



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920

2014 SESSION PRIORITIES



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AIF is the collective voice of businesses from every corner of Florida involved in a multitude of industries fueling our economy. During the legislative session, we are proud to stand up for the issues relevant to our members and work to create a business-friendly climate to benefit our state.

Each year, Florida's business community faces a variety of tough issues and 2014 is no exception.

This publication highlights our 2014 legislative priorities. It will be distributed to all 160 members of the Florida Legislature, the Florida Cabinet, the agency heads of the executive branch and AIF membership.

This year we can expect health care to continue to be a main topic in the headlines. AIF is dedicated to reducing the cost of quality health care for employers and Floridians, while increasing accessibility. To accomplish this, AIF continues to spearhead initiatives within a multi-year agenda to modernize Florida's health care delivery system.

This legislative session we will see numerous legislative proposals revolve around Governor Scott's stated priority of reducing taxes by \$500 million. **AIF continues to advocate at the Capitol for reducing the motor vehicle license tax, as well as reducing the sales tax on commercial energy consumption. AIF also, supports efforts to reduce the state communications services tax (CST).** Florida has the third highest taxes on communications services in the nation when you combine the state CST rate with the average local CST rates. **Additionally, AIF supports long standing tradition regarding pre-paid calling services being taxed using sales tax at "point of sale."** Lastly, we support reducing Florida's sales tax on commercial real estate leases. Florida is currently the only state in the nation to impose such a tax.

AIF has long been a leader in advocating for sound water policy here in the state. This coming session we will be encouraging lawmakers to support a comprehensive statewide plan to address our current problems and plan for future needs, advocating for science-based solutions and adequate funding for badly needed programs, supporting alternative water supply options, and highlighting the need to fund regional projects that are in line and ready to deliver results. In addition, we are excited to announce the formation of the AIF Florida H2O Coalition, to focus on comprehensive water policy here in the state.

These and the other issues laid out in greater detail within this publication summarize the guiding principles which shape AIF's legislative positions and are what AIF's Lobby Team will work diligently to support, in collaboration with AIF staff and our Board. AIF has long been known as a tireless advocate and powerful ally for the business community.

Since 1920, it has been our privilege to represent Florida businesses; and we look forward to continuing our history of success in 2014.



Tom C. Feeney

President & Chief Executive Officer

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Building a Strong Foundation for the Future of Florida Business

The Foundation of Associated Industries of Florida was formed to address the educational and development needs of Florida's business community. FAIF is governed by an independent board of directors and does not engage in any political activities.

The private business sector's support is critical to the success and continuance of FAIF's initiatives and programs. Florida businesses cannot afford to rely on public opportunities alone to train and prepare their future employees and leaders. FAIF will foster programs that identify business needs today and create solutions that will last into the future.

We are confident you will want to be a part in these programs and opportunities. We welcome your participation and suggestions as we move forward. Your contributions to FAIF are tax deductible and can be made by visiting www.faiif.org or contacting our executive director, Steve Trickey at 850.224.7173.



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Economic Development

AIF recognizes that executing a successful, comprehensive economic development strategy for Florida requires making policy reforms on numerous fronts. **AIF supports the following reforms that will continue to position Florida as the number one state in which to do business.**

Taxation

Building on the momentum of prior legislative sessions in which the Legislature reduced the number of Florida businesses paying the corporate tax, **AIF SUPPORTS continuing to phase out the corporate income tax. Also, in order to encourage the growth of Florida's manufacturing industry, attract new businesses to the state and create jobs for Floridians, AIF SUPPORTS eliminating sales tax on manufacturing machinery and equipment.**

Infrastructure

Recognizing that for Florida's economy to grow we must have the proper infrastructure in place, **AIF SUPPORTS the dedicated use of funds within the Transportation Trust Fund for Florida's transportation infrastructure needs. Furthermore, AIF supports the strategic allocation of such funds for port and airport infrastructure projects that represent the best return on investment for Florida's economy.**

AIF will continue to SUPPORT economic development initiatives designed to resurrect Florida's once vibrant residential and commercial construction industries. One specific measure AIF will continue to support is robust funding for the Sadowski Affordable Housing Trust Fund, which promotes state investment in infrastructure and home ownership for Floridians. Programs utilizing Sadowski funds are unique to the state in that the ultimate economic benefit is greater than the original investment. This program is successful when resources are used to create partnerships and leverage private sector investment in our state, create economic stability and produce new jobs all across Florida. AIF believes that by utilizing an estimated \$200 million available for 2014-2015, Florida can efficiently and effectively partner with the private sector to aid the state's economy and provide home ownership for thousands across the state.

Transportation Trust Fund and Dedicated Funding

In 2009, tag and title fees were increased for all classes of vehicles. The increased funds, however, were directed to the state's general revenue to assist in balancing the state budget instead of benefiting transportation projects in Florida.

Additionally, for every \$1 invested in the Department

of Transportation Work Plan, 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.

AIF OPPOSES redirecting tag and title fees to any areas other than the State Transportation Trust Fund or sweeping funds from the State Transportation Trust Fund to areas outside of transportation infrastructure.

