizens Property Insurance Corporation (the state-run insurance company) to its rightful role as insurer of last resort.

SB 2860 Relating to Insurance by Senators Jeff Atwater (R-North Palm Beach) and Steve Geller (D-Hallandale Beach). The bill includes a number of property insurance reforms aimed at increasing consumer protections, mainly increased fines for violations of the insurance code and the repeal of the arbitration process. The bill also extends the freeze on Citizens' rates through 2010 and prohibits homes or condos valued at more than \$2 million from being covered by Citizens. Many of the onerous provisions included in the original version of SB 2860, as approved by the Senate, were successfully removed by the team of negotiators for the House. These include fine amounts that were excessive as well as provisions that would subject all lines of insurance (not just property insurance) to anti-trust provisions that would have led to a dramatic increase in litigation. The House was also able to include language from HB 269 by Rep. Alan Hays (R-Umatilla), which establishes the Citizens review task force. This particular provision was a top priority for AIF.

SB 2860 passed both the House and Senate and was ordered enrolled.

SB 2156 Relating to Florida Hurricane Catastrophe Fund by Senator Bill Posey (R-Rockledge). This was CFO Alex Sink's proposal to reduce the Florida



"To extend that freeze (Citizens) means we are going to be more and more underwater."

– CFO Alex Sink, South Florida Sun-Sentinel 4/18/2008

CAT Fund's exposure, which currently stands at a total of \$28 billion when all layers of coverage are considered. The bill was designed to reduce the risk associated with Florida's Catastrophe Fund by \$3 billion, which is an excellent start in reducing potential hurricane taxes against businesses to fund deficits. For the CAT Fund contract year commencing June 1, 2008, and ending May 31, 2009, and for the contract year commencing July 1, 2009, and ending May 31, 2010, the proposal reduces the maximum temporary increase in coverage limits (TICL) option from \$12 billion to \$9 billion.

SB 2156 died on the Senate Calendar.

A number of good property tax bills were filed and passed by the House this year; unfortunately, the majority of them died in the Senate due to this chamber's unwillingness to consider further property tax reform with the passage of Amendment 1. AIF was successful; however, in helping to pass a major reform to Florida's property tax system — HB 909 by Rep. Peter Nehr dealing with changes to the Value Adjustment Board process. AIF was also instrumental in passing legislation helping space contractors to receive tax refunds under a program currently in place for defense contractors.

HB 909 Relating to Value Adjustment Boards by Rep. Peter Nehr (R-Tarpon Springs). This business-friendly legislation will provide Floridians with a standard procedure by which they can challenge their local property appraiser's assessment of the value of their property. Representative Nehr's bill incorporates the recommendations made by the Auditor General on how Value Adjustment Boards operate, providing a more balanced board to hear consumer concerns in local communities. The bill was amended during the final days of session to include language which instructs property appraisers to consider more factors before assessing a property at its "highest and best" use. This change was very positive for taxpayers in that it would lower the assessment of small businesses located in areas that have increased value dramatically in the last few years.

HB 909 passed both the House and Senate and was ordered enrolled.

HB 5065 Relating to Corporate Income Tax by Rep. Michael Grant (R-Punta Gorda). This bill is the "piggybacking" of the congressional changes made during 2007 to the IRS Code, except for certain temporary increases in depreciation expenses and bonus depreciation expenses that were part of the federal economic stimulus package. It also speeds up the quarterly payments so that there will be five payments in this fiscal year rather than four. It accomplishes this by making the July 1, 2009 payment due on June 30, 2009. Passage of this legislation will prevent businesses in Florida from having to file two sets of tax returns.

HB 5065 passed both the House and Senate and was ordered enrolled.

SB 1588 Relating to Property Taxation by Sen. Mike Haridopolos (R-Melbourne). The bill seeks to fix a number of glitches found in the implementation bill for Amendment 1, which passed on January 29th. Among other provisions, it removes language requiring businesses to apply for the 10 percent cap on non homestead property's annual assessment increase.

