



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920

2012 SESSION PRIORITIES



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The Voice of Florida Business Since 1920

Since our humble beginnings as the Duval County Employers' Association, Associated Industries of Florida (AIF) has walked the halls of the Florida capitol defending the principles of the free market. We have never been as passionate about protecting Florida's business climate as we are today. AIF is pleased to provide this publication that highlights our legislative priorities for this year. We make this publication available to all 160 members of the Florida Legislature, all agency heads of the executive branch, the Florida Cabinet and AIF members across the state of Florida so everyone knows where we stand on the issues. This document also serves as the basis for determining how legislators vote.

So how does AIF determine what its priorities will be? Each year, the AIF Lobby Team advises on which issues will be of great interest or concern to our members. Then we seek the input of our valued corporate and association members on those issues and any other issues companies may have. Once that process is complete, we then present the issues to the AIF Board of Directors for approval. This process assures that our members' needs and concerns are addressed.

On each issue page we have listed the AIF Lobby Team member(s) assigned to cover that particular area. This will direct you as to which of the 21 AIF lobbyists to contact to get more information on a particular issue. Our team is often regarded as the best in the halls of the capitol. They are truly "experts" in their respective areas of interest.

With our Lobby Team working in concert with AIF staff and our Board, we provide our members the best chance of success on the issues vital to them. Not only do we analyze issues before the session, we also spend a great deal of time looking at new issues as they emerge during the session. As new issues arise, we work closely with our Executive Committee members to ensure we can derive a position and move quickly to act on it.

It's all about being flexible, knowledgeable about the issues, and prepared to continue our role as leading advocate. We are "The Voice of Florida Business Since 1920."

Congressman Allen West (R) was one of the featured speakers during AIF's 2011 Annual Conference which was held at The Breakers in Palm Beach.



What is a Destination Resort?

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What is a

Destination



by José L. Gonzalez

Similar to another Florida favorite — cruise ships — Destination Resorts would attract new visitors interested in experiencing a variety of amenities including: high-end retail, restaurants, spas, entertainment venues, gaming facilities, beach and boating activities, hotel and residential towers, convention space, pools and outdoor recreation facilities.

While gaming facilities are a component of these complexes, they would consume a small portion of the Resort's square footage. Unlike a Las Vegas-style casino operation, Destination Resorts are not modeled around, or solely dependent upon, gaming.

These attractions create an overall experience for the guest and are designed to draw out-of-state and international tourists. Projections based on similar models show Destination Resorts have the potential to bring 10 million-plus visitors from outside the state and country, adding hundreds of millions in new revenue to our state's economy.

More High-Paying Jobs for Florida Workers

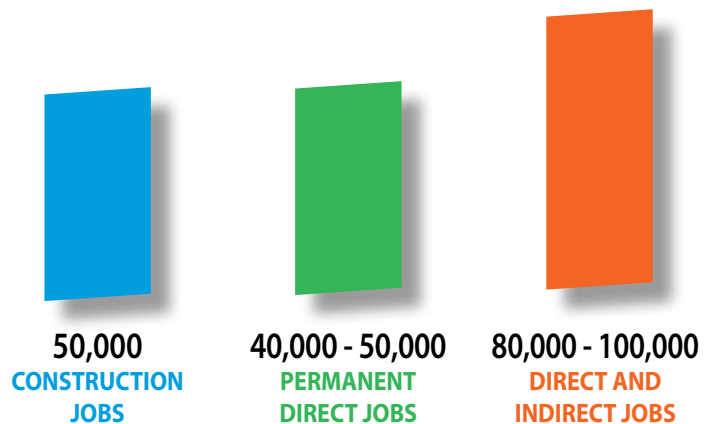
It has been nearly two years since Florida's average unemployment rate was below double digits, and we are now facing at least another \$1.5 billion budget shortfall. Florida must consider new ways to grow its economic base and create jobs. Associated Industries of Florida believes the creation of specific and limited Destination Resorts in South Florida would provide a much-needed boost to Florida's economy; getting tens of thousands of out-of-work Floridians back on a payroll.

By building three Destination Resorts limited to South Florida, we could put paychecks in the hands of nearly 100,000 of the more than 250,000 unemployed people living in Miami-Dade and Broward counties. The construction industry, one of Florida's hardest-hit in this recession, could gain up to 50,000 jobs alone.

Economic Benefits of Destination Resorts

Integrated Destination Resorts will be a vibrant source of economic development, not only in South Florida, but across a broad spectrum of the state's economy. Just like any other development, the construction of these facilities will expand municipal and state revenues through property taxes, licensing fees, and increased collection of sales taxes. Destination Resorts will pump hundreds of millions

Destination Resorts WILL CREATE JOBS



ation Resort?

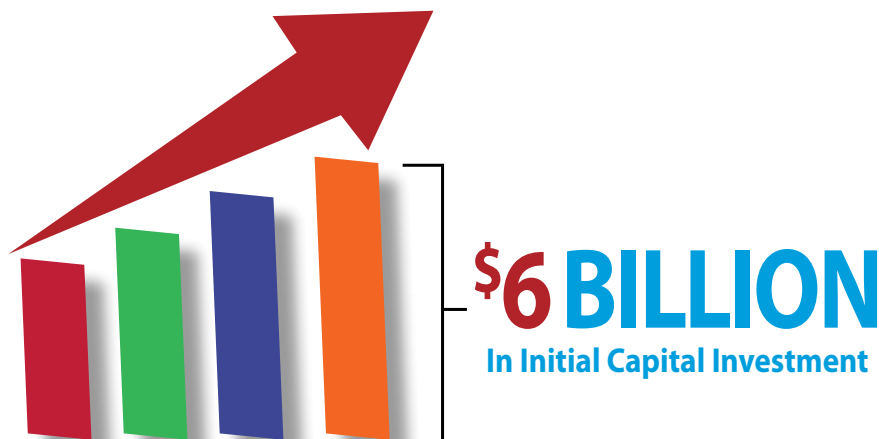
of dollars into the local, state and regional economy through construction activity and other local vendor services.

Existing Pari-Mutuel Industry

Before any proposal is approved, however, AIF strongly encourages the Legislature to consider its effect on the state's pari-mutuel industry. This long-standing member of the Florida business community provides over 30,000 jobs in 21 locales around the state. Pari-mutuels should be given the ability to compete and provide the best entertainment value to their customers. This includes class-3 gaming, as long as the local county or municipality approves such action.

AIF SUPPORTS any proposal that will allow for free market bidding, ensuring that premier development companies come to Florida to build world-class destinations and bring all of these direct and indirect economic benefits to Florida and Florida businesses.

Destination Resorts WILL GROW THE ECONOMY



The Proposed Destination Resorts Legislation in Tallahassee Would:

- Create the Department of Gaming Control and Gaming Commission.
- Grant authority to the State Gaming Commission to grant 3 Destination Resort licenses.
- Destination Resorts may only be located in a county where slot machine activities are currently authorized.
- In order to receive a license, the applicant must:
 - Have the ability to expend at least \$2 billion in new development and construction following the award of the license
 - Best serve the residents of Florida
 - Show capacity to increase tourism
 - Provide a facility design where no more than 10% of the total square footage is gaming-related
 - Show a history of involvement in the community
 - Provide adequate, private financing

José Gonzalez is AIF's Vice President for Governmental Affairs (e-mail: jgonzalez@aif.com)

Business Regulation

Business regulation issues will once again take center stage during the 2012 Legislative Session. Governor Rick Scott continues his mission to reduce rules and regulations in government; and his agencies have undertaken the task of developing a list of more than 1,000 government rules and regulations to cut. In addition, Rep. Chris Dorworth (R-Heathrow), Chair of the House Rulemaking and Regulation Subcommittee, has recently launched a campaign to reach out to businesses for feedback on government rules that need to be reviewed.

Permitting

AIF SUPPORTS efforts to streamline permitting across all state agencies.

For the 2012 Legislative Session, AIF will focus on passage of **HB 503 sponsored by Rep. Jimmy Patronis (R-Panama City)** and **SB 716 by Sen. Mike Bennett (R-Bradenton)**. This major re-write of Florida's environmental permitting law is critical for Florida's employers because it will help accelerate the approval process and bring certainty to businesses dealing with state agencies.

Immigration Reform

AIF recognizes that immigration reform is an important issue for our state, but contends it should be dealt with at the federal level. AIF OPPOSES efforts to mandate the use of the E-Verify system by all employers.

Mandating E-Verify would have a negative effect for employers, especially those small business owners who do not have full-fledged human resources departments. Arizona-style immigration laws have the real potential to tarnish Florida's reputation as a global trade hub. Fears of racial profiling could make it harder for businesses to recruit employees and could harm Florida's tourism industry.

Fertilizer Ordinances

AIF SUPPORTS legislation that addresses the labyrinth of inconsistent, unscientific and arbitrary county and municipal ordinances related to the fertilization of urban turf, lawns, and landscapes.

Legislation (**HB 421 and SB 604**) has been filed by **Rep. Jimmie Smith (R-Lecanto)** and **Sen. Charlie Dean (R-Inverness)** that exempts Department of Agriculture and Consumer Services (DACS) certified fertilizer applicators from the local ordinances which address lawn fertilization. The bill allows educated, trained and certified fertilizer applicators to continue practicing their trade without fear of being regulated out of existence.

Public Notice Laws

AIF SUPPORTS legislation that requires all public notices be printed in local newspapers and posted on the Internet.

