



## *MAF CAPITAL REVIEW*

April 16, 2010

To access bills in the Legislature, go to Online Sunshine at the below address. There is a tab titled "Session" and links that are for various information. Click on "Bills and Related Documents". This Link allows you to view all activity and print bill content for both the House and Senate bills by number <http://www.leg.state.fl.us/>. To unsubscribe to this publication, please reply to this email and put "Remove" in the subject line.

### **House and Senate Agree on \$90 Million "Jobs" Package**

The House and Senate have tentatively agreed on a \$90 million jobs package, but we don't yet know what is in it. With two weeks left in Session, the suspense is building. Will it be switches or candy? Believe it or not, the jobs package is indirectly contingent on funding from Washington for Medicaid to resolve other issues in the state budget. And.....there is no news from Washington.

### **Education Bill Vetoed by Governor**

At noon on April 15 Governor Crist announced his veto of SB 6 Education by Senator Thrasher, the merit pay bill. This was a bill supported by MAF, the Florida Chamber, AIF, and many others. The Florida Chamber took out an ad in the *Tallahassee Democrat* on April 15 urging the Governor to sign the bill. MAF's name proudly appeared in that article. The Governor said he objected to the speed with which it passed the Legislature, that it would place teachers' jobs in jeopardy, and that it might adversely affect special education teachers. In the business community we say that Florida cannot compete in the world marketplace without a change in our education system.

Business organizations, including the Florida Chamber, AIF, TaxWatch and the James Madison Institute held a press conference on April 13 to support SB 6 while it was sitting on the Governor's Desk to sign. Representatives answered numerous questions about the negative publicity the bill had received. MAF was in attendance and urged the Governor to sign it.

### **Legal Bills Signed by the Governor**

Despite opposition from plaintiffs' trial lawyers, Governor Crist has signed into law two bills backed by the business community to stop lawsuit abuse and unfair litigation.

- HB 689 Fairness in Slip and Fall Lawsuits sponsored by Senator Andy Gardiner and Representative Gary Aubuchon; and
- HB 437 Transparency in Private Attorney Contracting sponsored by Senator Thrasher and Representative Eisnaugle with significant backing from Attorney General Bill McCollum.

### **Senate and House Push Bills through Committees as Session Winds Down**

With just two more weeks of the Regular Session, committees and councils were frantically moving bills through the process this week. Following are bills that were passed out of their respective committees and councils.

- SB 544 **Brownfields** passed the Senate Commerce Committee on April 13. The bill revises reimbursement provisions and prioritizes projects that prevent adverse effects on water or public health.
- SB 1992 **Ports** by Senator Ring, supported by MAF, was passed by the Senate Banking and Insurance Committee on April 13. SB 2000 Ports passed the Senate Transportation and Economic Development Committee on April 13.
- SB 346 **Working Waterfronts** by Senator Dean is the preferred working waterfront bill in the Senate. It passed the Senate Finance & Tax Committee on April 13. SB 1408 also passed the Committee that day. It is a committee bill on working

waterfronts but is not the working waterfront coalition's preferred bill. MAF supports SB 346.

- SB 1856 **Qualified Target Industries** revising the target industry refund program passed the Senate Transportation and Economic Development Committee on April 13.
- HB 1509 **Economic Development** that contains Qualified Target Industry Program revisions and is the House policy version of the "jobs" package passed the House Finance & Tax Committee on April 14.
- HB 7213 **Capital Formation for Infrastructure** authorizes private capital for public works projects and provides public guarantees for the projects. The bill passed the House Finance & Tax Committee on April 14. It is intended to encourage private funding for public infrastructure and create jobs.
- HB 821 **International Arbitration** will allow Florida to compete for legal arbitration business related to international issues. It is supported by the Florida Bar.
- HB 7175 **Consumptive Use Permits** passed the House General Government Policy Council on April 14. The bill reduces the frequency of compliance reports and prohibits decreasing an allocation based on reduced use of water.
- SB 2042 **Careers** establishes the Florida Endowment Foundation to encourage public and private support and enhance the transition of students from school to work. The bill passed the Senate Government Oversight Committee on April 14.
- GGPC2 **Recycling** passed the Senate Governmental Oversight Committee on April 14. MAF was successful in amending it to insure that recycling reporting by private companies is VOLUNTARY and FDEP will recognize outstanding efforts of those voluntarily reporting. The Senate companion, SB 570, passed the Senate Community Affairs Committee on the same day. While the bills are similar, MAF prefers the House bill and is working to amend the Senate bill to match the House.
- HB 451 **Space Florida** passed the House on April 15.
- SB 1776 **Space and Aerospace Infrastructure** passed the Senate Policy and Steering Committee on Ways and Means on April 15.

#### **April 14 was International Days at the Capital**

MAF representatives attended the Florida Chamber International Days event at the Capital which included an impressive group of speakers. Florida Chamber announced it is pushing for doubling Florida exports in the next six years. International business accounts for about 14% of Florida's economy and for nearly 1.2 million jobs. International business was one of the strongest sectors in Florida's economy in 2009. More than 48,000 companies export accounting for 18% of all U.S. exporters.

To excel we will need to open foreign markets, enforce trade agreements, modernize export control, resist economic isolationism, and promote exports. MAF is strongly encouraging Florida manufacturers to expand their export activities and is providing resources to them to help them excel.

#### **NNC Resolutions Pass House Council**

The House General Government Policy Council took up two resolutions to Congress on Numeric Nutrient Criteria on April 14, HM 1589 and HM 1365. The bills were combined, revised and passed by the Council. The Resolution urges Congress to require EPA to submit its proposed numeric nutrient criteria to peer review by the Agency's Science Advisory Board and the Congressional Budget Office. MAF supported the resolutions.

In regard to numeric nutrient criteria, talks with the Florida Department of Environmental Protection about state legislation on numeric nutrient criteria have stalled. FDEP is working on implementation strategies with EPA and does not want to jeopardize those with

legislation. While MAF disagrees, it takes two to tango and this week FDEP is not a dance partner. The industry coalition is still pushing for statutory language on numeric nutrient criteria to improve our position with EPA.

**Renewable Energy Moves Forward; Offshore Exploration on Hold for Another Year**

SB 1186 Renewable Energy makes significant changes to the state renewable energy law. The bill provides that the PSC is no longer required to develop rules for a renewable portfolio standard, allows full cost recovery for certain renewable energy projects, and allows for renewable generation credits to the generator. The bill passed the Senate Communications, Energy and Public Utilities Committee on April 14.

The House Select Policy Council on Strategic and Economic Planning presented a report and a draft proposed committee bill on April 16 that would open Florida waters to oil and gas exploration, but would ban permanent rigs and platforms above the water surface within 6 miles of the coast. The Governor and Cabinet would be required to offer lease sales twice a year. Environmental assessments would be required as well as detailed plans for safety measures. Bid submission fees would be at least \$1million. The bill preempts local government regulation related to exploration activity.

This report and proposed bill was the culmination of days and weeks of testimony and study. The Council met on April 16 for the final time to consider the report and discuss the draft with full knowledge that a proposal would not be moving forward this year in the Legislature. Since the Senate will not be moving offshore drilling forward this year that stymies House action on the issue. Representatives were hopeful that the draft would move forward in 2011. Representative Cannon chaired the Council and he will be House Speaker in 2011.

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