SB 1588 passed both the House and Senate and was ordered enrolled.

HB 1373 Relating to Qualified Defense Contractor Tax Refund Program Sen. Bill Posey (R-Rockledge). This bill expands the current Qualified Defense Contractor (QDC) Tax Refund Program administered by the Governor's Office of Tourism, Trade and Economic Development to include spaceflight businesses or entities to qualify for the QDC tax refunds. Spaceflight businesses that qualify will receive a tax refund based upon the number of jobs created. Tax refunds generated can qualify against corporate income taxes, sales and use taxes, intangible personal property taxes, excise taxes paid on documents, ad valorem taxes, and state communication services taxes.

HB 1373 passed both the House and Senate and was ordered enrolled.



"Florida, while being a relatively low tax state for individuals, ranks among the top states in business taxes."

— Barney Bishop, Tampa Tribune 5/2/2008

Education & Workforce Development

Late in the afternoon of the final day of session, after several weeks of posturing and negotiating between the House and Senate, SB 1908 passed which contained several of AIF's priority education bills including curriculum standards reform and high school grades reform. Rep. Anitere Flores (R- Miami) said it best when she stated: "This legislation reflects all that we have learned and applies it toward building an education system that doesn't just lead the nation, but competes to lead the world." The business community relies on a sound education system in order to have access to a workforce that can perform on the job site and compete with employees from across the country and the world.

SB 1908 Relating to Designation of High School Grades by Sen. Don Gaetz (R-Ft. Walton Beach). Included in this omnibus education bill are parts of several other bills advanced during the 2008 session. SB 1908 includes the following reforms to Florida's educational system:

- Enhanced Sunshine State Standards (originally HB 7045): requires the review and replacement of the current Sunshine State Standards with new standards that align with expectations for success in postsecondary education and employment by integrating skills such as critical thinking, communication, reading and writing, and technology.
- FCAT and End-of-Course Assessments (originally in HB 7045): allows for the establishment of end-of-course assessments for core subjects and directs DOE to revise the FCAT to align with new curriculum standards
- College and Career Prep (originally HB 7069): creates a designation on the high school diploma to reflect achievement in a student's emphasis of study, including advanced placement and other programs.
- Access to Foreign Languages (originally HB 207 by Rep. Maria Sachs): adds provisions relating to certification options for teachers of certain foreign language subjects so students can access more foreign languages such as Chinese, Hebrew, Italian, and others.
- High School Grades (originally SB 1908): changes high school grading from 10th grade FCAT performance to a myriad of factors including 50% FCAT performance and 50% other performance criteria including graduation rate, SAT scores, etc.



"The demand for world languages is growing in our schools and this new legislation (HB 207) will prepare Florida's educators to meet this demand." – Rep. Maria Sachs (D-Delray Beach)

SB 1908 passed both the House and Senate and was ordered enrolled.

SB 1906 Relating to Alternative Credit High School Courses by Sen. Don Gaetz (R-Ft. Walton Beach). The bill creates a pilot project for career academies to earn core course credit for career education courses provided the appropriate course content matches Florida's state standards, and the student demonstrates mastery of those concepts on an end-of-course exam.

SB 1906 passed both the House and Senate and was ordered enrolled.

Infrastructure

2008 was a difficult year for infrastructure in the state of Florida. A number of major bills dealing with growth management, aggregates, and affordable housing died on the floor during the last days of session. In addition, the major transportation package (HB 1399 & SB 1978) was the subject of intense debate and controversy as it included provisions that would allow the state to purchase 61 miles of rail from CSX for the purpose of establishing the Central Florida Commuter Rail Project. The proposed deal was so controversial that it died in the Senate after long hours of negotiations and opposition by the trial bar. The Legislature did re-enact the state's land purchasing program "Florida Forever" for an additional 10 years.