The Internet alone does not provide sufficient public notice to all citizens and businesses of Florida, many of whom may not have access to a computer. Local newspapers, as currently defined in Florida Statute Chapter 50, offer citizens a single, convenient location to find all public notices as opposed to government entities publishing notices on their respective websites, which places this information in a myriad of different locations. This is especially important with regards to the foreclosure on property. In these difficult economic times, it is better to have more transparency than less, especially in light of the ongoing foreclosure crisis in Florida. To acknowledge the "digital divide" and ensure protection of due process, AIF recommends that no government entity required to provide notice of its actions to the public be the only entity that publishes that notice.

AIF will also engage in the area of Business Regulation by:

- Opposing any efforts to transfer the **Division of Corporations** from the Department of State to the Department of Revenue.



AIF Lobby Team Members Assigned to the Area of Business Regulation:

Keyna Cory
José L. Gonzalez

Economic Development & Space

Since the beginning of the year, Florida's unemployment rate has steadily dropped from month to month, and Florida continues to create more jobs. While Florida is a relatively low-tax state, more needs to be done to attract high-skill, high-paying jobs. AIF believes that an emphasis on manufacturing and ports, alongside a commitment to commercial space activity, can bring Florida to the forefront of job creation.

Manufacturing

AIF SUPPORTS legislation aimed at improving the development approval process for manufacturers in Florida.

HB 515 by Rep. Lake Ray (R-Jacksonville) and SB 786 by Sen. Jeremy Ring (D-Margate) will place manufacturers and fabricators in a competitive position similar to what is available in neighboring states. Known as the Manufacturing Competitiveness Act, this policy proposal would promote coordination and collaboration among state and regional agencies responsible for permit approvals and provide manufacturers with a single point of regulatory contact.

AIF SUPPORTS efforts to retool the state's economic development incentives for manufacturers by shifting from a jobs-based incentives system to a capital investment-based system. The state's current jobs-based incentives scheme is too narrow and looks only at the direct jobs created by one employer at one facility. It does not consider the capital investment per employee. This policy shift would not only create jobs within a single existing employer, but would also foster a plethora of indirect jobs, thereby increasing the potential to expand and grow Florida's exports. **HB 507 by Rep. Ray and SB 684 by Sen. Ring** accomplish this goal.

Space Agenda

In 2012, AIF will continue to be a strong advocate of the space agenda working with Space Florida and other partners in the aerospace industry to continue to make space issues a priority for our state. **Specifically, AIF will SUPPORT:**

- Funding for Space Florida through recurring general revenue (**HB 265/SB 934**).
- Redefining "launch support facilities" within the Florida Department of Transportation so they can direct funding for space-related infrastructure projects (**HB 97/SB 634**).

- Adding Cecil Airport in Jacksonville as a Spaceport Territory (**HB 59/SB 110**).
- Legislation that allows public-private partnerships within the Department of Economic Opportunity to receive structured, up-front payments for infrastructure projects.

Ports

AIF SUPPORTS efforts to include port incentives in any economic development package considered during the 2012 Session. A continued focus on Florida's 14 deepwater ports should be a priority for the Florida Legislature. Under consideration is legislation that would provide companies with incentives for moving container and bulk packaging through Florida's ports. This type of legislation would go hand-in-hand with recent efforts to enhance our ports' infrastructure in preparation for the widening of the Panama Canal.

New Markets Development Program

AIF SUPPORTS Florida's continued participation in the Florida New Markets Development Program. To date, this program has already invested close to \$133 million in Florida by leveraging both private and public-sector investment in low-income communities throughout our state. This investment has created or retained 1,437 jobs and is anticipated to create 8,000 jobs by 2016.

AIF will also engage in Economic Development issues by:

- Supporting the elimination of the sales tax on **manufacturing machinery and equipment**.
- Supporting efforts to elevate the stature of the manufacturing sector within the new **Department of Economic Opportunity**.
- Supporting efforts to increase **import and export** trade opportunities for Florida.
- Supporting the state's efforts to enhance the manufacturing **workforce** and other ready-work industries.
- Supporting the continued availability of **state funds** for enhancing economic development.



AIF Lobby Team Members Assigned to the Area of Economic Development & Space:

José L. Gonzalez – Space

Stephen Shiver – Economic Development

Tamela Perdue – Ports

Education & Workforce Development

Florida's economic success, future growth and overall quality of life will depend heavily on developing and retaining skilled workers. The focus across Florida has been and continues to be job creation. In order to create jobs, Florida must have a world-class workforce ready for those jobs; and that begins with educating our students. AIF has been at the forefront of education reform efforts for several years. Accomplishments include stronger curricular standards, increased high school graduation requirements, and funding and changes that allow for more technology in public schools.

E-Learning

AIF will continue to SUPPORT legislative changes that will increase digital learning.

In order to accomplish the move to e-Learning, many policy changes must occur. Specifics will include:

- Changing the funding policies to allow students to move at their own pace and generate funding when competencies are reached.
- Changes in funding for instructional materials may also be needed to give districts the greatest flexibility in moving to e-Learning.
- Additionally, the availability of virtual education, full-time and part-time, K-12 must be expanded; both in the traditional public school setting and as a school choice option.

College and Career Readiness

AIF will continue to SUPPORT efforts to upgrade foundational skills and readiness for college and careers.

This effort becomes more important based on Florida's Race to the Top goals to increase the number of high school graduates attending some postsecondary institutions over the next four years. Career academies have been an important part of the changing landscape toward college and career readiness in Florida. **AIF will continue to SUPPORT the expansion of career academies in Florida.** An extension of the career academy model for college readiness is also happening in Florida and around the country. **AIF will also SUPPORT early college and college readiness academy models that help the state reach the Race to the Top goals.**

Higher Education

The K-20 pipeline for a highly qualified workforce for Florida culminates with the higher education system.

AIF will continue to SUPPORT the performance-based budgets for higher education sectors such as the Florida College System, the Florida Resident Access Grant, and the ABLE scholarships for students in the for-profit higher education sector. Additionally, AIF will continue to SUPPORT funding for the expansion of research and commercialization in our State University System.

No Child Left Behind Waiver

AIF SUPPORTS efforts by the Florida Department of Education to seek a federal waiver from the No Child Left Behind program.

This law was established a decade ago to help our nation improve our education system. Although it has helped many students throughout the country, it has also had some limitations that need to be addressed. As such, the Department plans on applying for a flexibility waiver that will enable us to closely align our state's accountability system with a revised federal plan. Obtaining this federal waiver will ensure that the recent gains in our education system will continue to bear fruit and prepare our students for the workforce of tomorrow.

AIF will also engage in Education issues by:

- Supporting efforts to make **funding for education more competency-based**, thereby increasing school accountability.
- Supporting the continued expansion of acceleration mechanisms such as **AP, IB, AICE, and Dual Enrollment.**
- Supporting the *Ready to Work* program and other programs that focus on getting students prepared for more rigorous courses in high school and, thus, prepared for college and the workplace.



AIF Lobby Team Member Assigned to the Area of Education & Workforce:

José L. Gonzalez – Education

Energy

Reasonably priced and reliable energy is essential to the long-term health of Florida's economy, the prosperity of our employees and the creation of jobs. AIF was one of the first business groups to engage in the energy debate, supporting the development of supply options that lead to diverse, reliable and reasonably priced energy resources, with a minimum of government intervention, and promoting an economically-balanced and varied mix of energy sources consistent with prudent environmental policies.

While the demand for electricity will continue to grow over the next few years, a sustainable and common sense energy mix will be critical for the success of Florida's business community. All sources of energy — nuclear, clean coal, natural gas, oil and renewable varieties — should be supported and encouraged. The one guiding principle for evaluating these sources must continue to be affordability and reliability.

Offshore Exploration and Production of Oil and Natural Gas

AIF SUPPORTS the passage of legislation that establishes a process by which the state of Florida can begin considering proposals for safe offshore drilling in federal and state waters. Florida's economic recovery is heavily dependent on reasonably priced and reliable sources of petroleum. Florida typically consumes more than 25 million gallons of gasoline and diesel each day for transportation and generates more than half of its electricity from clean burning natural gas. According to federal statistics, the U.S. federal offshore areas hold the equivalent of three times the oil resources of Canada and Mexico combined and almost six times the natural gas resources of these two countries. Allowing safe and environmentally-sensitive access to these resources in state and federal waters is not only in our national interest as a means of improving energy security, diversifying supply and enhancing economic development, it also can serve as an important and much-needed method for generating new revenues and jobs for the State of Florida.

Clean-Coal Technology

AIF SUPPORTS efforts to bring back clean-coal technology as a source for reliable and reasonably priced energy. According to the U.S. Department of

Energy, "Clean Coal Technologies — the products of research and development conducted over the past 20 years — have resulted in more than 20 new, lower-cost, more efficient and environmentally compatible technologies for electric utilities, steel mills, cement plants and other industries." The state and nation should not pass up opportunities to contribute to advancing the knowledge and science of using America's more abundant energy source in an environmentally acceptable way. At a minimum, legislators should look at ways to accelerate and streamline permitting for coal plants and other reliable, low-cost sources of electricity.

Renewable Energy

AIF SUPPORTS energy policy that allows for the development and expansion of the renewable energy sector while maintaining reliability of services and without any mandates by government or unreasonable prices. Such a policy would attract significant investment and spur manufacturing, distribution, and cutting-edge R&D job growth in the renewable technologies and renewable fuel sector. The policy should allow willing partners to make business decisions that will develop a market and avoid unintended consequences that stem from government mandates.

