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TO: Florida Facility Managers Association

FROM: Wayne R. Malaney

RE: 2010 Legislative Report

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The 2011 Session sputtered to a controversial close with the passage in the final minutes of a Joint Resolution to extend the session until 6 PM on Saturday. The resolution called for consideration of only the budget and related bills. Neither the budget nor related bills could be amended. Therefore, there wasn't much left other than to allow the members to debate the bills and vote.

The harbinger to the meltdown was the Senate's rejection of a conference report conforming bill dealing with the deregulation of many professions, including talent agents and travel agents by a resounding 32-6 vote; with only leadership of the Senate supporting the bill.

This was a session like other I have witnessed. The leadership and Governor had their agendas, which were consumed by the need to figure out ways to reduce taxes to create job and simultaneously deal with a \$4 B deficit. Unfortunately, cutting \$2.5 M in taxes by reinstating the tax exemption on services which are part of the "total" rent was not one of the ways the Legislature chose to come at the problem.

I was able to get Sen. Margolis to again file the bill to reinstate the exemption, despite the fact that there were no takers in the House to use one of their respective 6 bill slots to file a companion measure in that chamber. I also was able to get Sen. Bennett to file legislation to require the facility to retain all proceeds of advanced ticket sales. Rep. Nelson filed the bill in the House. However, there was little interest in hearing the measure. Even Sen. Bennett, as President Pro Tempore, was unsuccessful in helping get this matter heard. The process in the House interfered with the bill getting referred early enough on that side to have a chance at getting through committee. So, I began the process of looking for a vehicle to amend the bills to. There were few bills filed providing tax relief that weren't micro-managed by leadership, leaving little chance to reinstate the tax exemption. There were even fewer bills dealing w/ consumer protection. My first attempt to amend language onto a Senate bill was aborted when the sponsor alerted me that his bill may not pass. He was right.

In other news, I tracked a number of bills covering a variety of issues which potentially may have an impact on facilities. The spectrum ran the gamut from beverage law to vending machines. Some of the legislation is tracked just to be sure that nothing bad is amended onto it. This is particularly true with building material and building code bills, which may include air quality, fire safety and security. On other fronts, I watched issues involving public records, smoking, tourist development tax, use of public money and property, to name a few.

At the direction of the Board, I was active behind the scenes and in working with the Florida Association of Counties and League of Cities, as well as individual county and city lobbyists, on the “hotel tax” bill. That had an interesting history this session.

I hope to see all of you at the annual conference, where you can get the “rest of the story.”