



**FLORIDA PORTS COUNCIL  
2015 Summer Board Meeting**

**June 23<sup>rd</sup>  
Tampa  
10:00 a.m. – 4:00 p.m.**

**Tampa Airport Marriott**



## **Florida Ports Council Summer Board Meeting**

Tuesday, June 23, 2015

10:00 a.m. – 4:00 p.m.

Tampa Airport Marriott

### **ITINERARY**

#### **Tuesday, June 23, 2015**

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10:00 a.m. – Noon

FPC Board Meeting

Tampa Airport Marriott  
Room: Pinellas

12:15 – 1:00 p.m.

Luncheon in the Café  
Courtesy of:



1:30 p.m. – 4:00 p.m.

FPC Board Meeting

Tampa Airport Marriott  
Room: Pinellas

Dress for all meetings is business casual

For more information contact: Christy Gandy at (850) 222-8028 or [christy.gandy@flaports.org](mailto:christy.gandy@flaports.org)

**TAB 1**  
**CALL TO ORDER**



## ***SUMMER BOARD MEETING***

Tuesday, June 23<sup>rd</sup>, 2015  
Tampa Airport Marriott

### **AGENDA**

10:00am - 4:00pm

1. Call to Order and Chairman's Welcome
2. Roll Call and Opening Comments
3. Administrative Issues
  - A. Approval of the Minutes – March 24-25, 2015 Spring Meeting
  - B. Budget Report
    - i. FY 14/15 Budget Statements
  - C. President's Comments
  - D. Program Administration
    - i. FPFC Interest Revenues
    - ii. FSTED
  - E. Other Issues
    - i. Analysis of Global Opportunities & Challenges for Florida Seaports
    - ii. 2015 Fall Board/Annual Meeting: September 2<sup>nd</sup>- 3<sup>rd</sup> - Sarasota
    - iii. 2016 Spring Board Meeting & Legislative Forum: February 3<sup>rd</sup>-4<sup>th</sup> - Tallahassee
    - iv. Membership: Port Citrus; Port of Port St. Joe
    - v. FPC Nominating Committee
4. Communications/Marketing Update



## 5. Partner Updates

Coalition for America's Gateways and Trade Corridors (CAGTC)

Florida Chamber of Commerce

Florida Recycling Partnership

Florida TaxWatch

## 6. Legislative

### A. State:

- i. Budget/Port Funding/ FDOT Legislative Package
- ii. Port Related
  - a. Freight Logistics Zones
- iii. Miscellaneous
  - a. Partner Issues
  - b. 2016 Legislative Session (January 2016)

### B. Federal:

- i. Federal Initiatives
  - a. Florida Ports Council Washington DC Fly-In
- ii. Issues:
  - a. MAP- 21
  - b. WRRDA/HMTF
  - c. APHIS Fee
  - d. Miscellaneous

## 7. Other Issues

- A. FDOT FTP/SIS Update
- B. Florida International Trade Event
- C. Cyber-Security Issues
- D. Miscellaneous

## 8. Adjournment

**TAB 2**  
**ROLL CALL**



## **ROLL CALL**

### **MEMBER:**

### **DESIGNEE:**

JOHN WALSH, CANAVERAL

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KEN CHEEK, CITRUS

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STEVE CERNAK, EVERGLADES

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VAL SCHWEC, FERNANDINA

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DON WEST, FT. PIERCE

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BRIAN TAYLOR, JACKSONVILLE

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DOUG BRADSHAW, KEY WEST

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CARLOS BUQUERAS, MANATEE

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JUAN KURYLA, MIAMI

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MANNY ALMIRA, PALM BEACH

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WAYNE STUBBS, PANAMA CITY

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AMY MILLER, PENSACOLA

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EUGENE RAFFIELD, PORT ST. JOE

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WALTER MILLER, ST. PETERSBURG

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PAUL ANDERSON, TAMPA

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**TAB 3**  
**ADMINISTRATIVE ISSUES**

**TAB 3A**  
**APPROVAL OF MINUTES**

**FLORIDA PORTS COUNCIL**  
**2015 SPRING BOARD MEETING &**  
**LEGISLATIVE FORUM**

**March 24<sup>th</sup>-25<sup>th</sup>**  
**Tallahassee**



## ***SPRING BOARD MEETING & LEGISLATIVE FORUM***

**March 24 – 25, 2015  
Hotel Duval - Tallahassee**

### **1. Call to Order and Chairman's Welcome**

Chairman Schwec called the meeting to order at 1:30 p.m.

**Members Present:** Chairman Val Schwec, Manuel Almira, Paul Anderson, Carlos Buqueras, Steven Cernak, Amy Miller, Walter Miller, Eugene Raffield, Wayne Stubbs, John Walsh, and Don West

**Others Present:** President Doug Wheeler, FPC Staff: Jennifer Krell Davis, Christy Gandy, Toy Keller, Mike Rubin; Port Staff: Ryan Elliott, Alex King, Ed Miyagashima, Tom Montalbano, Debra Owens, Michael Poole; and St. Lucie County Administrator Howard Tipton

### **2. Roll Call and Opening Comments**

Christy Gandy called the roll and a quorum was present.