AIF SUPPORTS legislation that will enable interested investor-owned utilities to develop renewable energy supply sources using the technology (solar, wind, biomass, etc.) and scale (large, medium, small) that makes the most sense for those investor-owned utilities and their customers. This would allow both the investor-owned utilities and other suppliers in the renewable sector to make market-based decisions to deploy renewable sources to meet customer needs in a cost-effective manner.

AIF will also engage in Energy issues by:

- Supporting efforts by the Legislature to increase incentives for energy **efficiency and conservation.**
- Opposing any legislation that establishes a "cap-and-trade" program for the reduction of greenhouse gases.



AIF Lobby Team Member Assigned to the Area of Energy:

Jim Rathbun

Environmental Sustainability

Environmental issues have always been very important to AIF members as they have a direct correlation to Florida's business climate. Our state's natural resources are a draw, not only for tourists, but for businesses that want to grow or locate in Florida. We must be good stewards of our land and water, and AIF and its members lead the way in protecting those resources.

Numeric Nutrient Criteria

AIF ENCOURAGES the Florida Legislature to ratify the proposed numeric nutrient criteria rule proposed by the Florida Department of Environmental Protection.

We also engage and support our Congressional delegation in their efforts to stop the U.S. Environmental Protection Agency's (EPA) imposition of unreasonably restrictive water quality standards only on the State of Florida. These proposed federal standards are unscientific and costly (some estimates show a price tag of \$50 billion) for businesses and consumers. Florida is currently facing the possibility of having to meet strict water quality standards regarding numeric nutrient criteria (for nitrogen and phosphorous) in all water bodies as a result of a lawsuit by radical environmental organizations. The proposed criteria are technically and scientifically flawed, as well as economically unattainable by the business and public sectors. The Florida Department of Environmental Protection has issued new rules that will help Florida achieve better water quality standards by using biological confirmation and Total Maximum Daily Loads (TMDL). Since the new rule will have an impact of more than \$1 million over the next five years, the Florida Legislature will have to ratify the rule, and AIF supports the ratification of this rule.

Environmental Resource Permits

AIF SUPPORTS the Florida Department of Environmental Protection's proposal to have a statewide Environmental Resource Permit (ERP).

The purpose of the ERP program is to protect Florida's water resources. The Florida Department of Environmental Protection (DEP) and Water Management Districts (WMDs) are responsible for the ERP. However, DEP is proposing a statewide ERP so all agencies are using the same version, instead of the five different permits currently in use. By having one rule,

the regulated community will have consistency among the WMDs and should see cost savings without harming the environment.

Alternative Water Supply

AIF SUPPORTS state funding for alternative water supply programs.

Economic development in Florida is a high priority. However, when planning for our future, we must have an adequate water supply. Unless we begin to fund and build sufficient water systems now, Florida will have problems meeting future demands. The Water Protection and Sustainability Trust Fund (WPSTF) must be fully funded so alternative water supply projects, such as reclaimed water projects, desalination efforts, and the collection and storage of rainwater, can be built to produce additional and sustainable future water supplies. Not only will this help with future water supplies, alternative water supply projects will also create jobs.

Recycling

AIF OPPOSES any attempts by the Legislature to pass a "bottle bill" to help pay for recycling efforts.

This "tax" is unnecessary as a majority of Florida's cities and counties have excellent curbside recycling programs. Forcing families to pay even more at the store with no real impact on our environment does not make economic or environmental sense, especially in these challenging times.

AIF will also engage in Environmental issues by:

- Continuing to support comprehensive solid waste programs to increase **recycling rates**.
- Opposing changes to the current **contamination notification laws (SB 866)**.
- Opposing the enactment of **fees** on tire or landfill disposals and water severance taxes in order to pay for recycling programs.



AIF Lobby Team Members Assigned to the Area of Environmental Sustainability:

Keyna Cory
Rheb Harbison

Health Care

Employer sponsored health care benefits have become a very important tool for recruiting and retaining employees. However, over the years, benefits have decreased as the cost of coverage has increased. Employers have tried to mitigate cost increases by moving to consumer driven plans and increasing co-payments and deductibles paid by their employees. With the continued recession tightening the pocketbooks of employers and their employees, now is the time to address cost drivers in the system. As such, AIF's health care priorities are as follows:

Medicaid Reform

AIF ENCOURAGES the Centers for Medicare & Medicaid Services (CMS) to approve the waiver requested by Florida for the implementation of these important reforms.

Last session, AIF worked diligently to ensure passage of a comprehensive Medicaid reform package designed to slow the hemorrhaging that is occurring with the cost of our current program. The new program is scheduled to be implemented by July 2012. However, delays from the federal government concerning approval of the waiver, that Florida must have to begin implementation, threaten to allow the cost of the Medicaid Program to continue to grow.

Health Insurance Mandates

AIF OPPOSES the addition of new health care provider or benefit mandates that will drive up the overall cost of coverage and result in higher premiums for employers and their employees.

Florida has more than 50 mandates that range from requiring the use of specific kinds of providers or certain services and procedures to restricting what is allowed in private contracts between an insurer and provider.

Hospital Taxing Districts

AIF SUPPORTS creating broad-based funding sources to enhance access to health care services. AIF SUPPORTS efforts to redistribute ad valorem tax dollars in a manner that creates equity in funding for all providers based upon their levels of service to Medicaid, uninsured and underinsured residents of a district.

Hospital districts were first established to ensure

Florida's indigent residents had access to hospital facilities; however, in recent years, the role of these districts has expanded beyond their intended purpose. As a result, some of the areas in which these districts operate have seen escalating local taxes without accountability. Hospitals and health care facilities that receive tax revenues should be held strictly accountable for the manner in which such funds are used.

Low Income Pool (LIP) Council

AIF SUPPORTS the elimination of the Low Income Pool (LIP) Council achieved during the 2011 Legislative Session and favors the creation of an alternative model based on sound formulas, cost efficiency considerations, and the volume and quality of care provided.

The purpose of the fund should be to spread dollars on a "broad and fair" basis so that the dollars follow the patient wherever care is provided. To increase transparency and accountability, AIF recommends that these taxpayer dollars be distributed by the Legislature based on a standard model and in consultation with the Agency for Health Care Administration, and without influence from self-motivated advisory councils.

AIF will also engage in Health Care related issues by:

- Supporting the extension of the current **sovereign immunity** protections to physicians and hospitals when treating patients in an emergency setting such as the emergency room.
- Supporting a comprehensive cost study to be performed on the 52 provider and benefit **mandates** that are currently in law. Further, if a mandate is proposed during the session, a cost study should be conducted so that policymakers can balance the benefit of the mandate with the cost.
- Supporting increased transparency and accountability when a **public hospital** is sold or leased so that the community's health care needs and the taxpayers' investment are protected.
- Opposing the expansion of ad valorem taxing authority of **state taxing districts** for the funding of health care facilities.



AIF Lobby Team Members Assigned to the Area of Health Care:

Leslie Dughi
Bo Rivard

Infrastructure

After an incredible 2011 session, which saw a major overhaul of Florida's **growth management** laws pass, it is unlikely that legislators will have much appetite for addressing any further changes in growth management policy. The new law, which gives local governments most of the approval power for proposed development, has only been in place for a few months. It has been very well received by the business community as a way to reduce regulations and speed up the permit approval process.

In the area of **transportation**, Governor Scott has made expanding and enhancing Florida's transportation infrastructure one of the primary targets for meeting his economic development goals as described in his Jobs Agenda for 2012. For the past two years, the top transportation priority for AIF has been opposing any raid on the State Transportation Trust Fund. We believe that safe, secure and accessible transportation corridors are vital for the transportation of goods and citizens that create the economic vitality of our state.

Developments of Regional Impact

AIF SUPPORTS efforts to reduce the cost and increase the efficiency of the current Developments of Regional Impact (DRIs) process.

Recently, a Senate Interim Study was published which recommended to the Legislature that they maintain the current DRI process. The DRI process provides a regional review approach to developments which span multiple counties. AIF members agree that the DRI process is important, but there are still some changes that could be undertaken to reduce the cost for business owners that go through the DRI review process.

Affordable Housing

AIF SUPPORTS full appropriation of the Sadowski Affordable Housing Trust Fund monies (currently estimated to be \$153.4 million for FY 2012-13) to be used solely for affordable housing projects.

The Sadowski funds will promote home ownership, stimulate economic growth with public-private partnerships, and provide a financial boost many times greater than the amount of state funds appropriated for housing. If these dollars are used for their intended purposes instead of funding the state's budget, they will create approximately 11,800 jobs and approximately \$1.18 billion in economic activity.



Rep. Lake Ray (R-Jacksonville) was the guest of honor at the inaugural meeting of AIF's Manufacturers Council of Florida. Rep. Ray is sponsoring several key pieces of legislation aimed at helping Florida's manufacturing industry.

Transportation Trust Fund

AIF OPPOSES sweeping any funds from the State Transportation Trust Fund for non-transportation expenditures.

For every \$1 invested in the Department of Transportation work program, nearly \$6 is returned to the state's economy; and, for every \$1 billion invested in road construction and improvements, more than 28,000 new jobs are created for Floridians. The economic impact and job creation resulting from investment in transportation infrastructure relies upon the security of the State Transportation Trust Fund.

Dedicated Funding Source for Transportation

In 2009, the Florida Legislature raised tag and title fees for all classes of vehicles. The increased funds, however, were directed to the state's general revenue to assist in balancing the state budget and not specifically to benefit transportation projects in Florida.

AIF SUPPORTS re-directing these funds into the State Transportation Trust Fund to benefit transportation projects.



