



2010 Legislative Summary

During the 2010 Legislative Session, the Greater Tampa Chamber of Commerce supported an agenda with the continued focus of job retention and creation. Toward this end, with the help of our local partner organizations we have compiled a summary of our legislative priorities for the session. Below is an update on the Greater Tampa Chamber of Commerce's priorities during this legislative session and how they fared; as well as other bills of interest to the business community courtesy of the Florida Chamber of Commerce.

Moffitt Cancer Center

Moffitt was successful in maintaining 100% of their line item funding, \$10.8 million, and securing an additional \$10 million for research. Moffitt also saw the passage of a statute clarification bill which updated their language and put their sovereign immunity into statute. Lastly, Moffitt's records/meeting exemption was fully renewed for the next five years.

The Port of Tampa

The Port of Tampa successfully saw the passage of House Bill 963 dealing with regulatory issues and streamlining the permitting process for port-related projects. This bill creates a priority permit review method to "pre-qualify" sites for construction. Unfortunately, a port investment bill, would have established an investment pool for port infrastructure projects did not fare as well this year. The bill passed unanimously in the House but died in the Senate.

The Port Authority also joined many other groups opposed to a "sweep" of the State Transportation Trust Fund. The Governor vetoed a sweep of the Trust Fund.

Lastly, The Florida Office of Drug Control released the 2010 Seaport Security Assessment in April. The study was designed to provide an analysis of Florida's seaport security and potential conflicts between the regulatory obligations mandated by the State (under 311.12) and the federal government (under the Maritime Security Act of 2002). The release date in April did not allow for a substantive opportunity for legislative action this session but the issue remains a concern for ports throughout Florida and Florida seaports continue to work closely with the Florida Department of Law Enforcement to seek ways to mitigate the impact of Florida's security law on port users throughout Florida while ensuring effective security is in place.

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) received funding through the Florida Forever program. Statewide \$15 million was allocated with \$1,125,000 for the District.

Additionally, SWFWMD saw the passage of two bills of importance. The first, Senate Bill 550, related to water and natural resources. One provision of interest removes the requirement that the districts' governing board's delegate authority for issues relating to part II, Chapter 373, F.S. water use permits, but leaves delegated authority to executive directors to take final action on permit applications under part IV of Chapter 373, F.S., environmental resource permits. The second, Senate Bill 1752 enhances various economic development incentives, tax credits, grants, and exemptions in an effort to promote economic development in Florida. The bill extends permits issued by the Department of Environmental Protection and water management districts pursuant to part IV of chapter 373 F.S. for a period of 2 years following the expiration date, this two year extension is in addition to the 2 years authorized last year.

Lastly, a number of governing and basin board members were confirmed by the Senate. This included governing board members Carlos Beruff (Manatee Co), Jennifer Closshey (Hillsborough Co), Neil Combee (Polk Co), Todd Pressman (Pinellas Co), Jeffrey Adams (Pinellas Co).

Tampa International Airport

Tampa International Airport saw the passage of four bills of importance during this legislative session. The first, House Bill 143 clarifies an exemption from concurrency for hangars used for assembly and manufacturing of aircraft. The second, House Bill 173 provides a 21-day exemption from state use tax for non-residents that enter the state during the 6-month period after the date of purchase, or if the aircraft enters and remains in the state exclusively for the purpose of flight training, repairs, alterations, refitting, or modification. The third, House Bill 1271 abandoned property language for airports and SAFE Council language to repeal the Council, and retain funds for airport security to be distributed by FDOT existing grant processes. And lastly, House Bill 5001 the Aviation Development Grant was funded statewide at \$129,921,080 these funds are generated from the aviation fuel tax, this was a reduction from 2010 budget in part due to less aviation fuel sales due to the economy.

University of South Florida

The University of South Florida saw the passage of several important legislative and appropriation priorities during this session. The first legislative priority, the USF PharmD Degree Authorization House Bill 7237 regarding State University System (SUS) Governance passed which repeals all sections of statute that require legislative approval for state university degree programs. SUS degree programs will be authorized pursuant to Board of Governor (BOG) regulations. The BOG has already approved the USF PharmD degree. House Bill 5201 also passed which specifically authorizes the USF PharmD degree program in statute. The second legislative priority, House Bill 5201 regarding Postsecondary Education Funding passed which authorizes all SUS institutions to increase the aggregate sum of their A&S, Health and Athletic fees for the 2010-11 year by the greater of: a) 15% over the institution's 2009-10 fees; or b) up to the statewide average for the aggregate sum of those fees at all SUS main campuses during 2009-10. USF St. Pete may raise its fees by approx. \$15 over the 2009-10 amounts. Without this waiver, USF St. Pete's maximum allowable increase is \$0.68.

Additional appropriations priorities saw passage in the state budget, House Bill 5001, which provides the full requested amount for Public Education Capital Outlay (PECO) for Utilities/ Infrastructure/Capital Renewals/Roofs for: USF Tampa (\$5 million); USF St.

