



SESSION COMPLETED (*excerpts from LobbyTools*)

Florida lawmakers wrapped up a contentious and emotionally-charged session on Friday night, April 30th, spending hours debating and approving measures on abortion, a proposed constitutional amendment on redistricting, and a comprehensive property insurance bill. The session lurched to a close as the House wrapped up its work shortly before 7 p.m. while the Senate was still debating a nearly \$70.4 billion budget. The Senate did not wrap up its work until 8:47 p.m. The final vote on the budget was 77-43 in the Florida House, while the Senate approved it by a 33-4 vote.

The big question is whether or not Gov. Charlie Crist will veto the budget, and/or whether he will call lawmakers back to town this summer to consider ethics legislation. Anti-corruption measures were never considered by the Florida House. But if Crist does veto the budget – or call lawmakers back into a special session – he will find an energized Republican majority that will be ready to battle against him. Crist bolted his party last week to run for the U.S. Senate as an independent candidate. In a sign of a more combative relationship with the governor, state lawmakers on Friday sent Crist some 63 bills that he must act on by May 15.

Lawmakers normally during election years do not tackle major issues, but that was not the case this year. During their 60 days in Tallahassee, state legislators passed some of the most sweeping education reforms in a decade, reached a landmark gaming compact with the Seminole Tribe of Florida, and managed to reach a balanced budget without going into overtime. They also approved a new agreement with the panel that oversees Florida state university system. Before they wrapped up work on Friday night, legislators also approved a jobs and tax relief bill.

One of those was the red light cameras bill, HB 325, as well as the bill, HB 7237, that enshrines a new power sharing deal between the Florida Legislature and the Board of Governors. The Legislature passed a total of 301 bills, joint resolutions and memorials.

Legislators are veered sharply to the right this past session by passing measures aimed to stop federal health care reform and demanding Congress pass a balanced budget amendment. They also passed a controversial teacher tenure bill that Crist eventually vetoed. This rightward trend culminated in the extraordinary Friday session where the House debated a measure requiring a woman to get an ultrasound prior to obtaining an abortion in the first trimester. House Speaker Larry Cretul, R-Ocala, asked teenage pages to leave the floor during the debate.

OIL SPILL THREATENS FLORIDA

Gov. Charlie Crist issued an emergency declaration Friday stating that the oil spill in the Gulf of Mexico poses a major disaster threat to the Florida Panhandle. The explosion and sinking of the Deepwater Horizon oil well off the Louisiana coast last week is causing 200,000 gallons of oil to leak daily into Gulf waters. "The oil slick is generally moving in a northerly direction and threatens Florida's coast," Crist wrote Friday in his executive order. "Oil continues to spill from the well as all efforts to stop the discharge have failed and may not succeed for an extended period of time."

Crist's order calls for activating the Florida National guard and tells the director of the Division of Emergency Management to activate a state emergency plan in coordination with the Florida Department of Environmental Protection.

SECRETARY OF STATE RESIGNS

Secretary of State Kurt Browning resigned on Friday, as well, saying that state retirement rules prompted him to make the decision. Browning had enrolled in the Deferred Retirement Option Program and was required to leave his state job sometime in 2010.

This following is a summary of bills of interest to FAC members that passed and those that failed. If any members have other bills they'd like to find out about, please contact the FAC office.

The Budget/Aviation Funding

The final budget, submitted by the legislature to the Governor, is for **\$70.4 billion**, with an aviation program of **\$129.9 million**. The legislature "swept" the State Transportation Trust Fund by \$160 million and FDOT may have to modify some grant programs to cover the sweep. The final impact of the sweep on the aviation program is yet to be determined. Now the budget goes to the Governor.

HB 5003 also contained a provision that extends the legislation allowing security related operations expenses to be eligible for 100% FDOT funding. An earmark in the Governor's Office (OTTED) budget allocates \$2 million for a transportation project pursuant to Chapter 339.63(4) F.S. (not aviation grant program funds).

Aviation Fuel Tax Credit for TLH

- **HB 931** by Reywinkel-Vasilinda and **SB 1500** by Bennett - **FAILED**

Sales/Use Taxes

- **HB 173** by Poppell provides an exemption for aircraft that are 'temporarily' in the state under certain conditions – **PASSED!**
- **SB 220** by Fasano has the 'temporarily in the state' provision. The substance of this bill was also added to **SB 1752**...essentially giving it two chances for passage – **SB 220** was 'LAID ON TABLE', and **SB 1752** – **PASSED!**

Existing Aviation Industry Sales Tax Exemptions

Two bills, **SB 204** by Lynn and **HB 165** by Rehwinkel-Vasilinda, limits the \$5,000 cap on discretionary sales surtax to the sale of motor vehicles, *aircraft*, boats, motor homes, manufactured homes, modular homes, and mobile homes - **FAILED**