AIF Lobby Team Members Assigned to the Area of Growth Management & Transportation:

Justin Day – Transportation
Richard Gentry – Growth Management

Legal & Judicial

Considering the natural and economic assets of this state, Florida stands out as an attractive place to locate a company. However, when we look at Florida's legal climate, Florida counties considered "judicial hellholes" by the American Tort Reform Association are a significant deterrent to our continued economic development and recovery. According to the American Tort Reform Association, "judicial hellholes" are courtrooms where the law is not applied evenhandedly to all litigants and where "litigation tourists," guided by their lawyers, file lawsuits because they know they will receive a large reward, a favorable precedent or both. Due in part to the good work of AIF and other pro-legal reform organizations, South Florida dropped three spots in the "judicial hellhole" top 10 this year. Still, being ranked number four on this dubious list reminds us that the fight to improve Florida's legal climate is not over. For AIF and its members, legal reforms such as the ones described below will go a long way toward helping companies create and retain jobs since fewer resources will be used in defending questionable lawsuits.

In these difficult economic times, Florida businesses need a clear and level playing field in the courtroom. AIF will continue to lead the fight for any legal reforms that decrease the cost of litigation and remove unfair and unpredictable barriers to growth. This year, our efforts will include a closer look at the process by which judicial appointments are made in the civil litigation setting, including workers' compensation. The trial bar's distortion of the current appointment systems by stealthily "stacking the decks" in recent years has undermined the goal of establishing an objective judiciary and must be remedied before Florida's legal climate will be fair and equitable for whom it serves.

Bad Faith Reform

AIF SUPPORTS legislation establishing a 60-day time frame during which an insurer may investigate and, if warranted, offer policy limits to settle a liability claim. Under HB 427 by Rep. Kathleen Passidomo (R-Naples), the offer of policy limits within 60 days demonstrates a "good faith" effort by the insurer to settle a liability claim on behalf of its insured.

An unbalanced civil justice system in Florida dampens the ability for employers to recover from the economic downturn and to create new jobs. Increased civil



Sen. David Simmons (R-Altamonte Springs) is presented with a 2011 Champion for Business Award for his steadfast support of AIF and the business community.

litigation directly costs businesses through increased premiums for liability and automobile insurance and indirectly through management and employees' time diverted to lawsuits. One of the most egregious abuses in the system is denying a business and its insurer a reasonable time to settle a liability claim without litigation.

AIF will also engage in Legal and Judicial issues by:

- Supporting legislation that addresses the standards used in **expert witness** testimony.
- Opposing **claim bills** that set dangerous legal precedents.
- Supporting adequate **funding** for our state's legal system.
- Supporting existing caps on non-economic damages arising from **medical malpractice lawsuits**, as well as measures expanding immunity to health care providers providing medical attention in certain situations.
- Supporting reforms to the **Judicial Nominating Commission** process.



AIF Lobby Team Members Assigned to Legal & Judicial Issues:

José L. Gonzalez
Tamela Perdue

Insurance

Insurance issues in Florida continue to be a cost driver for doing business in our state. Whether it's property insurance or workers' compensation insurance, Florida's employers continue to be at the mercy of bad public policy. AIF will focus efforts on passing legislation that will bring real relief to large and small businesses. One of the business community's top priorities for 2012 will be passage of legislation that discontinues the practice of physicians dispensing medications to workers' compensation patients at over-priced rates. Recently, the Office of Insurance Regulation approved an 8.9 percent increase in workers' compensation rates in Florida. At least 3 percent of this increase can be attributed to the drug repackaging issue.

Workers' Compensation Drug Repackaging

AIF SUPPORTS legislation that will reduce Florida employers' workers' compensation costs while helping Florida restore its vibrant economic position.

Currently, a loophole in Florida law allows physicians who dispense repackaged drugs to receive reimbursement amounts at exponentially higher rates than any other pharmacy provider. A lack of regulation of the

price of repackaged drugs not dispensed by pharmacies creates unpredictable cost fluctuations that drive up workers' compensation pharmacy costs. Legislation has been filed this year (**HB 511 by Rep. Matt Hudson and SB 668 by Sen. Alan Hays**) clarifying that all drugs are subject to the same statutory fee amounts regardless of where the drug is dispensed. Further, this measure will save Florida's private-sector employers upwards of \$62 million in workers' compensation rates — savings that could be used to create jobs for Florida's citizens.

Automobile Insurance

AIF SUPPORTS legislation to reduce Personal Injury Protection (PIP) claims costs.

Under Florida's no-fault law, which has been in effect since January 1, 1972, owners of motor vehicles are required to purchase \$10,000 of Personal Injury Protection (PIP) insurance which compensates persons injured in accidents, regardless of fault. Notwithstanding several legislative reforms to the law, PIP premiums continue to be unnecessarily high because of increased litigation, few cost controls for medical services, and few effective measures to reduce rampant fraud and abuse. Florida has a sordid history of PIP reform in which every reform to reduce fraud has been greeted with new schemes by the unscrupulous, and efforts to reduce medical costs have been greeted with additional litigation and increased utilization of services.

PIP fraud, including billing for medical services that were never rendered and staged accidents, amounts to an \$800 million tax on Florida residents in the form of increased premiums. Florida tops all states in the United States for staged accidents and other schemes to defraud automobile insurers. PIP was enacted to minimize litigation; however, the opposite is occurring. PIP-related lawsuits and settlements have more than doubled since 2008. AIF urges the Legislature to adopt measures including **HB 523 by Rep. Workman (R-Melbourne)**, **HB 119 by Rep. Jim Boyd (R-Bradenton)**, and **SB 254 by Sen. Mike Bennett (R-Bradenton)** addressing the above issues and require a mandatory review of the effectiveness of such measures in three years by sunseting Florida's no-fault law effective July 1, 2015.

Chief Financial Officer Jeff Atwater (R) delivered the Keynote Address at the 2011 Champions for Business Award Ceremony held during AIF's Annual Conference. CFO Atwater was a three-time Champion for Business Award winner during his tenure in the Legislature.



Private insurers cannot compete with a subsidized and financially unsound government-run insurance company.

Hurricane Taxes

AIF SUPPORTS legislation to return Citizens to an insurer of last resort. AIF also SUPPORTS restoring the Florida Hurricane Catastrophe Fund (Cat Fund) to a safety buffer for Andrew-sized storms.

Reducing the exposure of Citizens and the Cat Fund will substantially reduce the likelihood of claims-paying deficits and, thus, hurricane taxes on insurance premiums for Florida's employers. Created as an insurer of last resort, Citizens is now the largest homeowners insurer in Florida with 1.4 million policyholders. Its growth is attributed to low rates by legislative fiat and its authority to sell insurance to homeowners even though the homeowner is offered coverage by private insurers. Citizens has become the insurer of *first* resort and will continue to grow and drive private insurers out of the state as long as it has artificially low premiums. Private insurers cannot compete with a subsidized and financially unsound government-run insurance company. Citizens relies primarily on its ability to levy taxes on its policyholders and on every other Floridian's insurance policies to pay claims resulting from hurricanes. Citizens also relies on the Cat Fund, the state-run reinsurer, for \$6.4 billion of coverage.

The Cat Fund collects premiums which are not enough to cover its liabilities in the event of a hurricane. To pay claims, the Fund relies mostly on the levy of taxes on most insurance policies to pay back amounts borrowed by selling bonds. Anything needed above that to pay claims would have to be raised by the sale of bonds. Unfair as this assessment mechanism is, the Cat Fund and its advisers recently informed the Cabinet that the bond market cannot finance the Cat Fund's full exposure, creating a shortfall of \$3.2 billion or more. The Cat Fund's leadership has estimated that even slight under-performance could expose millions of policyholders to the risk of insolvency of their carrier. AIF supports legislation to right-size the Cat Fund, thereby ensuring that the Cat Fund can meet its obligations in



AIF was proud to host Rep. Jose Oliva (R-Hialeah) at a recent AIF Power Lunch event. Rep. Oliva is one of the newest members of the House of Representatives, having won a special election in June 2011.

the event of a storm and reducing the hurricane taxes that fund its operations, as well as its possible deficits.

Long-Term Care Insurance

AIF SUPPORTS legislation to clarify the way long-term care insurance policies are defined in Florida.

A recent decision by the 3rd District Court of Appeals in Florida significantly altered the method in which long-term care insurance policies are defined. AIF is seeking clarification of the term "guaranteed renewable policy" in order to protect contracts between consumers who purchase long-term care policies to assist in paying medical bills later in life and insurers who provide these policies.

AIF Lobby Team Members Assigned to the Area of Insurance Include:

Nick Iarossi – Property Insurance
Gerald Wester – Property Insurance
General Insurance Issues

Taxation & Budget

Governor Rick Scott recently unveiled his 2012 Job Creation and Economic Growth Agenda, which includes a number of tax provisions beneficial to Florida employers. AIF will continue to support the Governor's tax policies as a way to create the most competitive business environment in the country. A number of tax-related issues will dominate the upcoming legislative session, many of which deal with existing inequities in Florida's tax code.

Online Travel Companies

AIF OPPOSES any legislation that seeks to permanently provide online travel companies with an unfair tax advantage.

Online Travel Companies (OTCs) should not have an unfair advantage over companies located and doing business in Florida. Instead of collecting and remitting occupancy taxes on the retail rates paid by consumers for hotel rooms, OTCs have chosen to remit such taxes based on the wholesale rate they pay hotels for rooms. This inequity in how taxes are being remitted is hurting Florida's tourism economy and hoteliers — who have been collecting and remitting occupancy taxes to the state, counties and municipalities for years. Any legislation that permanently codifies the OTC's business model would be bad for Florida employers and would open the door to demands from other wholesale-to-retail businesses seeking a similar tax windfall if this market-distorting tax advantage were enacted by the Legislature.