**Canaveral** – Port Director John Walsh reported Cruise Terminal 1 has been opened with the Royal Caribbean's Oasis of the Seas coming up from Port Everglades. Approval for renovations and expansions to Terminals 5 and 10 as well as Disney terminal will include an additional 180,000 square feet. Cruise has shown a 10 percent growth this year. The first phase for Auto Terminal 3 was recently approved. Slag salt and petroleum are both at a 150 percent growth at the port this year and the port's scrap terminal is now expanding. The port is looking for a response from the Air Force on the Enhanced Use Lease which will include a planning phase for a 270 acre site.

**Palm Beach** – Port Director Manuel Almira reported that the port's only cruise ship is back under operation by Costa Cruise Lines. Parking revenue is increasing with this cruise ship returning. The inaugural sailing will host a boxing match. The port is still having issues with dredging based on a lack of federal funding and local support. Slip three, a \$27 million project, will be completed by June. Sheet piles for the slip were treated in Port Manatee then brought back to Palm Beach for installation. The cargo side is up 6-7 percent because Tropical shipping has been doing well. Intermodal cargo is steady, but the port needs to work on rail.

**Pensacola** – Port Director Amy Miller stated that DeepFlex's offshore pipe manufacturing plant is under production, but has pushed their time line back three to four months due to financing issues. GE continues to move wind turbine cells through the port where one-third of them are reimported

and two-thirds are exported. The port has two new contracts with Brazil and Vietnam under negotiations. She announced that the port was able to operate with a profit for the first time this year by putting \$165,000 in their savings account. Halcor has left the port and freed up ten acres of land for redevelopment, but site work will need to be done if anyone new comes in. The City of Pensacola, in an attempt to work with the port, trucked in dirt from an airport project to elevate the site by six feet. Miller said the port recently hosted the AAPA Maritime Economic Development Conference where attendees toured the GE plant and DeepFlex facility. The Army Corps of Engineers is dredging Pensacola Pass this year due to channel silting. Once dredging is completed they will be put on a regular maintenance cycle.

**Tampa** - Port Director Paul Anderson said that Gulf Marine approved an additional five acres to manufacture a new product. Tampa Structural and Tampa Tank, which have above ground storage tanks, leased a new 29 acre site for their manufacturing plant with marketing efforts in Latin America. On the cruise side, Port Tampa Bay has added a second Royal Caribbean ship. On April 1, they will be completing the first rotation of a German cruise line, Aida. This cruise ship has 1200-1300 German passengers stopping in Tampa for one day only and coincides with the airport recently adding Lufthansa and Edelweiss airlines. The port also recently had a CMA "dead ship" arrive from the Caribbean. Tampa Ship did restoration work, and wharfage fees gave the port \$500,000 in unexpected revenue this year. Steel continues to do well at 22 percent last year, is continuing to increase this year, and ship calls are up from under 5 percent from last year. The port recently completed maintenance dredging of its channel. Anderson reported that the port hosted back-to-back conferences in March: the AAPA Shifting Trade Routes Conference, the 26<sup>th</sup> annual Steel Conference, and the second annual Safety Summit. They are working on lining up private sector partners for a P5, or Big Bend Five dredging. The original partner included only the Army Corps of Engineers when they had unappropriated supplemental dollars. The port is dredging from 36 feet to 41 feet and widening the channel from 200 feet to 250 feet to optimize the adjacent property. The port also is seeing increases in containers.

**Miami** – Ryan Elliott, representing Port Director, Juan Kuryla, noted that Kuryla was unable to make the FPC meeting because he was currently attending the TEAM FLORIDA Trade Mission to Peru. The port's dredge project is currently on target to be completed in July this year. Cargo is up 10 percent, and the port has recently negotiated agreements with Crowley and Seaboard. Their cruise contracts have been extended to 2028. MSE Seaside christened a ship this year at PortMiami, the first of their ships to be christened in the United States.

**Ft. Pierce** – Port Director Don West first began by introducing Howard Tipton, the new St. Lucie County Administrator, formerly from Brevard County. He reported that the port was currently underutilized and has been tied up in private ownership, causing limits to what they can accomplish. Currently, they have been focusing on rebuilding basic infrastructure. The FSTED project, Taylor Creek, has been completed, after many years and the Army Corps recently maintenance dredged the port channel, which is now at 28 feet. The Port of Ft. Pierce broke ground a week ago for construction of the main entry road project. They are in the process of updating the port master plan and are trying to acquire property to be utilized for a purpose that will create revenue for the port. Mr. Tipton was welcomed by Chairman Schwec; he thanked everyone for having him.