Future Funding of Transportation Infrastructure

Florida Department of Transportation Secretary Ananth Prasad has brought to the attention of legislators the state's inability to rely on state gas tax revenues for future transportation needs. While gas tax revenues are in good standing today, increased fuel efficiency standards and innovations in the automobile industry could cause gas tax revenues to eventually decrease to unsustainable levels for the Five Year Work Plan. Secretary Prasad has offered ideas on how to increase funds for transportation and has asked the Legislature to begin finding alternative funding sources for transportation infrastructure.

AIF SUPPORTS starting a dialogue that will aid policymakers in making long term decisions to enhance the state's future revenue needs for transportation infrastructure investments.

Incentive Reform

States are constantly competing for high wage jobs and Florida must ensure its incentive programs are structured in a manner that maximizes our opportunity to attract these jobs. **AIF SUPPORTS removing the individual company cap on Qualified Target Industry and Qualified Defense Contractor tax credits.**

Florida's Innovation Incentive Fund was once only used for large scale projects in which the ability to react quickly wasn't a major driver in completing a deal. More recently, Innovation Fund projects vary and the state's ability to respond quickly is a key component for our competitiveness. For this reason, **AIF SUPPORTS reforms the close deals more promptly and make the Innovation Fund approval process mirror that of the Quick Action Closing fund.**

Integrated Resorts

Integrated Resorts would attract visitors interested in experiencing a variety of amenities including: convention and meeting space, high-end retail, fine dining, spas, entertainment venues, gaming facilities, hotel and residential towers, pools and outdoor recreation facilities. While gaming

facilities are a component of these complexes, they would consume a small portion of the resort's overall footprint.

AIF supports:

- Strong regulation and the creation of an independent gaming commission.
- Competitive bid for a limited number of Integrated Resort Licenses in counties where Class III slot machines are currently authorized.

These facilities will draw out-of-state and international tourists that will add millions of dollars to our state's economy and bolster existing businesses in the tourism and hospitality industry.

Existing Pari-Mutuel Industry

Before any proposal is approved on integrated resorts, AIF strongly encourages the Legislature to consider their effect on the state's pari-mutuel industry. These long-standing members of the Florida business community provide tens of thousands of jobs around the state. Pari-mutuels should be given the ability to compete in order to provide the best entertainment value possible, including Class III gaming as long as the local county or municipality approves such action.

AIF SUPPORTS any proposal that will allow free market bidding, ensuring premier development companies will build world-class destinations in our state and bring tremendous direct and indirect economic benefits to Florida businesses and the state.

Public Notice

To promote greater transparency in government, protect due process rights and to acknowledge the "digital divide," **AIF continues to support requirements that public notices be printed in local newspapers as defined by Chapter 50, Florida Statutes, as well as displayed on the Internet.**

Manufacturing, Aerospace & Defense

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 in all sectors. Florida's manufacturing sector is the highest indirect job creator of any employment sector in the state — three indirect jobs for every manufacturing job. In other words, Florida's roughly 325,000 manufacturing jobs create nearly one million additional jobs for Floridians. The state's manufacturing sector is also a significant provider of high-wage and high value-added jobs. Florida's need to grow manufacturing jobs is unquestionable as our state continues to diversify its economy.

Now in its third session, AIF's Manufacturing, Aerospace & Defense Council (MAD) has already passed the impres-



AIF President and CEO, Tom Feeney addresses a group of AIF members on important business issues.

sive "Manufacturing Competitiveness Act" that gives manufacturers the ability to effectively respond to national and world market opportunities. The legislation moves Florida into a more competitive recruiting position among states in a meaningful way.

The Council's 2014 legislative priorities include:

- Supporting the repeal of tax imposed on commercial leases.
- Supporting the statutory reenactment of enterprise zones.
- Creating capital investment incentives for the sector, including tax credits for research and development.
- Increasing import and export trade opportunities and continued funding of Spaceport Florida.
- Supporting blanket non-disclosure agreements (NDA's) across all state and local agencies to streamline company projects within the state, and to make Florida more attractive to companies looking to potentially relocate to the state.
- Continuing the state's efforts to enhance the manufacturing workforce as a career choice for middle and high school students.

AIF SUPPORTS efforts to retool Florida's economic development incentives for manufacturers by shifting from a jobs-based system to a capital investment-based system. The state's scope of current jobs-based incentives is too narrow and only considers the direct jobs created by one employer at one facility. It does not consider the capital investment per employee. Making 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.

Education & Workforce

Florida's economic competitiveness is based largely on creating and continuing to promote the most skilled workforce in the nation. AIF has been at the forefront of education reform efforts for many years because a world-class workforce is a major component of job creation. Creating more jobs in the state has been, and will continue to be, a major focus for AIF and the business community. Improving our workforce through education reforms will be a key ingredient to job creation and also ensuring businesses continue to establish in Florida.

Early Learning

Early Learning is facilitated by a vibrant industry filled with dedicated individuals who recognize its significance in the continuum of education. If Florida can enroll more children into quality educational programs at a younger age, our state will see a measurable benefit. There is a direct correlation between quality early learning programs, third grade reading proficiency, and higher graduation rates. All of which lead to a well-educated workforce. **AIF SUPPORTS a uniform system of regulation for health and safety standards for all early learning providers accepting tax-payer dollars. A uniform system of regulation should also apply to the allocation of additional resources necessary to support providers that are committed to improving education quality.**



Access to Technology and Innovative Learning

To fulfill the promises of virtual and online learning, **AIF SUPPORTS removing all barriers for accessing all forms of innovative technology-driven education.** Online learning is growing at over 30% per year and is projected to account for 50% of all high school classes by 2020. Our schools must innovate or they will suffocate. Staying the same means falling behind.