E-Fairness

AIF SUPPORTS efforts to enforce the fair collection of state sales tax. Common sense updates can and should be made to Florida's tax system to level the playing field for all retailers selling goods in Florida.

Today, "brick and mortar" retailers are at a disadvantage to out-of-state, online-only retailers concerning the collection of state sales tax. Under current law, online-only retailers forgo collecting sales tax at the

point of purchase, despite the fact that it is still due, and the burden is passed on to unknowing consumers. This is not a new tax; instead, this is an issue of fairness and evenhandedness.

Unemployment Compensation Taxes

AIF SUPPORTS efforts to provide employers relief from ever-escalating increases in unemployment compensation taxes. The Legislature must review all aspects of the unemployment compensation system and develop better methodology to sustain the Unemployment Compensation Trust Fund through a stable and equitable tax system for Florida employers. A thorough analysis must explore using private-sector funding sources to pay federal interest owed, evaluate the base wage amount to guarantee permanent adequacy, gauge the necessity and timing of recoupment periods and apply an array methodology across all employers to achieve a more fair distribution of the tax burden.



Rep. George Moraitis (R-Ft. Lauderdale) speaks to AIF's South Florida AIF members and outlines his priorities for the upcoming legislative session.

During periods of economic downturn or post-natural disaster, when a manufacturer is less likely to achieve a 10 percent or more growth in productivity, the statute actually creates a disincentive for capital investment.



Sen. Steve Wise (R-Jacksonville), a long-time champion for at-risk youth, addresses a meeting of AIF's Smart Justice Council in Tallahassee.

Sales Tax Exemption on Manufacturing Machinery and Equipment

AIF SUPPORTS the complete elimination of sales tax imposed on the purchase of manufacturing equipment and machinery.

Current Florida law provides a sales tax exemption on industrial machinery and equipment purchased for use in expanding manufacturing facilities or plants only if the manufacturer can show a growth in productive output of at least 10 percent. During periods of economic downturn or post-natural disaster, when a manufacturer is less likely to achieve a 10 percent or more growth in productivity, the statute actually creates a disincentive for capital investment, which is necessary to stimulate growth. Providing viable incentives to manufacturers to make capital investments in plant facilities during the economic downturn and following natural disasters will mitigate job loss and encourage continued production.

AIF Lobby Team Members Assigned to the Areas of Taxation & Budget:

Keyna Cory

José L. Gonzalez

Frank Meiners

AIF will also engage in Taxation and Budget issues by:

- Supporting the Governor's efforts to increase the corporate income tax exemption from \$25,000 to \$50,000 and exempt any business — with less than \$50,000 in tangible personal property — from paying the **Tangible Personal Property Tax**.
- Supporting the improvement of the voluntary **single sales factor** formula for apportioning corporate income taxes.
- Opposing structural changes to the **Corporate Income Tax** such as combined reporting or the "throwback" rule or any other so called "loop hole" issue.
- Supporting **sales tax holidays** for school and hurricane supplies (**HB 737/SB 982**).
- Supporting a comprehensive update of the **Communication Services Tax (CST)** statute, including revised definitions and improvements in administrative provisions (**SB 1060**).
- Supporting legislation that seeks to repeal ch. 205 F.S., otherwise known as the "**Local Business Tax Act**" (**HB 4025/SB 760**).
- Supporting efforts to continue the process of modernizing the **Florida Retirement System**.

On AIF's web sites you'll find the information you need — *when you need it!*

Associated Industries of Florida Online – www.aif.com

AIF's main web site is your entryway to all of AIF's web pages, both public and "members only." It also gives access to AIF's Information Center, which contains:

- AIF's legislative proposals and Session Priorities
- AIF's legislative positions and Voting Records
- AIF publications and session reports
- Press releases and news articles
- E-mail links to legislators
- AIF polling data
- ... **And more!**

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If you don't already have an AIF login and password, call the **Membership Department at (850) 224-7173**. Or, on our web site, click on the Membership tab to learn more about membership, enroll as a member, and sign up for AIF's legislative and business services.

AIF Political Council Online – www.aifpc.com

This ultimate political web site for the Florida business community is available only to members of the Political Council, AIF's political research & information service:

- Political polling data
- District and voter demographics
- Biographical and issue profiles of candidates
- Analyses of candidate campaign contributions
- Ongoing news and activities from the campaign trail
- ... **And more!**

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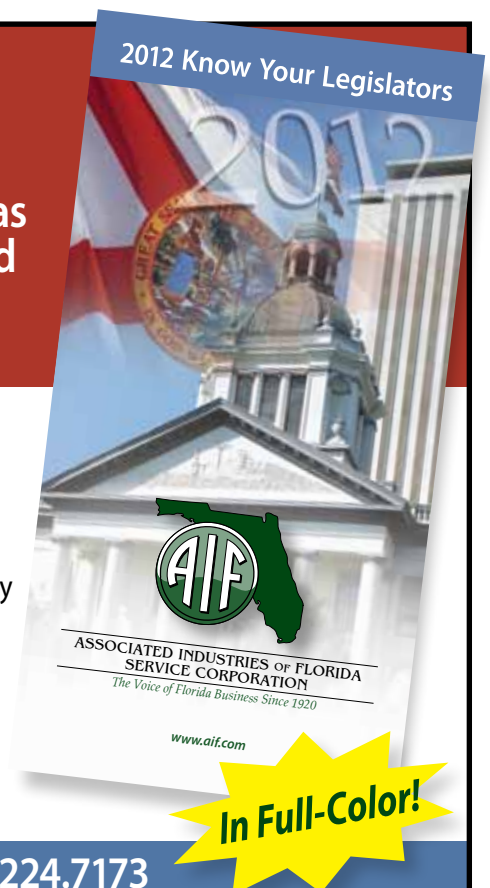
Membership in AIFPC is separate from membership in AIF. If you don't already have an AIFPC login and password, contact Ryan Tyson, AIF's Vice President of Political Operations, at **(850) 224-7173** or rtyson@aif.com to find out more about AIF's political operations.

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ASSOCIATED INDUSTRIES OF FLORIDA

COUNCILS



The Councils of Associated Industries bring together unique sectors of the business community in order to develop and promote issues vital to those respective industries. The following pages represent the 2012 Legislative Agendas for each of the nine councils within AIF.



Hospitals strive to provide the best health care possible despite burdensome and duplicative regulations.

Community Hospitals

Because a strong health care system is important to attracting and keeping businesses in Florida, AIF has formed the Council for Florida's Community Hospitals (CFCH). The group is made up of representatives of investor-owned community hospitals across the state. The Council's purpose is to bring attention to the concerns and special issues community hospitals face as major providers of health care in the state. Health care is not a commodity or a retail business; but to survive, hospitals must follow various business models while providing high quality care to their patients. Hospitals strive to provide the best health care possible despite burdensome and duplicative regulations and by providing uncompensated care to a growing number of uninsured persons in Florida.

Health care is the largest consumer of Florida's budget, but the Legislature has not been able to meet existing needs in light of state budget deficits. Emergency rooms and trauma centers are becoming the source of health care for the poor. Florida's numbers of Medicaid and uninsured are growing and with ever-shrinking sources of revenue, hospitals must work together to ensure the quality of care is not compromised. Floridians believe there is a crisis in the future, and we as industry leaders must address these issues.

Council Priorities

The Council's priorities for 2012 include, but are not limited to:

- **Low Income Pool (LIP)** – Support a Low Income Pool (LIP) model that is based on sound formulas, cost efficiency considerations, and the volume and quality of care provided. Distribution of LIP funds should be made by the Legislature to hospitals in a manner where “money follows the patient” and without undue influence from any self-motivated advisory councils.
- **Legal Reform** – Support legislation to address recent Florida court decisions that have expanded the scope of hospitals' vicarious liability under the doctrine of “non-delegable duty.” These courts have ruled that hospitals are liable for the actions of non-employed or contracted physicians. This broad interpretation makes hospitals potentially liable for all health care providers that contract with the hospitals or have staff privileges. A reform is needed to clarify that hospitals should not be liable for the actions of independent contractors. This will ensure that hospital resources are not unnecessarily dedicated to cases for which a hospital bears no culpability. Additionally, the Council supports the extension of the current sovereign immunity protections to physicians and hospitals when treating patients in an emergency setting such as the emergency room.
- **Sale or Lease of Public Hospitals for Fair Market Value** – Recent occurrences of the sale or lease of a public hospital to another entity for less than fair market value, despite the existence of offers that are superior both in their financial commitment as well as their value to the taxpayers, have illuminated the need for statutory guidelines and safeguards. There is no mechanism in Florida statutes to ensure that the taxpayer and the community are protected in these transactions by ensuring that full and fair market value is received in exchange for the sale and/or lease of the hospital. There is also no requirement that the hospital board or taxing authority come to an agreement that best optimizes the taxpayers' return on investment, considers the utilization, creation or maintenance of community programs to assist the indigent, or gives preference to proposals that reduce or eliminate the existing tax burden placed on the residents. Legislation should be passed that seeks to remedy these issues by requiring hospital boards and taxing authorities to give weight to proposals that are financially superior, represent full and fair market value, involve maximized capital improvements, reinvest in the community, and seek to substantially reduce or eliminate the tax burden on Floridians.

Council Position

The Council for Florida's Community Hospitals is eager to offer solutions to the state's health care problems that bring about efficiency and cost-savings for our state's taxpayers. Community Hospitals serve a vital role in our communities and provide valuable economic activity by investing capital and employing thousands of Floridians across the state.