- **SB 1766** by Altman provides a *new exemption* for certain items used to manufacture, produce, or modify gas turbine engine parts from the tax on sales, use, and other transactions - **FAILED**

Airport Governance Structure – Revenue Limitations

- **SB 2420** by Haridopolos proposes an amendment to the State Constitution to limit state and local government revenues and require voter approval of new taxes and fees. A committee substitute to this bill limits the revenue restrictions to state agencies only - **FAILED**

Abandoned Vehicles and Aircraft

- Two bills, **HB 1271** by Horner and **SB 2362** by Gardiner, include the revisions requested by FAC.
- **HB 1271** – **PASSED!**
- **SB 2362** – "Laid on Table" (deferred to HB 1271)

Public Records

- **SB 310 by Dockery** provides that proprietary confidential business information held by an agency is confidential and exempt from public records requirements - **FAILED**
- **SB 1142 by Fasano** provides that sealed bids, proposals, or replies in response to an invitation to bid, a request for proposals, or an invitation to negotiate issued for construction of a public-private transportation facility are exempt from the public records law within 20-days after bid/proposal opening. Provides exemption from public meetings law for meetings of a governmental entity at which vendors make presentations or answer questions regarding a sealed bid, proposal, or reply to a solicitation - **FAILED**
- **HB 745 by Ray** is very similar to SB 1142 above with minor subparagraph cross reference modifications. **FAILED**

Concurrency

- Two bills, **HB 143 by Ray** and **SB 1518 by Altman**, provide an exemption clarification of concurrency requirements for hangars that are utilized for assembly or manufacture of aircraft.
- **HB 143 – PASSED!**
- **SB 1518** – “Laid on the Table” (deferred to HB 143)

SAFE Council

- **HB 1271 by Horner** ‘sunsets’ the Secure Airports for Florida’s Economy Council (SAFE Council) and transfers the funds to the Florida Department of Transportation. On April 16th, this provision was added to Gardiner’s **SB 2362**.
- **HB1271 – PASSED!**
- **SB 2362** – “Laid on the Table” (deferred to HB 1271)

Competitive Bids

- Two bills, **HB 785 by Chestnut** and **SB 1768 by Altman**, provide that agency, county, or municipality that is required to make purchases of commodities or contractual services through competitive solicitation **must provide** vendors an option to submit competitive sealed bids through uniform secure electronic interactive Internet system.
- **HB 785 - FAILED**
- **SB 1768 - FAILED**

Fractional Aircraft Ownership (tax exemption)

- **HB 913** and **SB 858** Exempt sale or use of aircraft primarily used in fractional aircraft ownership program. At the very end of Session, this verbiage was added to **SB 1752**.
- **HB 913 – FAILED**
- **SB 858 – FAILED**
- **SB 1752 – PASSED!**

Economic Development/Aerospace/Aviation

SB 1752 Increases the amount of tax refund payments available to pay the state’s share of refunds under the qualified defense contractor and space flight business tax refund program and the tax refund program for qualified target industry businesses. This bill also has a provision that limits the state sales tax on boats and aircraft to \$18,000. This bill also appropriates funds for Space Florida – **PASSED!**

Space Florida

In addition to funding included in SB 1752, **HB 451** makes a number of changes in the composition of the Space Florida Board of Directors - **PASSED!**

Prompt Payment

SB 1056 and **HB 1157** are the Local Government Prompt Payment Act; Revises provisions relating to the timely payment for purchases of construction services. Cities and Counties were able to work with the bill sponsor to ameliorate some of the more difficult provisions for local governments – **PASSED**

Recycling

HB 7243 and **SB 570** – These “Recycling Bills” require Enterprise Florida, Inc., to provide technical assistance to DEP in creation of Recycling Business Assistance Center; provides that financial responsibility for mitigation for wetlands & other surface waters required by permit for activities associated with extraction of limestone are subject to approval by DEP as part of permit application review; eliminates greenhouse gas registration & reporting requirement for major emitters, etc. Effective Date: July 1, 2010. An airport provision was added to require all public airports to have a recycling program, including airlines and tenants. That provision was subsequently removed due to lobbying by several of Florida’s airports.

HB 7243 – **PASSED!**

SB 570 – “Laid on the Table” (deferred to HB 7243)

Strategic Intermodal System Advisory Council (SITAC)

SB 2220 and **HB 903** repealed the SITAC - **FAILED**

Sarasota Manatee Airport Authority

Authorizes participation via teleconferencing equipment at emergency meetings of the authority – **PASSED!**

Panama City – Bay County Airport & Industrial District

Revises the membership of the District by adding one member from Walton County and two from Panama City Beach – **PASSED!**

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