AIF SUPPORTS:

- **Eliminating artificial enrollment caps that prevent access to high-quality virtual and online education opportunities for all students.**
- **Open enrollment policies that allow students to have access to the best and most appropriate individual learning environments regardless of where they live.**
- **Removing barriers that inhibit high-performing online schools — both public and private — from expanding.**
- **Flexibility in funding for instructional materials and tighter alignment with virtual and blended learning models.**
- **A Digital Learning Initiative to provide infrastructure, bandwidth and mobile devices to equip all Florida students with access to quality, digital learning opportunities.**

Choices that Work for Individual Students

Students learn differently and instruction must be customized to meet their individual needs. Florida's families know best for what works for their children. AIF supports educational choice.

AIF SUPPORTS:

- **Funding for capital outlay for public charter schools.**
- **Removing artificial enrollment caps that prevent public charter schools from meeting the demand of students on waiting lists.**
- **Restricting authority of school districts from imposing additional regulatory burdens on public charter schools.**
- **Changes to funding formulas to require that funding follows the individual student.**

Competition that Drives Improved Performance

Injecting free-market competition will improve performance, unleash new opportunities and drive innovation.

House Speaker Will Weatherford (R-Wesley Chapel) spoke at AIF's Annual Conference.

AIF SUPPORTS:

- Equitable funding for public charter schools.
- Performance funding that aligns resources with student accomplishment, not simply time spent in the classroom.
- Focus on successful implementation of Common Core Standards, with professional development support for public school teachers and administrators.

Talent Pipeline and Economic Development

AIF SUPPORTS making the talent pipeline creation a major focus of the State Legislature during the 2014 Session.

AIF SUPPORTS:

- Creating a comprehensive higher education plan for the State of Florida.
- Allowing private institutions to compete for state funding for dual enrollment.
- Providing institutions with proper incentives that align degree programs with the needs of Florida's businesses, entrepreneurs and innovators by closing the talent gap.
- Streamlining remedial education to make it as cost efficient to the state as possible.
- Creating a uniform system of accountability with emphasis on graduation rates.

Funding

AIF SUPPORTS the investment in and the production of associate, baccalaureate and Science, Technology, Engineering and Mathematics and Medical (STEMM) degrees. The Legislature should:

- Define STEMM degrees to include medical degrees such as nurse practitioners, physician's assistants, biotechnologists and others.
- Equally fund the Florida Resident Access Grant (FRAG) at \$3,000 per student.
- Increase funding for need-based financial aid for public, private-not-for-profit and for-profit universities and colleges.
- Produce workforce-in-innovative and creative industries, specifically for the STEMM program degree graduates.
- Increase distance education choices and ensure cost effective programs succeed, including recognition of existing online systems at SACS-accredited institutions.
- Establish a cooperative venture to oversee and promote distance learning, including every Florida SACS-accredited higher education institution.



AIF President & CEO, Tom Feeney, present a 2013 Champion for Business Award to Senate Minority Leader Chris Smith (D-Oakland Park).

- Identify matching grants for programs which encourage STEMM production, revisit and redefine the definition of STEMM, and consider matching grants for degree production in STEMM careers.

Accountability

AIF SUPPORTS accountability in higher education by creating a uniform system of accountability and incentivizing institutions to use Common Course Numbering.

Other Workforce Issues

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 employers.**

Mandating E-Verify would have a negative effect on employers, especially those small business owners who do not have full-fledged human resource 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.

Over the past decade, the United States has undergone an energy renaissance that has propelled the U.S. into the position of the world's largest energy producer. The U.S. has surpassed Russia as the largest natural gas producer and is expected to produce more oil than Saudi Arabia by 2020. This stunning reversal in oil and natural gas production is attributable to entrepreneurs, technological advances, and vast private sector investments. The economic benefits expand well beyond the oil and natural gas industry; secure and inexpensive supplies of domestic natural gas have enhanced factors favoring the location of chemical and manufacturing plants in the U.S. Sustaining the momentum of this energy revolution is critical to continuing the long-term success 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 leading to diverse, reliable and reasonably priced energy resources, with minimum government intervention, and promoting an economically-balanced and varied portfolio of energy sources consistent with prudent environmental policies. Recent access to large supplies of domestic natural gas has mitigated many of the previously perceived vulnerabilities of Florida's electricity generation portfolio. While the demand for electricity will continue to grow over the next few years, a sustainable and common sense energy portfolio 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 within a competitive marketplace. Affordability and reliability must continue to guide the evaluation of all potential energy sources. The game-changing potential of our domestic energy resources are important to America's workers, to the environment and to our future security.

AIF SUPPORTS efforts by the Legislature to increase tax incentives for cost-effective energy efficiency and conservation. AIF OPPOSES any legislation that establishes a "cap-and-trade" program for the reduction of greenhouse gases.