Chair: Bryan Anderson • Lobbyist: Bo Rivard, Esq.



Lt. Governor Jennifer Carroll (R) was a featured speaker at the 2011 AIF Annual Conference. Lt. Governor Carroll is a strong supporter of the business community and has played an instrumental role in advancing Governor Scott's Jobs Agenda.

Florida's economic turn-around depends on the ability to grow in a responsible and predictable manner, and the FDIC looks forward to providing a business perspective to the debate.

Development & Infrastructure

Last session, AIF's Florida Development & Infrastructure Council (FDIC) was at the forefront of the reorganization of both the Growth Management Act as well as the Department of Community Affairs, a goal that AIF, as well as much of the business and development community has had for many years. Now, with the creation of the Department of Economic Opportunity (DEO), the Council will actively offer its input to DEO as well as the Legislature in areas of rule reduction, process streamlining and opinion throughout the 2012 session on issues such as special taxing districts. The Council will also follow and, where necessary, propose changes to the new growth law in the form of a glitch bill. AIF continues to support the expansion of infrastructure projects, tax incentives for emerging and existing companies, and to advocate for business practices and regulations that will stimulate growth in Florida.

Council Priorities

In the areas of growth management and infrastructure, the FDIC will:

- Support funding for infrastructure that promotes job growth and development in Florida;
- Support legislation that streamlines the permitting and licensing process which may unnecessarily hinder job creation;
- Support a "glitch bill" to correct unintended flaws in last year's landmark growth legislation; and
- Support an objective review of special taxing districts.

Council Position

AIF and the FDIC will focus on efforts to streamline and improve Florida's growth management laws as well as the regulatory agencies involved in order to foster smart and responsible development across the state of Florida. Support for funding of transportation and port infrastructure projects will also be a top priority for the Council.

Chair: Linda Shelley, Esq. • Vice-Chair: Bill Hunter • Lobbyist: Richard Gentry

Environmental Sustainability

The impact of proposed federal water quality standards known as Numeric Nutrient Criteria will affect every major industry and the public.

AIF's Environmental Sustainability Council (ESC) was created to address environmental issues and educate policy makers about their impact on Florida's economic & natural environment. For the 2012 Legislative Session, the Council will support the Florida Department of Environmental Protection's (DEP) efforts to streamline and improve many of the environmental regulations under their purview. Under the new leadership of Secretary Herschel Vinyard, the DEP has made significant strides in working with employers and being more consumer friendly. One of their legislative priorities — the adoption of a statewide Environmental Resource Permit — will be one of the Council's top priorities this year.

The ESC is also working on several major water policy changes. The impact of proposed federal water quality standards known as Numeric Nutrient Criteria will affect every major industry and the public. The ESC has been a leader in working with Florida's state and federal elected officials on efforts to mitigate these incredibly expensive and arbitrary water quality standards. AIF will be strongly advocating for the ratification of the Numeric Nutrient Criteria Rule developed by DEP.

Council Priorities

Water Quality

- Encourage Florida's state and federal elected officials to oppose the enactment of unscientific numeric nutrient content levels in Florida's waterbodies.

Water Supply

- Support the extension of consumptive use permits for alternative water supply from 20 to 30 years for Florida's water utilities.
- Encourage the Legislature to appropriate state funds for alternative water supply programs. These funds are matched by water management districts and local utilities.
- Support FDEP's effort to develop a statewide, goal-based water conservation program.

Regulatory Reform

- Streamline permits to give businesses much needed regulatory relief and reform the regulatory permitting processes within local government, water management districts, and the DEP.
- Support proposal to have a statewide Environmental Resource Permit (ERP)

Recycling

- AIF supports recycling efforts by expanding existing recycling businesses in Florida, as well as recruiting new businesses to our state.
- Oppose efforts to enact a tax on plastic bags.
- Oppose "bottle bill" legislation or any solid waste disposal tax.

Fertilizer

- Support exemptions for commercial fertilizer applicators from local government ordinances.

Contamination Notification

- Oppose the expansion of the current contamination notification law.

Council Position

Environmental issues such as recycling, water quality, water supply, and product stewardship are of immense importance to the business community. These issues impact businesses every day and nearly every industry is affected. Despite these implications, proposed efforts seek to tighten water quality criteria, tax retail plastic bags, and implement beverage container deposit laws that may hurt current recycling efforts. Clearly, such a regulatory climate will put Florida in a severely disadvantaged position, compared to other states, when it comes to retaining or attracting businesses.

Chair: Doug Mann • Lobbyist: Keyna Cory



Make competition the primary determinant of insurance rates, including consumer choice for homeowners, flex rating for insurers, and exemption from the state's approval of rates for certain commercial policies.

Financial Services

AIF formed the Financial Services Council (FSC) to provide business leaders across the state with an opportunity to concentrate on key financial service issues facing Florida consumers and businesses. Council members include representatives from the property casualty, life and health insurance industries, as well as representatives from all other financial services organizations.

The Council has consistently voiced concern that the state's suppression of private insurers' rates and the property insurance structure created by the Legislature, which relies on post-hurricane taxes to pay claims, are not sustainable.

Council Priorities

In 2012, the Council will focus on insurance measures that will:

- Reform Florida's "gotcha-style" insurance bad faith laws;
- Reform Florida's automobile insurance system;
- Bring workers' compensation re-packaged drugs dispensed by physicians under a fee schedule;
- Support proposals to "right-size" the Cat Fund in light of its own estimates of significant funding shortfalls, thereby ensuring that the Cat Fund can meet its obligations in the event of a storm and reducing the hurricane taxes that fund its operations, as well as its possible deficits;
- Support proposals returning Citizens to an insurer of last resort which will reduce the potential of hurricane taxes to fund its deficits;
- Provide for greater sinkhole coverage options for consumers;
- Support market-based mitigation initiatives that will help harden homes against wind events;
- Exempt certain commercial insurance policy filings from readability standards;
- Clarify the definition of a long-term care "guaranteed renewable policy";
- Make competition the primary determinant of insurance rates, including consumer choice for homeowners, flex rating for insurers, and exemption from the state's approval of rates for certain commercial policies;
- Eliminate abuses associated with stranger originated life insurance (STOLI) policies; and
- Oppose additional health insurance mandates.

Council Position

Insurance should be provided by a competitive marketplace with minimal government intervention. The FSC opposes the expansion of, or creation of new insurance "public options" subsidized by taxes. The Council supports legislation to return Citizens to an insurer of last resort, to further reduce the Florida Cat Fund's significant exposure, and to encourage insurers to enter or expand in Florida.

Chair: Cecil Pearce • Lobbyist: Gerald Wester



Rep. Scott Plakon (R-Longwood), Chair of the House Energy and Utilities Subcommittee, attends a meeting of AIF's Florida Energy Council to discuss the future of our state's energy policy.

Responsible and environmentally-sound oil and natural gas exploration can be the foundation for an energy economy that will allow the state of Florida to be a leader in research and development of alternative and renewable energy sources.

Florida Energy

Florida needs diverse energy sources. As a result, AIF has and will continue to support conservation, efficiency, all fossil fuels, all alternative fuels and nuclear energy. Likewise, we support the conceptual idea of moving to a greener economy, but not unilaterally. For the past six years, AIF and its Florida Energy Council (FEC) have provided a voice for Florida's business community as it relates to energy policy.

Despite the recent Deepwater Horizon oil spill, the FEC continues to believe that responsible and environmentally-sound oil and natural gas exploration can be the foundation for an energy economy that will allow the state of Florida to be a leader in research and development of alternative and renewable energy sources. The revenue from drilling activity can be the foundation for these types of projects that are several years away from contributing the necessary amount of reliable and cost-effective energy options.

Florida's employers depend on access to affordable and reliable energy to run their businesses. They are also affected by higher energy costs, which increases their prices while reducing customers' purchasing power. As such, the FEC will pay close attention to any climate change rules being considered or proposed at the state or federal level, which have the potential to drive up the cost of energy and durable goods, as well as decrease the profitability and viability of Florida's businesses. Although conceptually worthy, the goals established by these potential proposals could cause an economic disadvantage for goods and services produced in Florida. The end result would ultimately further deteriorate Florida's economic climate.

Council Priorities

The FEC will concentrate their efforts in 2012 on:

- Supporting efforts to accelerate and streamline permitting for coal plants and other reliable, low-cost sources of electricity.
- Supporting legislation that provides state funding or identifies federal grant opportunities for clean energy R&D.
- Supporting legislation that confirms Florida will not create separate CO2 standards or Renewable Portfolio Standards (RPS) that exceed federal standards or create additional layers of regulation.

Council Position

The FEC recognizes the importance energy plays in keeping Florida's economy healthy and vibrant. Any recommendations, rules or legislation should allow for reasonable implementation, support efficiencies and ensure undue mandates and costs are not placed on Florida's businesses and consumers, thereby creating a unilateral economic disparity. Florida should ensure that every effort is made to undertake a balanced approach that avoids unrealistic requirements on energy producers and suppliers, while planning for the state's future energy needs. It is imperative that Florida not be alone in this arena. Rather, it must be a collective effort by other Southeastern states. Otherwise, we could become the East Coast version of California.

Co-Chair: Dave Mica • Co-Chair: David Rogers • Lobbyist: Jim Rathbun



Rep. Dana Young (R-Tampa) is presented a 2011 Champion for Business Award for her work on the passage of port security legislation. Rep. Young is the first House Freshman to receive this distinction.

Florida's 14 deep-water ports are more than a segment of Florida's transportation system. They are a vital economic development engine, and legislators and state policymakers must place ports at the top of their funding priorities.