SB 542 Relating to Land Acquisition and Management by Sen. Burt Saunders (R-Naples). The bill re-enacts the Florida Forever land purchasing program for an additional 10 years, but with some business-friendly stipulations added and provides for additional uses of public lands that would include alternative water supply programs, expands the use of mitigation programs for imperiled species, allows for utility infrastructure access to public lands, and emphasizes public access to water for outdoor recreational opportunities.

SB 542 passed both the House and Senate and was ordered enrolled.



HB 7119 Relating to Uniform Port Access Credential Card by Rep. Sandy Adams (R-Oviedo). The bill would have implemented the Florida Uniform Port Access Card (FUPAC) at all of Florida's 14 deep water ports, and while it allowed the acceptance of the federal Transportation Workers Identification Credential (TWIC), the bill still required additional paperwork and a Florida criminal background check in addition to the federal check. Under this proposed legislation, the costs of credentialing would be three or two times the cost of accepting the federal TWIC card alone because of Florida's additional port security requirements. The bill ran into some difficulties on the House floor during the last days of sessions as a number of legislators with ports in their districts objected to the potential increased costs associated with the bill.

HB 7119 died on the House floor.

" Florida's pristine environment can be preserved, while also providing reasonable access for the recreational enjoyment of all Floridians."

– Keyna Cory, AIF Chief Lobbyist

Economic Development

In a year that budget dollars were hard to come by, AIF and 18 other business associations developed an **Economic Stimulus Package (ESP)** that strategically outlined a number of one-time infrastructure investments using non-recurring dollars for projects that would help stimulate the economy. The Legislature also advanced a series of economic development bills this session, but because of lack of dollars and the inability to come to a consensus, the majority failed to pass.

SB 2310 Relating to Economically Targeted Investments by Sen. Jeremy Ring (D-Margate). An AIF priority, this bill is potentially one of the state's most progressive pieces of economic stimulus in many years. This legislation could infuse almost \$2 billion into the state's economy by allowing the State Board of Administration to invest up to 1.5% of the state pension fund into targeted businesses. These businesses are to include some of the state's most innovative companies, including space technology, aerospace and aviation engineering, computer technology, renewable energy, and medical and life sciences. In addition, this legislation could award up to \$40 million one time cash prize to a private sector firm that provides the most significant advancement within the reusable space vehicle industry as Florida moves from the Challenger Space Program to the Constellation Program.

SB 2310 passed both the House and Senate and was ordered enrolled.

SB 2778 Relating to Economic Stimulus by Sen. Mike Fasano (R-New Port Richey). In both Chambers this bill largely contained clean up language for OTTED and helped rural areas become eligible for more incentive dollars. The Senate bill contained a revolving guarantee loan program known as Building Florida's Future Revolving Loan, a program that would allow \$20 million to be available to public and private entities in order to secure loans for infrastructure needs for targeted industries as well as royalty mandates back to the state for recipients of Innovation Incentive funds.

SB 2778 died in messages.

HB 293 Relating to New Markets Tax Credits by Rep. Will Weatherford (R-Zephyrhills). A priority of AIF for the 2008 session, the House held up their end of the bargain, passing the legislation and sending it to the Senate for their consideration. Because

"And, yes, there were highlights even from this Legislature. In the 2008-09 budget is an economic stimulus package, scaled down by about half from a \$615 million plan that Associated Industries of Florida had proposed before the session. The legislation will direct money to affordable housing, tourism marketing, port development and the space industry. Since the budget problem comes mostly from a big drop in sales tax collections, the tourism investment could be especially helpful."

– Palm Beach Post 5/6/2008

of the hard work of Rep. Weatherford this legislation, which piggybacks off a \$20 billion dollar federal program that would draw venture capital into low income areas, made it through the committee process and on to final passage. However, despite the efforts of Sen. Fasano the Senate made an early decision not to fund future tax credit obligations and therefore, did not advance the bill. While a last ditch effort was made to strike the fiscal obligation of the state and simply implement the program without funding (with hopes of funding it in subsequent years), the bill still did not pass.

HB 293 passed the House but died in messages.