Pete (\$400,000); and USF S/M (\$375,000). USF Polytechnic's separate New Campus PECO appropriation contains infrastructure funding as well. House Bill 5001 also provides \$7.91 million (the full amount requested by the Board of Trustees and the Board of Governors) towards completion of the USF Tampa Interdisciplinary Science Teaching & Research Facility. Additionally, House Bill 5001 provides for a \$10 million increase in the recurring General Revenue base budget for USF Polytechnic and provides \$6 million in recurring General Revenue to fund the new USF School of Pharmacy, which will begin within existing space and relocate to the new USF Polytechnic campus once a facility is completed. Lastly, on the USF Health front House Bill 5001 provides \$1 million in nonrecurring General Revenue to help support the USF M.D. program for 2010-11. It also provides for a \$10+ million increase in tuition spending authority for USF Health and provides \$1.9 million in recurring General Revenue to support the Plant Operations & Maintenance (PO&M) of the USF Health Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute.

Additional Business Community Priorities:

House Bill 1B Improving Transportation Options for Floridians

This important legislation created a comprehensive, statewide rail policy for Florida and that will allow the state to improve mobility and provide additional transportation options not only to Floridians, but also our visitors. The legislation came at a critical time when Florida was in the running for a portion of \$8 billion the federal government was investing in states that were serious about incorporating rail as a long-term transportation option. The bill sponsored by Rep. Gary Aubuchon put Florida at a competitive advantage and the state won \$1.25 billion towards building a high-speed rail line between Tampa and Orlando. Long-term, this legislation will give our state an opportunity to continue leveraging federal funding, create thousands of new jobs and reap the economic benefits that come along with transportation improvements. The Florida Chamber joined the Central Florida Partnership and other business groups in support for this significant special session issue, which was approved by the governor in December.

The Unemployment Compensation Tax Delay CS/HB 7033

The Florida Chamber, working in a coordinated effort with the Greater Tampa Chamber of Commerce and other business associations, fought to lower the cost of the unemployment compensation tax increase on Florida employers. Florida employers began this year facing a staggering \$1.2 billion increase in their unemployment compensation taxes. These increases are driven by a significant increase in unemployment in the state and the corresponding increase in unemployment benefits paid from the trust fund. This legislation sponsored by Sen. Rudy Garcia, Rep. Dave Murzin and Rep. Jennifer Carroll delayed the majority of this tax increase for two years and allowed employers to pay this tax in quarterly installments and interest free. Passage of this legislation saved Florida employers nearly \$1 billion in unemployment compensation taxes in 2010.

The Jobs for Florida Senate Bill 1752

This important bill helps further diversify Florida's economy by encouraging creation of high-wage jobs by removing barriers to economic growth and providing incentives to Florida businesses. Contained in the "Jobs for Florida" bill sponsored by Sen. Don Gaetz, Rep. Will Weatherford and Rep. Ellyn Bogdanoff was a provision designed to protect businesses, investors and property owners who acted in reliance on the terms of

2009's SB 360. As a result of the lawsuit filed against SB 360 last year, many projects, and the jobs and time invested in them, could be in jeopardy if the law is stuck down.

In particular, many businesses across Florida obtained permit extensions that could be invalid if SB 360 is thrown out by the courts, even though the lawsuit against SB 360 has nothing to do with permit extensions. If these permits are lost, many businesses would immediately violate the terms of their loans at a time when the holders of the permits either can't afford to pay to reinstate them or obtain new loans. This bill, which passed both chambers, will safeguard those investments.

Also included in SB 1752 was a manufacturing exemption. The program is for a two-year sales tax refund program for spaceport and manufacturing businesses. The current sales tax exemption for machinery and equipment (M&E) used in an expanding spaceport or manufacturing business is modified by relaxing the method for "expanding output" to make it easier to qualify. The bill also provides refunds for M&E purchases in excess of amounts spent in 2008 by spaceport and manufacturing businesses, beginning July 1, 2010. Refunds will be allocated on a first-come, first-served basis.

The Film and Entertainment Tax Credit Senate Bill 1752

This legislation, passed by the House and Senate, will update the entertainment industry financial incentive to provide a tax credit which allows the film and digital media industry to plan long-term, rather than coping with the uncertainty of the annual legislative appropriations process. By offering these tax credits, we can ensure businesses affiliated with Florida's entertainment industry will stay in our state – which is a win-win scenario for the more than 100,000 people employed by these businesses.

Vote No On Amendment 4

Dubbed as the "Vote on Everything" amendment, this anti-job initiative poses a serious threat to Florida's unique quality of life and puts our state's prospects for economic recovery and protecting our environment from sprawl in jeopardy. Due to the expense, red-tape and uncertainty imposed by Amendment 4, new businesses will find it virtually impossible to move to Florida. Existing businesses will struggle to grow and Florida's working families will be required to travel further and further to find affordable housing, thereby making traffic congestion, emissions and quality of life much worse.

The disruption to local communities and daily lives of Floridians will be extraordinary. Cities and counties will be required to hold elections for each proposed comprehensive plan change – not just major projects, but even minor technical details. It will not be unusual for voters to face 200 to 300 comprehensive plan changes every year.

In partnership with the nearly 300 groups across the state who oppose this threat to Florida's future, the Florida Chamber will lead the fight to defeat Amendment 4, which will appear on the ballot for voters this November. To learn more about this important issue and find out how you can join the fight, please visit www.floridachamber.com and click on Issues.