Florida Maritime

In 2006, AIF formed the Florida Maritime Council (FMC) in response to the critical economic needs that Florida's maritime businesses continue to face. Over the past several years, the private-sector businesses that comprise Florida's maritime industry have positioned the state to be an international leader in exports to the Caribbean and beyond. The currently underway expansion of the Panama Canal offers unlimited future opportunities for which the state must begin preparing now. State funding for ports is almost non-existent when compared to our neighboring, competitor states. Florida's 14 deep-water ports are more than a segment of Florida's transportation system. They are a vital economic development engine, and legislators and state policymakers must place ports at the top of their funding priorities.

AIF Maritime Council members, who represent more than 80 companies with operations covering the state, have identified serious problems that threaten their ability to compete with other port facilities located in other states such as duplicative security regulations, arbitrary harbor pilot fees, competing land uses and property taxes. The Council also plays a vital role in maintaining and advancing Florida's economic position in the country. A focus on short-term problems must be addressed to ensure that these businesses survive long enough to benefit from strategic and long-term financial planning.

Council Priorities

Maritime businesses in Florida have built the economic prowess of the state's ports into a major revenue producer and a critical component of the state's economy. Specifically, the Council will advocate for the following important legislative changes:

- Support innovative proposals for economic development funding for Florida's ports.
- Restrict encroachment of alternative land uses on or near port property.
- Support funding to deepen ports in Florida so that the state can take full advantage of the bigger ships that will use the newly expanded Panama Canal.

Council Position

The FMC supports efforts to establish better lines of communication between regulators and port tenants. The maritime industry deserves additional recognition and support to fulfill the economic rewards it has cultivated for the state.

Chair: Phillip A. Buhler, Esq. • Lobbyist: Tamela Perdue



By adding new, advanced systems, the state could save in operational costs, as well as see an increase in security.

Information Technology

AIF's Information Technology Council (ITC) is a group of leading information technology and telecommunications companies representing all aspects of the technology industry. The Council includes service and support providers, IT systems integrators, hardware and software companies, consultants and re-sellers ranging from Fortune 500 companies to medium-sized and small businesses. The Council was created in early 2006 with the clear mission to convey the value of IT to Florida's government as the state was falling behind in re-engineering its business processes used in delivering citizen services.

Council Priorities

The ITC's 2012 legislative priorities are as follows:

- **IT Governance** – The Council supports a strong Chief Information Officer in the Executive branch to provide the leadership needed to allow the state to provide quality services to the citizens in the most cost efficient way possible. We strongly believe that information technology will offer the tools to re-engineer the state's business processes to accomplish this goal. The Council will play an active role in helping shape legislation to implement the appropriate IT governance structure.
- **Agency for Enterprise Information Technology (AEIT)** – This agency's mission is very important to all IT companies and therefore to AIF's ITC. We will monitor all legislation referencing AEIT.
- **Data Sharing** – The need for data sharing between agency systems is very well documented and the technology to accomplish the sharing has been available for some time. The ITC will advocate for this issue as the cost of data sharing is significantly less than building new systems. In addition, many legislators have expressed the need to data share as soon as possible.
- **Data Centers** – The ITC supports an enterprise architecture governance structure for the state data centers. We believe the current structure is flawed with competing interests of stakeholders, competing data centers and competing Boards of Directors. We are concerned that there is no executable disaster recovery plan and the risk of significant outages is higher than it should be. We will advocate for changes in the governance of the data centers.
- **Legacy Systems** – AIF has publicly criticized the state for continuing to allow IT systems to become outdated. By adding new, advanced systems, the state could save in operational costs, as well as see an increase in security. Moreover, there is a much larger pool of IT professionals trained to control and maintain the newer systems. We realize that the state is in a serious budget crisis and innovative thinking is necessary to begin the process of replacing these old legacy systems.

Council Position

The ITC will continue to encourage the enhancement of government spending on IT in order to better serve Florida's citizens and employers. In addition, the Council will continue its support of establishing an IT governance structure that ensures efficiency and takes a system-wide approach.

Chair: Chuck Cliburn • Lobbyist: Frank Meiners



Manufacturers perform half of all research and development in the US, driving more innovation than any other sector.

Manufacturers

As the state affiliate for the National Association of Manufacturers, AIF is committed to providing a member venue to discuss and advance the interests of Florida's manufacturing community. The AIF Manufacturers Council of Florida (MCF) was created in 2011 to serve that purpose.

Florida has about 325 thousand manufacturing jobs; and the sector creates an impressive three indirect jobs for each — the highest indirect job creator of any employment sector. Manufacturers perform half of all research and development in the US, driving more innovation than any other sector. Those economic dynamics are convincing, leading many to advocate that growing manufacturing output and jobs, and elevating the public policy focus, will promote getting the country's economy back on track.

Council Priorities

The MCF's 2012 legislative priorities are as follows:

- Support passage of the "Manufacturing Competitiveness Act," to place manufacturers, processors, and fabricators locating or already located in Florida in a competitive position that is more equivalent to that offered by other states.
- Support the complete elimination of sales tax imposed on the purchase of manufacturing equipment.
- Support the re-tooling of the state's economic development and tax incentives for manufacturers from a jobs-based incentives system to a capital investment-based system.
- Elevate the stature of the manufacturing sector within the newly created Department of Economic Opportunity.
- Create capital investment incentives for the sector.
- Increase import and export trade opportunities.
- Continue the state's efforts to enhance the manufacturing workforce, and as a career choice for middle and high school students.

Council Position

Florida's need to grow manufacturing jobs is unquestionable as our state continues to diversify its economy. The MCF will advocate for Florida's manufacturing sector as a significant provider of high-wage and high value-added jobs in the state.

Chair: Steve Lezman • Vice-Chair: Hannes Hunschofsky • Lobbyist: Rheb Harbison

Work release is an available tool that prepares an inmate for a successful return to society while cutting the daily cost to the state by more than half.

Smart Justice

Florida's criminal justice system needs systemic change from sentencing to work release. The Smart Justice Council of Associated Industries of Florida agrees that some "tough on crime" measures in the past had a positive impact at improving public safety, which clearly is priority number one. But over recent years, it is apparent that those measures include some significant downsides.

Council Priorities

- **Risk Assessment & Cost Analysis** – No need for reform is greater than developing the country's best system to determine just exactly who is in corrections custody. A system must be developed that begins with those arrested and provides information on the accused and fiscal considerations to be considered by the sentencing court. A pre-sentencing risk assessment/cost analysis capability for judges would be a dynamic tool providing information regarding the offender's potential for community programming and also the comparison between that cost and the cost of incarceration in state prison. Proper evaluations can also identify significant problem conditions prior to incarceration, especially mental illness and serious substance abuse. Diverting appropriate individuals from jail cells into community-based alternatives like the mental health and substance abuse grant programs is a direct savings complimented by a 100% match by local government. Funding for Criminal Justice Reinvestment Grants should continue.
- **Diversion Beds** – There are no diversion beds available in the state of Florida. Hundreds of people are on the waiting lists of various facilities around the state. However, the vast majority of counties have no such facilities. Almost all offenders with short sentences could be in diversion beds if they were available. Diversion beds cost much less and have more than an 80% success rate lowering recidivism. Even with the success of diversion beds, the Florida Legislature has too often cut beds. In 2003, there were 1,967 beds statewide. Today there are 1,061. The objective this session should be to restore the lost beds. The long-term objective should be to preclude judges from using year and a month sentences and require that all such offenders be placed in the appropriate community-based programs.
- **Transition and Work Release Programs** – Work release is an available tool that prepares an inmate for a successful return to society while cutting the daily cost to the state by more than half. Successful participants also contribute to victim restitution, child support and other legal obligations. A final but paramount consideration of all programs that end with the release of inmates back into the community is proper identification which is a predicate to employment and can be used to verify their eligibility for various appropriate government programs.
- **Privatization of Work Release** – The most achievable short-term impact to reduce expenditures and recidivism is the privatization of twenty-one state operated work release centers. FDOC data substantiates the success of community-based work release centers by contrast to those operated by the department. Allowing providers to contract for the operation of the state centers would improve outcomes, but it should also include a major expansion of those facilities.
- **Juvenile Justice Citations** – Youths arrested and drawn into lengthy involvement with the Juvenile Justice system have become a feeder system for Florida prisons. When arrests in schools climb to over 11,000, changes are needed to ameliorate the immediate impacts, but more importantly, to break the cycle of the graduation of youths into state inmates and a lifetime of state custody.
- **Oversight** – Initiatives proven to reduce recidivism and save dollars are obviously most important. However, it is also extremely important to establish oversight of the Departments of Corrections and Juvenile Justice. There needs to be transparency in the operations and program implementation of both departments, to insure programming success and the accurate analysis of results.

Council Position

Prison is the answer for most dangerous lawbreakers, but public safety and taxpayer's dollars could be better served by targeting specific types of offenders for other alternatives that will reduce expenditures and lower recidivism. Most significantly, this approach impacts those with substance abuse problems and mental illness.

Chair: Lori Costantino Brown • Lobbyist: Mark Flynn

Ways to be Involved...

As we face increasingly more demanding election cycles, it is imperative for AIF to play a leading role in electing pro-business candidates to the Florida Legislature, as well as to statewide offices. In order for us to advance our ideals, it is critical that we have elected officials who understand and respect the free enterprise system. After all, they set the laws and regulations that affect your pocketbook and your business's bottom line.

AIF's political operations offer several avenues for business to be involved, whether it's through membership to our Political Council to keep you "in the know," or contributions to our political action committees to support pro-business candidates. The campaign season is upon us — now is the time to get involved.