Florida's Business Community Supports Economic Stimulus Package

Asphalt Contractors Association of Florida
Associated Builders & Contractors
Association of Florida
Associated Industries of Florida
Association of Florida Community Developers
Florida Association of Realtors
Florida Bankers Association
Florida Credit Union League
Florida Farm Bureau
Florida Home Builders Association
Florida Natural Gas Association
Florida Pest Management Association
Florida Petroleum Council
Florida Retail Federation
Florida Roofing, Sheet Metal & Air Conditioning
Contractors Association
Florida Tax Watch
Florida Transportation Builders Association
Florida Trucking Association
Florida United Business Association
Floridians for Better Transportation

As is usually the case, AIF was on the defensive protecting businesses from attacks by the trial bar. Although no attempt was made this year to unravel the legal reforms gained by the business community with the repeal of joint and several liability, legislation was filed that would have made changes to Florida's existing arbitration laws. In addition, pro business reforms such as Expert Witness (HB 645 and SB 1448) and Third Party Bad Faith (HB 589 and SB 882) were filed, but did not see much action.

One positive in the legal arena was passage of reforms to the Administrative Procedures Act. A similar bill was passed last session, but was vetoed by Governor Crist. This time around, the bill is expected to be signed by the Governor since many of his objections were dealt with by the sponsor and interested parties.

SB 2076 Relating to Arbitration by Sen. Ted Deutch (D-Delray Beach). This bad bill relates to the arbitration code and severely hampers a business' ability to contract with consumers to resolve disputes through arbitration instead of litigation.

The legislation would essentially force more disputes to litigation and nullify any contractual arbitration requirements if a consumer is a party to a contract. Arbitration should serve as an efficient and predictable alternative to litigation, but if the current structure of its use is altered significantly, as with this legislation, its effectiveness will be minimized. The bill would also drastically increase the litigation burden on businesses and the court system.

SB 2076 died in the Senate Banking and Insurance Committee

SB 704 Relating to Open Government Act/Administrative Procedures by Sen. Mike Bennett (R-Bradenton). This bill, a priority of AIF, provides additional incentives for state agencies to undergo rule adoption and implementation procedures when authority for such is granted by statute. The bill is designed to prevent agencies from going through the formal rule making process, while implementing and enforcing policies under such statutes.

SB 704 passed both the House and Senate and was ordered enrolled.

SB 2438 Relating to Informed Consent for Spaceflight by Sen. Bill Posey (R-Rockledge). This bill a high priority of AIF, provides that a spaceflight entity is not liable for injury to or death

of a spaceflight participant resulting from the inherent risks of spaceflight launch activities, so long as a required warning is given to and signed by the participant. This limited liability for commercial space businesses puts Florida in a unique position to retain and attract new aerospace businesses from a very competitive marketplace.

SB 2438 passed both the House and Senate and was ordered enrolled.



Energy

Energy policy was again a focal point of the 2008 session. Last year, Governor Crist vetoed the energy package passed by the Legislature. At that time, this decision left everyone scratching their head. Little did we know that the Governor would unveil his own energy agenda just a few months later in the form of three executive orders on climate change and greenhouse gas emissions. What followed was months of meetings by two advisory agencies: the Governor's Climate Action Team and the legislatively enacted Florida Energy Commission — both of which developed long lists of recommendations for the Legislature to consider.

HB 7135 Relating to Energy by the House Environment and Natural Resources Council. This comprehensive energy policy package includes a number of changes to Florida's energy laws including provisions dealing with renewable portfolio standards, renewable fuel standards, and guidelines for energy efficiency for state buildings as well as the state's building code. As passed by the Legislature HB 7135 is a far cry from the original version, which caused AIF and the business community a great deal of concern because of the broad implications and aggressive goals included in the bill. The fact that many of the more controversial aspects of the bill (such as the cap and trade program and the renewable portfolio standards) must be ratified by the Legislature ensures that elected policy makers will have the final say as to the cost implications of any of these programs.

HB 7135 passed both the House and Senate and was ordered enrolled.