Onshore Exploration and Production

With the expansion of directional drilling techniques, on-shore exploration and production in Florida has grown. **AIF SUPPORTS updating permitting laws, to enhance efficiency between the industry and the state and to ensure appropriate standards are clearly communicated.** Other oil and natural gas producing states have addressed streamlining issues and can be used as a template for the few changes necessary in Florida.



AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, addressed the attendees of the 2013 Jacksonville Pre-Session Briefing to provide an outlook of the 2013 Legislative Session.

Expansion of Secure Energy Imports

AIF SUPPORTS our state developing statements (memorials to Congress and the President) supporting the expansion of hydraulic fracturing and the building of the Keystone XL pipeline. Hydraulic fracturing has reversed the declining trend of oil and natural gas production in the U.S. and has been the primary driver for significantly lower natural gas prices. Completion of the Keystone XL pipeline will bring five million additional barrels per day to Gulf Coast ASK refineries — the same ones that refine the gasoline, diesel, and jet fuel that drive Florida's economy. Combined with offshore exploration and renewable fuels, the U.S. has the potential to supply its energy demand through North American production.

Land Use Designations – Terminals

Terminals are essential components that enable the bulk transfer of 27 million gallons of gasoline and diesel into Florida each day for further distribution. Several municipal and county governments have proposed changing their industrial land use designation in and around ports at established petroleum terminals. Such ideas ignore the impacts to the import and distribution of transportation fuels throughout Florida and disregard the millions of private dollars invested to build and operate the terminals as well as the chilling effect on future private investments.

Since petroleum terminals are essential for Florida's energy portfolio, AIF SUPPORTS terminals being designed as critical infrastructure, preempting local governments from changing the land use designation.

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 allowing for the research, development, and distribution of alternative energy fuels without mandates by government that lead to market distortion, uncertainty, and upward price pressures. Domestically produced alternative fuels are key elements to America's future energy security. However, state and federal mandates, such as the federal 2007 Energy Independence and Security Act (EISA), have distorted transportation fuel markets and annually introduce fuel uncertainty. AIF supports investment in university research and development into promising technologies. AIF also supports memorials repealing alternative fuel mandates (EISA).

Offshore Exploration and Production of Oil and Natural

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 27 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 their natural gas resources. Al-

lowing 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 can also serve as an important and much-needed method for generating new revenues and jobs for Florida.

Expansion of Natural Gas Fleet and Transportation Fueling

Hydraulic fracturing has provided new domestic supplies of natural gas and an alternative to diesel and gasoline for fleet transportation fuel. AIF SUPPORTS policies, such as HB 579 from the 2013 session, that ensure the Transportation Trust Fund remains funded at adequate levels for road construction and maintenance. Emphasis should be placed on continued support for policies leading to the continued success of natural gas as an alternative fuel — an alternative that does not require mandates for success.

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.

Rep. Matt Caldwell (R-Lehigh Acres) addresses AIF and a group of Florida's business leaders.



Environment

Both environmental and agriculture issues have been very important to AIF members as they have a direct correlation to many of Florida's key industries. Environmental laws impact almost every Florida business directly or indirectly.

Agriculture is one of Florida's main industries, which is why AIF has formed an "Environmental and Agriculture Sustainability Council." We must be good stewards of our land and water resources and AIF and its members will lead the way in protecting those resources.

Springs Recovery Legislation

AIF SUPPORTS funding science-based programs and projects to improve the water quality and water quantity of Florida's major first-magnitude springs. Florida has an outstanding water quality tool box with the Total Maximum Daily Load Program and the requirements for Minimum Flows and Levels. We support legislation that will use these science-based techniques on a water body specific basis, rather than a one-size-fits-all approach. We support reasonable deadlines to implement these programs by state and water management districts. We support Governor Scott's proposed \$55 million funding for the Springs Recovery efforts. We endorse efforts by farmers to use "Best Management Practices" developed by the Department of Agriculture and Consumer Services as a means of reducing the impact of their operations on the environment.

Water Storage

AIF SUPPORTS legislation which allows land owners to continue to have their property classified as "agricultural"



if they are participating in a water retention program sponsored by a water management district. AIF, through its Florida H2O Coalition, has supported legislative efforts to increase Florida's water supply. AIF also endorses efforts to allow the owners of a surface water storage project which provides water resource benefits to be eligible for a consumptive use permit for 50 years. Water retention and storage are vital to expanding Florida's water supply.

Citrus Research

AIF SUPPORTS state funding for research into the causes and cure of citrus greening disease. The citrus business is a significant player in the state's agricultural industry and has been faced with a series of challenges over the last decade.

Regulatory Reform

AIF SUPPORTS legislation that requires all mandatory and optional elements of a comprehensive plan by a board of county commissioners be adopted by a simple majority vote.

Alternate Water Supply

AIF SUPPORTS state funding for alternative water supply projects.

When planning for Florida's future, the state must have an adequate supply of water. Unless we begin to fund and build new water infrastructure that provides a sufficient amount of water to all users, we will not be in a position to meet future demand. It is worth remembering that it takes seven years to plan, design, build and permit a major new water facility. Experts have consistently told us that alternative water supply projects are the state's best bet to achieve water security. This means reclaimed water projects, desalination plants, aquifer storage and recovery, reservoirs, water conservation, and similar tools. Those states with adequate water supply will have a head start on economic development and jobs in the future.