Political Council

The council provides members an opportunity to take part in our bi-annual candidate interviews, as well as access to candidate questionnaires and our Political Express information service.

Election Watch: Outline of Races

This publication has become the "can't miss" tool for everyone following state legislative races. It provides information on all House and Senate candidates, including personal & professional information, fundraising totals, political history, and current campaign news.

Email Information Services

Members of the Political Council receive frequent updates via email to ensure they are kept up-to-date. *Political Insight* is a report on all the current political news and campaign updates. *Information Express* is designed to provide rapid delivery of hot political happenings as they occur.

Members-Only Website

A one-of-a-kind website available only to members of the Council. This site provides the most in-depth information available anywhere on candidates for the Florida Legislature — includes profiles, expansive contribution reporting, in-depth questionnaires, district demographics, etc.

AIF PAC

Our political action committee here at AIF allows us to contribute hard dollars to AIF endorsed candidates. An annual commitment can be added to your dues in order to help us assist the candidates we need to be in Tallahassee.

Leadership PAC

With political winds subject to drastic changes at a moment's notice, members of LPAC keep AIF on the front line of the battle during campaign cycles. This committee's primary mission is to fund electioneering, polling & research and leadership giving on behalf of AIF.

If you're interested in joining the Political Council or contributing to the AIF's political entities, please contact Ryan Tyson, Vice President of Political Operations at 850.224.7173 or at rtyson@aif.com.

Our political services to members are second to none. Business leaders around the state utilize these services to enhance their ability to stay in touch with Florida politics.

ASSOCIATED INDUSTRIES OF FLORIDA

AIF lobbyists, representing centuries of accumulated experience in politics and government, spent more than 10,000 hours

OFFICERS



José L. Gonzalez

Vice President – Governmental Affairs for Associated Industries of Florida ... coordinates AIF's lobbying team and all research and advocacy efforts for the association ... nine years legislative experience ... Master's degree in Public Administration with a specialization in Public Policy and a Bachelor's degree in Political Science from the University of Florida.



Tamela Perdue, Esq.

General Counsel for Associated Industries of Florida ... more than 20 years legislative and legal experience, representing insurers and the business community on tort, workers' compensation, insurance and other legal issues before the legislative and executive branches of government ... established legal practice specializing in insurance defense and administrative law ... formerly worked in The Florida Senate ... B.S. from Lee University and J.D. from Stetson University.



Brewster B. Bevis

Vice President – External Affairs for Associated Industries of Florida ... coordinates all corporate development efforts and serves as an additional member of AIF's in-house lobby team ... previously served as Senior Director of Legislative Affairs for National Association of Builders & Contractors ... areas of expertise include immigration and labor issues ... B.S. in International Affairs from Florida State University.



Ryan Tyson

Vice President – Political Operations for Associated Industries of Florida ... coordinates all of AIF's political operations and AIF's Political Council ... formerly served as Chief Legislative Aide for Sen. Charlie Dean where he advised on policy issues and managed campaigns ... B.S. in Public Relations from the University of Florida.



Chris Verlander

Vice President – Corporate Development of Associated Industries of Florida ... more than 32 years expertise in insurance lobbying activities ... former President (1994-1997) and Vice Chairman (1997-1999) of American Heritage Life Insurance Company ... B.S. from Georgia Tech and M.B.A. from the University of Florida.

CONSULTANTS



Keyna Cory (Senior Lobbyist)

President, Public Affairs Consultants, a public affairs and governmental relations consulting firm and Vice Chair of the Small Business Regulatory Advisory Council ... more than 27 years experience representing a variety of clients, from small entrepreneurs to Fortune 500 companies, before the Florida Legislature ... majored in Political Science at the University of Florida.



Slater Bayliss

Partner, The Advocacy Group at Cardenas Partners ... over 13 years of legislative and campaign experience ... former Director of Corporate Relations for the Office of Tourism, Trade & Economic Development ... former personal assistant to Governor Bush serving as liaison between the Governor's office and agency secretaries and members of the Legislature ... former Finance Director for House Speaker Daniel Webster ... bachelor's degree in political science and communications from the University of Iowa.



Sarah Busk

Director, The Advocacy Group at Cardenas Partners ... with more than eight years of experience in legislative and political affairs ... served as a Special Events Representative on the Inaugural Committee for Governor Charlie Crist ... former Deputy Finance Director for Senate President Tom Lee's statewide campaign for Florida's Chief Financial Officer ... graduate of Florida State University with a Bachelors Degree in Political Science.



Al Cardenas, Esq.

Partner with the law firm of Tew Cardenas LLP, chairs the Advocacy and Governmental Affairs group in Miami, Tallahassee and Washington, DC ... over 33 years legislative experience ... served two terms as Chairman of the Republican Party of Florida ... twice-named one of Washington, DC's top lobbyists ... currently represents some of Florida's largest corporate and governmental entities before the Florida Legislature ... graduate of Florida Atlantic University and the Seton Hall University School of Law.



R. Justin Day

Director, The Advocacy Group at Cardenas Partners (TAG)...brings nearly ten years of experience in the political and governmental fields to TAG...former aide to Chief Financial Officer Alex Sink and Director of Cabinet Affairs at the Florida Democratic Party...graduate of Florida State University with a Bachelors degree in International Affairs and a Master's degree in Political Science.

"In the halls of the state capitol the AIF lobby team provides the business community with the most experienced and talented group to advocate on issues important to all employers."

– Doug Bailey, Anheuser-Busch

FLORIDA 2012 LOBBYING TEAM



Members of the AIF team work in the Capitol during the 2011 Legislative Session advocating for your business interests.



Hayden Dempsey

Chair of Greenberg Traurig's Governmental Affairs Practice for the State of Florida ... extensive government experience having served in four governors' administrations...former Special Counsel to Gov. Rick Scott where he oversaw the Legislative Affairs Office and advised the Governor and his staff on legislative and public policy matters ... former Legislative Affairs Director, Deputy General Counsel, and Special Counsel for Gov. Jeb Bush ... B.A. from Wake Forest University and J.D. from Nova Southeastern University.



Leslie Dughi

Assistant Director of Greenberg Traurig's Tallahassee Governmental Affairs practice ... state legislative practice spans over 24 years representing health and life insurers, investor-owned health care facilities, and assisted living facilities ... formerly served as the Director of Government Affairs for the Florida Chamber of Commerce ... well-versed in grassroots and campaign development techniques having previously served as AIF's Chief Political Officer.



John French, Esq.

AIF Special Counsel for Election Law ... 41 years of experience in the legislative process... expertise in elections, health care, and taxation... A/V rated attorney with B.A. and J.D. degrees from Florida State University.



Richard Gentry, Esq.

Head of Gentry & Associates, a government consulting firm in Tallahassee ... prior General and Legislative Counsel for the Florida Home Builders Association ... in his 28 years with the association, Mr. Gentry was actively involved in legislation which included growth management, affordable housing and environmental laws.



Rheb Harbison

Senior governmental consultant with Carlton Fields law firm in Tallahassee ... 31 years of senior level experience in communications, public affairs, marketing and business development...principally responsible for advocating on behalf of the firm's clients before the legislative and executive branches, asserting positions on a variety of state business issues...holds a B.S. in Communications from Florida State University.



Nick Iarossi, Esq.

Founding Partner of Capital City Consulting, LLC ... with more than 10 years legislative experience ... formerly worked in The Florida Senate, Florida House of Representatives and the Office of Insurance Regulation ... expertise in banking and insurance, privacy and public records, health care, procurement, parimutuels, technology, and education ... graduate from Florida State University College of Law.



Frank Meiners

President, Frank Meiners Governmental Consultants, LLC ... formerly with BellSouth as their Executive Director in Tallahassee where he lobbied communications issues ... more than 33 years legislative experience ... graduate of the University of South Florida in Mathematics and of the Fuqua School of Business at Duke University.



Jim Rathbun

President of Rathbun & Associates ... more than 23 years experience representing individuals and entities before the legislature, state agencies, Governor, and Cabinet ... formerly worked with the Florida House of Representatives and served as Staff Director of the House Republican Office ... B.S. from Florida State University.



Bo Rivard, Esq.

Partner with the law firm of Harrison Rivard Duncan and Buzzett ... more than 15 years governmental relations experience with an emphasis on health care and land use ... recently appointed by Gov. Scott to the Republican Party of Florida Executive Committee ... graduate of the University of Florida and Samford University's Cumberland School of Law.



Stephen W. Shiver

Partner, Advocacy Group at Cardenas Partners ... over 13 years legislative and campaign experience ... former aide to House Speaker Tom Feeney and Majority Office Liaison to House Majority Leader Mike Fasano ... former Executive Director for the Republican Party of Florida ... has represented some of Florida's largest corporate and governmental agencies before the Florida Legislature ... graduate of Florida State University.



Gerald Wester

Managing Partner, Capital City Consulting, LLC ... former Chief Deputy over Florida Department of Insurance's regulatory staff ... more than 36 years lobbying experience ... expertise in insurance, banking, and health care issues ... Bachelor's and Master's degrees from Florida State University.

"AIF's lobby team is known to be an effective advocate and persuasive voice on the issues that matter most to Florida businesses."

– Joe York, AT&T

A True Champion...



“Associated Industries of Florida is a true champion for Florida’s business community and a tireless advocate for policies that spur long-term economic development in our state. AIF shares my goal of making Florida the best place for a business to start, expand or relocate to, and I appreciate all of their efforts to strengthen Florida’s business climate.”

– Governor Rick Scott



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business

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