"We're willing to go in the same direction the governor wants to go, but he wants to go 100 miles per hour, and we want to go 50 miles per hour," Bishop said. "They talk about, 'we can do this, we can do that,' but they just assume people are going to be willing to pay the costs."

— Palm Beach Post 3/2/2008



AIF's comprehensive ranking of lawmaker performance is on its way to a computer near you.

Voting Records is one the state's most unique post-session wrap-up tools. The AIF staff compiles thousands of votes cast by each Florida representative and senator on key business bills.

What makes *Voting Records* stand out from the rest? AIF's record includes more votes on more bills than anyone else. It tallies votes on the bills and amendments to the bills, both in committee and on the floor. And unlike other groups, AIF's results are purely objective; no votes have been given added significance, which tends to skew the results.

The full *Voting Records* will soon be available online at www.aif.com.

2008 was an active year for healthcare in the Florida Legislature. Governor Crist unveiled a number of healthcare priorities prior to the start of session including changes to the Certificate of Need process, the creation of a limited benefits health insurance plan for the more than 3.8 million uninsured Floridians, and coverage for children with autism. The House also developed their own plan to help with the uninsured crisis in Florida and negotiations between them and Governor lasted well into the last week of session.

SB 2534 Relating to Health Insurance by Sen. Durell Peaden (R-Crestview). The bill expands the affordability and accessibility of low-cost insurance for Florida's more than 3.8 million uninsureds by creating low cost plans that are exempt from the current Insurance Code and will be lower in cost through the use of cost containment measures, such as limit on the number of services, caps on benefits, and co-payments. After passing the Senate, the bill was sent to the House where it was combined to include portions of Rep. Aaron Bean's (R-Fernandina Beach) "Farmer's Market" plan, mainly language creating a corporation to oversee the availability of different healthcare products through an employer portal. In the end a compromise bill was passed on the final day of session, which incorporates provisions from both proposals.

SB 2534 passed both the House and Senate and was ordered enrolled.

SB 2326 Relating to Hospitals by Sen. Durell Peaden (R-Crestview). As originally filed, the bad bill would have eliminated the Certificate-of-Need (CON) requirement for general hospitals. The proposal has since been amended to only address certain changes dealing with applications for a CON and challenges to future CON applicants by existing hospitals. The bill also requires that entities applying for a new CON must prove financial feasibility in order to continue with the application process.

SB 2326 passed both the House and Senate and was ordered enrolled.

SB 1012 Relating to Health Insurance Claims Payments by Sen. Don Gaetz (R-Ft. Walton Beach). As originally filed, the bad bill contained a number of provisions which were very onerous for employers and would have prohibited the use of Silent PPOs. These networks of physicians and healthcare providers are key for employers who want to "self-in-

"We thank Governor Crist for taking a bold step to increase the options employers have to provide health insurance benefits to their employees," said Jose Gonzalez, vice president of governmental affairs for the group. "Health benefits play a major role in an employer's efforts to attract and keep quality employees."

– Florida Health News 4/16/2008

sure" and provide health insurance benefits to their employees. The original language would have made it more difficult and more expensive for all employers (not just those who self-insure) to provide health benefits to their employees. The bill that ultimately passed was compromise language developed by the business community and insurers with the Florida Medical Association. AIF lobbyists continually voiced their concerns in committee and directly to the bill's sponsor and are pleased with the outcome of this legislation.

SB 1012 passed both the House and Senate and was ordered enrolled.

HB 461 Relating to Health Flex Plans by Rep. Jimmy Patronis (R-Panama City). The goal Health Flex plans hope to achieve is to provide a "cafeteria-like" plan for health insurance, which allows policy holders to pick and choose their individual coverage options. These Health Flex plans are not considered full blown insurance, but will hopefully provide companies with alternative choices allowing them to provide less costly insurance options for their employees. The bill expands the Health Flex program to a greater number of small employers by expanding health flex plan eligibility from 200 to 300 percent of the federal poverty level.

HB 461 passed both the House and Senate and was ordered enrolled.