Recycling

AIF OPPOSES any "bottle bill" legislation to help pay for recycling efforts.

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

Rep. Matt Hudson (R-Naples) gives AIF members an update on top legislative issues.



Rep. Elizabeth Porter (R-Lake City) addresses the AIF Water Forum, an annual event to address Florida's key issues relating to water policy.

Agriculture Water Planning

AIF SUPPORTS Agriculture Commissioner Adam Putnam's request for additional funds for the new agricultural water planning program.

Until last year, the state's five water management districts collected and determined the amount of water used by Florida farmers. Several of the districts used different methodology and models to determine water usage. In 2012, DACS studied an area in Central Florida and came up with more accurate data than previous efforts. Due to these results, the FDEP and water management districts agreed to let DACS be responsible for the statewide collection of agricultural water use. The legislature agreed and passed a bill with funding last session to authorize this change. Governor Scott signed it. The additional funding reflects the need for implementing such a program.

Fertilizer Ordinances

AIF SUPPORTS legislation addressing the labyrinth of inconsistent, unscientific and arbitrary county and municipal ordinances related to fertilization and urban turf, lawns and landscapes. AIF will lead the way in efforts to enact common sense fertilizer use policies that will ensure that our environment is protected and our businesses are able to operate without having to navigate through a patchwork of confusing local government ordinances.

AIF will engage in environmental issues by:

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

Unless You are Standing in the Halls of the State Capitol Every Day, it Can Seem Impossible to Keep Up With What Exactly is Going On!

The Florida legislative session is a 60-day sprint where thousands of bills are filed. Some are good for the employers of Florida and some are not.

AIF's 31 member lobby team is considered the very best in the State Capitol. Their vast experience and expertise provides AIF members with the strong voice needed to promote the issue important to all employers in Florida. This team is backed by the long standing philosophy of AIF to fight the tough fights and draw a line in the sand when needed. The unmatched track record AIF has achieved over 80 years in its role as the state's top business advocate is why it will continue to be known as the ***Voice of Florida Business.***



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Health Care

A healthy and productive workforce is vital to Florida employers and the state's economy as a whole. To ensure a thriving Florida workforce, AIF will focus its efforts on proposals that seek to increase the accessibility and affordability of quality health care for Florida residents. Further, AIF will continue to encourage the Legislature to leverage available federal funding for delivering health care to more Floridians in a manner that best safeguards Florida's citizens and protects the State's financial health. The following topics represent the kinds of inventive solutions AIF will advocate during the Legislative Session.

Transparency

As major economic challenges and national debate surrounds the affordability of health care, the time has come to protect consumers from exorbitant charges billed by out-of-network physicians in health care facilities. Out-of-network providers are physicians who do not have a contract with the patient's health plan. Many times, these physicians charge the patient above what is covered by their plan even though the patient had no way of knowing that the provider was not in their network. Consumers need more information about the providers involved in their treatment so that they can make better decisions about the care they receive. As such, **AIF supports legislation that requires a patient to be presented with documentation regarding any charges for out-of-network services.**

Further, a healthy and productive workforce is of the utmost importance to maintaining the health of Florida's business community. As health care premiums have increased, employers are taking an active role in shaping their company's health plans, as well as implementing programs to help their employees increase healthy behaviors. **AIF supports initiatives that encourage the use and distribution of health care cost and quality information that assists employers and employees to make better health care decisions.**

Health Care Workforce

According to the **Florida Department of Health**, 16 Florida counties have fewer than seven active physicians per 10,000 residents.

Furthermore, 29.4% of the state's physicians are age 60 or older and will retire or reduce their practice within the next 10 years. These statistics illustrate the need to increase our health care workforce. The business community supports increasing the number of Graduate Medical Education slots available in Florida, and must also consider other available workforce resources that are currently underutilized. **AIF SUPPORTS removing regulatory scope of practice obstacles for qualified health care professionals to ensure greater access to quality care for Floridians at more affordable costs.**

Telemedicine

Everyday Floridians are discovering how technology makes their lives simpler by giving them access to information, goods and services at their fingertips. Florida's companies are finding new ways to virtually join consumers and products, which lowers costs and eases the burdens of accessibility. In health care delivery, however, these advances are not currently being used to their fullest potential. Current rules and regulations have not kept up with available technology and terminology and now hamper the operation of the free market. **AIF SUPPORTS legislation that permits an unfettered role for telemedicine services that will allow our citizens access to better quality care at lower costs.**

AIF's Tom Feeney and Brewster Bevis discuss important Health Care issues with Commissioner Adam Putnam at the AIF Foundation annual Health Care Summit.



Insurance

While the insurance marketplace has improved over the last few years, cost drivers and regulatory impediments persist. AIF will continue to push a responsible insurance agenda and support initiatives that continue to address cost drivers, increase regulatory efficiency, and foster stability for the benefit of the insurance-buying public.

Workers' Compensation

Workers' compensation rates increased in 2012 and 2013, but the rates for 2014 are anticipated to be less than 1% across all industries in the state. Since the historic reforms of 2003, Florida workers' compensation rates are still over 50% lower than they were a decade ago, and the market is competitive and sustainable. However, there are several cases working through the judicial system that threaten to disrupt the system if their outcomes alter the current balance between benefits, costs and attorney fees. We anticipate that rulings on those cases will be issued over the next several months and stand prepared to address problematic orders as they arise. Additionally, AIF will evaluate all legislative proposals offered in the coming session and support those items which demonstrate significant rate reductions while being vigilant to avoid unintended consequences that could jeopardize rate affordability, coverage availability and market stability.

Automobile Insurance

As the 2012 personal injury protection (PIP) legislative reforms continue to be litigated by chiropractors and the trial bar, significant savings for consumers is stymied. AIF remains hopeful that the Florida Supreme Court will affirm a holding of a lower appellate court which dismissed the lawsuit; however, even in that scenario, the plaintiffs could still challenge the law again in the future. Currently, the Florida Legislature has been exploring options for strengthening or replacing PIP. AIF will stand ready to assist and engage in such efforts that parallel our goals of curbing wasteful litigation and overbilling. It is critical that Florida attack the near-billion dollar PIP fraud tax on Florida drivers for the benefit of a functional and cost-effective automobile insurance system.

Property Insurance

It is important for any legislation addressing the state's residual market entities—Citizens Property Insurance and the Florida Hurricane Catastrophe Fund—focus on reducing exposure and minimizing assessments. Last year, AIF supported efforts to implement the Citizens Clearinghouse, which will ensure that more policies considered insurable by the private market are not improperly directed to the residual entity. This year, AIF

will oppose any attempts to expand Citizens eligibility or drop the CAT Fund's retention level and will support initiatives that reduce Citizens' policy count and shrink the CAT Fund.

Hurricane Taxes

AIF SUPPORTS legislation to return Citizens to an insurer of last resort. Reducing the exposure of Citizens 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, not withstanding recent efforts to reduce its size, Citizens is now the largest homeowners' insurer in Florida with over one 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. Private insurers cannot compete with a subsidized and financially unsound government-run insurance company. In order to pay claims Citizens relies primarily on its ability to levy taxes on most Florida policyholders to pay claims. Citizens also relies on the Cat Fund, the state-run reinsurer, for reinsurance coverage.

AIF SUPPORTS legislation to restore the Florida Hurricane Catastrophe Fund (Cat Fund) to a safety buffer for Andrew-sized storms. The Cat Fund collects premiums that would likely be insufficient to cover its liabilities in the event of a hurricane. Multiple storms in a single year or in back-to-back years before the Cat Fund could rebuild its reserves would be a man-made catastrophe. To pay claims, the Fund relies mostly on the levy of taxes on most insurance policies to pay back amounts borrowed by selling bonds. There may not be sufficient capacity in the bond market to finance the Cat Fund's full exposure. The Cat Fund's leadership has estimated that even slight under-performance could expose millions of policyholders to the risk of insolvency of their homeowners insurance carrier. **AIF supports legislation to right-size the Cat Fund, thereby ensuring that the Cat Fund can meet its obligations in the event of a storm and reducing the hurricane taxes funding its operations, as well as its possible deficits. AIF would oppose any effort to expand Cat Fund exposure by reducing its retention (deductible).**

Stranger Originated Life Insurance Arrangements

AIF expects that certain life insurance speculators will again try to undo established case law requiring an insurable interest in a life insurance policy. Instead, these speculators will attempt to ease restrictions on the ability for "strangers" to originate a life insurance policy on another person as an investment tool. These STOLI arrangements will continue to be disavowed by the insurance community as a predatory practice that undermines the integrity of the insurer-insured relationship.

Legal & Judicial

Considering the natural and economic assets of Florida, our state stands out as an attractive place to locate and do business. However, considering Florida's legal climate, many businesses find Florida to be a litigious state with a court system that is fraught with frivolous lawsuits and bizarre legal precedents that are unfriendly to the business community. These factors are a significant deterrent to companies wanting to relocate to our state and engage in commerce with our existing business community. As a result, Florida's economic turnaround, during this time of recovery, is hampered due to stifled development and growth from costly lawsuits and unnecessary legal actions.

Florida's businesses need a clear and level playing field in the courtroom. AIF will fight for any legal reform that decreases the cost of litigation and removes unfair and unpredictable barriers to growth. Businesses must know that Florida is looking to cultivate a healthy and prosperous arena for commerce to thrive. AIF will continue to lead the charge on legal reform by engaging in the following specific issues.

Accuracy in Damages

AIF SUPPORTS legislation to address accuracy in medical damages. In personal injury cases, the most significant factors in the amount awarded to a plaintiff for economic damages are often medical expenses. Under current law, a plaintiff can artificially inflate

medical expenses because only the amount billed is admissible as evidence at trial. The amount that is billed is not necessarily the amount that has been accepted as payment in-full for the medical services rendered. There is also no provision in current law to ensure that medical treatments are indeed "medically necessary." Florida law should require that if medical expenses have already been paid, only evidence of the amount actually paid for medically necessary treatments should be admissible at trial.

Fair Settlement Reform

AIF SUPPORTS legislation establishing a 60-day time frame during which an insurer may investigate and if warranted, tender policy limits to settle a liability claim. An offer of policy limits within 60 days should be legally sufficient to demonstrate a "good faith effort" by the insurer to settle a liability claim on behalf of its policyholder and bar a bad faith cause of action.