SB 2654 Relating to Autism Spectrum Disorder by Sen. Steve Geller (D-Hallandale Beach). The bill establishes coverage for children with autism who are covered under a large employers' (50 employees or more) health insurance plan. Originally, the bill was to require coverage through the state's KidCare program, but this provision was removed when it was determined to be too expensive for the state.

SB 2654 passed both the House and Senate and was ordered enrolled.

Business Regulation

2008 was an active year for business regulation bills. House Speaker Marco Rubio (R-Miami) made reducing regulations for small businesses one of his priorities for the year. In addition, AIF lead a coalition of business organizations advocating for the passage of legislation dealing with the theft of copper and other metals. Unfortunately, members of the NRA and other gun-rights groups were able to pass a bill prohibiting businesses from enacting or enforcing policies preventing employees from bringing guns to the workplace.

HB 105 by Rep. Baxter Troutman (R-Winter Haven) and HB 799 by Rep. Sandy Adams (R-Oviedo) Relating to Secondary Metal Theft. This legislation will act to deter thieves from bringing stolen items to a legitimate secondary metal dealer by requiring these metal dealers to keep records from whom they acquire metal. In addition, any unscrupulous metal dealers who do not provide the required information for a sale and who receive stolen property can be charged with a third-degree felony. Due to the increasing worldwide demand for metals, metal theft is on the rise and can jeopardize the safety of individuals who are affected by the theft, as well as wreaking havoc on communities by causing power outages and surges. HB 799 provides that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider.

Both HB 105 and 799 passed both the House and Senate and were ordered enrolled.

HB 7109 Relating to Small Business Regulatory Relief by the Government Efficiency & Accountability Council. This bill establishes the Small Business Regulatory Relief Act, establishes the state's first Small Business Advisory Committee as well as creates the Small Business Advocate. This bill focuses on monitoring regulatory requirements for small businesses and makes recommendations to the Legislature on how these burdens may be revised or deleted to reduce the detrimental impact they may have on Florida's 2 million small businesses.

HB 7109 passed both the House and Senate and was ordered enrolled.

HB 503 Relating to Preservation & Protection of the Right to Keep & Bear Arms in Motor Vehicles Act by Rep. Greg Evers (R-Milton). The bill prohibits employers from restricting employees, who hold a valid concealed weapon permit, from keeping their gun locked inside a car. The bill also prevents an employer from searching an employee's vehicle (unless a law enforcement officer is present) and firing an employee on the grounds that he or she possesses a firearm in their vehicle. HB 503 includes a greater list of properties that are exempt from this law including nuclear power facilities, school property, and locations where combustible materials are present.

HB 503 was approved by the Governor.

Election Reform

As is normally the case, legislation dealing with election reform was considered during the 2008 session. This year, AIF was advancing an agenda in the elections arena dealing with changes to the petition signature revocation process as well as reducing the length of time petition signatures are valid in Florida — from the current four years to two. Towards the end of session, the First District Court of Appeals struck down Florida's signature revocation law. The law, enacted in 2007, allowed a voter who had signed an initiative to revoke his or her signature within 150 days. It had been used successfully by Save Our Constitution (SOC), a political committee with strong AIF ties, to revoke over 13,000 signatures from the dangerous Hometown Democracy (HTD) amendment and was a real factor in the failure of HTD to obtain ballot status for 2008. This decision rendered any attempt to improve the

revocation process null and void. The Department of State and AIF will be appealing their decision to the Florida Supreme Court.

HB 903 Relating to Initiatives by Rep. Chris Dorworth (R-Heathrow). As originally filed, the bill established a registration process and a number of requirements for persons wishing to operate as paid petition gatherers. The bill was amended before reaching the floor to require a level 2 background screening for any person wishing to be a paid petition gatherer. In addition, the bill would have reduced the number of years a petition signature is valid from the current four years to two years. Finally, as amended, the bill would require all petitions and revocations forms to be submitted within 60 days of a voter signing them to the Supervisor of Elections.

HB 903 died on the House calendar.