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



Sen. John Thrasher (R-St. Augustine) serves as guest speaker at the AIF 2014 Pre-Session Briefing.



Sen. Alan Hayes (R-Umatilla) answers questions from AIF members at a AIF briefing.

Court Reforms and Judicial Activism

AIF SUPPORTS legislation to clarify that in determining whether a statute or a rule governs a certain legal principle, that the Legislature intended for the statute to supersede the rule and that deference be given to the statute by the court. For example, in the recent case of *Diamond Aircraft Industries, Inc. v. Alan Horowitz*, Florida's Supreme Court found that an offer of judgment is not valid under Florida Rule of Civil Procedure 1.442 if it does not meet the strict requirements of that rule, even though the statute provides a broader interpretation. Activism on behalf of Florida's courts to negate legislative action only ensures that our legal precedents will continue to negatively impact our business climate.

Claims Bills

AIF OPPOSES claims bills that attempt to expand current law to create new — or modify existing — legal precedents and causes of action for the benefit of trial lawyers. In recent years, claims bills have been brought forward in an attempt to sidestep the legislative process and allow pursuit of claims against businesses instead of governmental entities. AIF has led the charge to ensure these bills are not passed and the parties at fault are culpable and the claims are not simply aimed at the "deep pockets."

Ethics & Elections

AIF will monitor all proposals related to public ethics and elections and advocate as necessary to protect the rights of individuals and businesses to redress legislative and executive branch policy makers.

IT Governance

AIF 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 information technology will offer the tools to re-engineer the state's business processes to accomplish this goal. In order to gain the benefits of information technology, there must be significant changes in IT governance in Florida; today Florida is ranked at the bottom of all states in Information Technology. AIF will play an active role in helping shape legislation to implement the appropriate IT governance structure.

The issues below would be accomplished under new the IT governance system we are advocating.

Data Sharing

The need to share data between agency systems is well documented and the technology to do so has been available for some time. AIF will advocate for the ability to data share, as the cost of doing so is significantly less than building new systems. In addition, many legislators have expressed the need to data-share as soon as possible.

Data Centers

AIF supports an enterprise architecture governance structure for the state data centers. Our current structure is flawed with competing interests of stakeholders, data centers and competing boards of directors. We are concerned there is no executable disaster recovery plan and the risk of significant outages is too high. AIF will advocate for changes in the governance of data centers.

State Contracting Process

AIF SUPPORTS revamping the state contracting process. Current purchasing policies are driven by the Department of Management Services (DMS) and are shaped more from a purchasing perspective than from an information technology and business perspective. Policy decisions regarding the definition of product categories, length of contracts, the number of firms allowed on the contracts, new firms, and services and other information technology policy matters should be the responsibility of a new agency created in the information technology governance change mentioned above — not in the Purchasing Division.

Taxation

Communications Service Tax — Land Line, wireless, cable TV and Satellite TV Services

AIF SUPPORTS clarification that prepaid calling arrangements, such as wireless phones purchased at retail stores, should be taxed as tangible personal property. The definition needs to be updated to match current practice and to avoid consumers, including business users, who elect such plans to control expenses, from being subjected to a much higher taxation rate.

AIF SUPPORTS the lowering of the state portion of the communications service tax which applies to business and wireless phone service and cable and satellite television services. The tax rate on communications services is higher than on general sales and makes the communications services expense a significant deterrent for businesses to locate here. The reduction of the state portion is good for Florida businesses and makes Florida more attractive to companies looking to relocate.

Sales Tax on Electricity

AIF SUPPORTS the reduction of the state sales tax on commercial electricity consumption. The state sales



tax rate on electricity is 7% while the rate on general sales is 6%. The use of energy is a major expense for Florida businesses and paying a rate higher than the general sales tax rate makes Florida less attractive to companies looking to relocate or start a business in the state.

Motor Vehicle Fees

AIF SUPPORTS the roll back fees and surcharges imposed on motorist when they buy, replace or transfer a license plate of register their vehicle with the state and would seek to reduce increases that the legislature imposed in 2009.

Corporate Income Tax

AIF SUPPORTS Governor Scott's proposed increase of the exempt income amount from the current \$50,000 to \$75,000. This is a great incentive for small businesses to expand in Florida and for companies looking to relocate here.

AIF continues to OPPOSE any structural changes to the corporate income tax such as combined reporting or the "throwback" rule or any other so-called "loophole" issues.

Taxation of Remote Sales

AIF SUPPORTS efforts to enforce the fair collection of the 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 the "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 retailers that do not have a nexus in Florida forgo collecting sales tax at the point of purchase despite the fact that it is still due, and the burden is passed on to unknown consumers. This is not a new tax; instead, this is simple enforcement of existing law.

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

Governor Rick Scott talks issues with the AIF Board of Directors.

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. Legislation permanently codifying the OTC's business model would be harmful to Florida's tourism market. It would also 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.

Commercial Lease tax

AIF SUPPORTS an incremental reduction of tax imposed on rental or license fees charged for use of commercial real property. Florida is the only state that charges tax on the lease of commercial property and while this is a major part of the state's tax revenues, it needs to be gradually reduced to make Florida more attractive to business.

Sales Tax Holidays for School and Hurricane Supplies

AIF SUPPORTS Sales Tax Holidays for school and hurricane supplies. This tax holiday is a win win for customers and the state as sales tend to increase more than they would without the tax holiday.

Sales Tax Exemption on Manufacturing Machinery and Equipment

AIF SUPPORTS the removal of the three year sunset on 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 but that exemption sunsets in three years. We would like it to become permanent.

Research and Development Tax Credit on Corporate Income Tax

AIF supports the elimination of the \$9 million annual cap on research and development credits applied against state income tax. This credit would encourage an increase in research and development work in Florida as well as incentivize research and development enterprises to move to the state.

Transportation

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

Transportation Trust Fund and Dedicated Funding
In 2009, under Governor Charlie Crist, the state's fees on driver's license, tag and title registrations were increased for all classes of vehicles. At the time AIF advocated for those additional state revenues to be dedicated solely for transportation and infrastructure prospects across the state. However, ultimately those funds were directed to the state's general revenue to assist in balancing the state budget instead of benefiting transportation projects in Florida.

As a state, for every \$1 invested in the Department of Transportation Work Plan, nearly \$6 is returned to the state's economy. In addition, 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.

AIF OPPOSES redirecting driver's license, tag and title registration fees to any areas other than the State Transportation Trust Fund or sweeping funds from the State Transportation Trust Fund to areas outside of transportation infrastructure.

Motor Vehicle Fees

AIF SUPPORTS the roll back fees and surcharges imposed on motorist when they buy, replace or transfer a license plate of register their vehicle with the state and would seek to reduce increases that the legislature imposed in 2009.

Additionally, AIF SUPPORTS reallocating any of the remaining 2009 increases directly to the State Transportation Trust Fund to fund transportation and infrastructure projects.

For more information on these and other issues, visit www.aif.com



ASSOCIATED INDUSTRIES OF FLORIDA POLICY COUNCILS

Councils bring together unique sectors of the business community in order to develop and promote issues vital to those respective industries. These councils are the backbone of policy making at AIF as the member companies of each council voice their issues, concerns and ideas and help develop the policies that are presented to our Board of Directors for approval.

AIF Builders and Developers Council (BDC)

This council will align the shared interests of Florida's top residential and commercial building and development companies and establish a major governmental affairs presence to achieve its goals. Will work to enhance Florida's economy to insure that proposed state laws and rules don't impede or negate our current growth opportunities.

Environmental Sustainability & Agriculture Council (ESAC)

Addressing recycling, water quality, product stewardship, and other environmental issues important to the business community. Efforts include issues relating to Florida's statutorily created 75% statewide recycling goal and furthering the business community's "Plan to Improve Florida's Recycling Rate and Reduce Waste," which was developed by AIF and its members working together through the AIF Recycling Task Force.

Florida Energy Council (FEC)

Developing resources to meet Florida's future energy needs — Producers, suppliers, storage facilities, marketers, retailers, wholesalers and users, working together to help drive future energy policy both in Tallahassee and Washington, to ensure continued availability of adequate, reasonably priced energy to meet the growing needs of Florida's population and business sectors.

Financial Services Council (FSC)

Insurance and financial industries, working in concert with other interested parties, to secure a stable fiscal climate for Florida — developing long-term, market-based solutions and public-policy recommendations on property, casualty, life, and health insurance, plus other financial issues facing Florida consumers and businesses.

Florida Transportation & Maritime Council (FTMC)

Fostering Florida's maritime industry to ensure its continued economic prowess in a global marketplace — Provides a forum for businesses that operate or support operations at any of Florida's 14 deep water ports, such as shipping, trucking, rail, stevedoring, etc., to address concerns relating to port security, infrastructure needs, strategic planning, funding, land use encroachment, taxation, etc.

Information Technology Council (ITC)

Promoting Florida's move to the cutting edge of technology — For IT contractors providing government services, working to grow state government's IT capabilities to meet the demands of a diverse, fast-growing population, while balancing the needs of the state and private sector.

Manufacturing, Aerospace & Defense Council (MAD)

Advancing the interests of Florida's manufacturing community to help Florida diversify its economy and provide more high-wage and high value-added jobs in the state. As the state affiliate for the National Association of Manufacturers (NAM), AIF is committed to growing manufacturing output and jobs — which creates three indirect jobs for each manufacturing employee, performs half of all research and development, and drives more innovation than any other business sector.

Want to Participate? Membership is required to participate on AIF's Councils and to receive our member communications.

Not a Member? To learn more about AIF membership services and/or apply for membership, please contact:

Brewster Bevis, Senior Vice President – State and Federal Affairs at **850.224.7173** or **bbevis@aif.com**

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On our 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 legislative and regulatory information, which includes:

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

Not a Member?

Contact **Brewster Bevis, Senior Vice President—State and Federal Affairs** at (850) 224-7173 or bbevis@aif.com to learn more about AIF's legislative and membership 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, a political research and information service:

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

Not a Member?

Membership in AIFPC is in addition to membership in AIF. If you're not a member, contact **Ryan Tyson, Vice President – Political Operations**, at (850) 224-7173 or rtyson@aif.com to find out more about our political operations.