**St. Petersburg** – Port Director Walt Miller reported that the port has completed its wharf renovation, which was a five million dollar project through FSTED. The port's master plan will be updated over the next few months with a new concept, Port Discovery. The plan is supported by the

St. Pete Ocean Team, a consortium of 15 marine science research entities. The Port Discovery program will be geared towards grade school children, but open to the general public during afternoons and weekends. Included in the experience will be fish tanks, touch tanks and science on a sphere, a planetarium-type experience, but with the ocean. The City of St. Petersburg has \$200,000 to fund the building design with an aim to be complete by the end of this year. They are gearing up for a new 40-50,000 square foot marine science building on the port. Miller noted that the port is trying to become self-sufficient by including underwater detection for navy, shore side marine science activity and the large yacht market. They have been involved in discussions with several companies about accommodating a ferry to Cuba, a tour attraction-type vessel, as well as a cruise ship.

Miller also reported that the port is being included in the City of St. Petersburg's waterfront master plan. The focus is on greater access to the water for the public. He has been working with the Coast Guard to adjust their security plan so the west part of the port is open to the public, and the east side will be open to ships that need the security. The port will be hosting an event on the wharf April 10, hoping to get foot traffic in that will support the City's new master plan. Miller also participated in the Cruise Ship Miami conference.

**Manatee** – Port Director Carlos Buqueras reported the port finished their maintenance dredge a couple of months ago on time and under budget. The Army Corps is going to help the port de-muck the water and provide fill to a local park. The port's feasibility study funding has come through and the study will begin in a few months. Currently, all construction materials are going strong with steel and lumber leading. RaceTrac and Wawa fuel is coming in to the port and adding 100 fuel trucks a day. Sulfur is coming to Port Manatee, through Mosaic, who wants to split the costs 50/50. Buqueras stated that World Shipping out of Mexico will be adding container crane utilization at the port.

**Port St. Joe** – Port representative Eugene Raffield stated he recently was in a meeting with Senator Montford, Senator Beshears, and FDOT Secretary Jim Boxold to discuss the circumstances at the Port of Port St. Joe. Currently, the port has permits in place to dredge, but more funding is needed for the project. Two to three different companies have expressed interest in bringing in rail, which is making the port consider completing the rail spur before pursuing the dredging project. The environmental impact mitigation for the dredging project is increasing the cost by \$40 million, bringing it to \$56 million. Raffield stated they would continue to work with partners on project funding.

**Jacksonville** – Michael Poole reported that Port Director Brian Taylor was not able to attend the FPC meeting due to JAXPORT's bi-annual logistics conference. He said autos and containers are 70 percent of JAXPORT's business and imports are up, but exports are down. With the new Volkswagen contract, the port could be positioned to be the number two port over all for automobiles. Horizon Lines recently went out of business, which will cost the port \$4-5 million, but they just signed a twenty year lease with Crowley. Crowley elected to go to Tallyrand which will push them up to 1.2 million TEUs a year; however, Crowley does not come to the port until 2017. Poole said that breakbulk numbers were not strong and paper numbers are down. CEMEX is looking to diversify with a wood pellet company; the cruise industry is currently stable at JAXPORT.

From a capital expenditures standpoint, Poole noted that their berths need replacing. In addition, the port is in regular discussions with FDOT on their spend downs and it appears they will meet the



timeline. They expect to receive new cranes in 2016. This is a \$30 million project to be completed by end of 2016. The port is currently working on Mile Point, a \$36 million project. Asian trade is where JAXPORT is seeing growth, which is beating last year's numbers by eight percent. The port continues to seek funding for its harbor deepening project, which is not in the federal budget. They will need approval in the FSTED meeting for state funding for the harbor dredging project.

**Panama City** – Port Director Wayne Stubbs reported the port is up 17 percent over 2014. They have completed their master plan which they did in partnership with FDOT, District Three. The port installed a new mobile harbor crane, taking the burden off of offshore power. They finished two copper warehouses for a copper terminal. They have signed a contract to repair their dock apron. The port is constrained on space so they are building racks for refrigerator containers. They are committed to economic development and are trying to attract new manufacturers to the region. They are in the process of building a \$2 million intermodal facility and design work has begun to expand their distribution warehouse. With possibly moving into a design phase in 2016, the port continues to work with the Rock-Ten Corporation to deepen their channel.

**Fernandina** – Port Director Val Schwec reported on the continued expansion of A1A to six lanes, which is an important roadway connector for Port of Fernandina. The port recently completed its master plan, which was considered controversial because it included concerns involving associated businesses that were not actually located on the port. It was eventually worked out after local opposition saw an LNG presentation which helped bring clarity to the direct relationships between the port and these associated businesses. The port is now moving LNG, and has a lot of potential in the future. They recently signed two new contracts -- one with Grieg Star Shipping, which will start a new trade lane as well as a new market, and one with a company in Spain. Schwec noted his observation of a flip from containers to breakbulk, although the port is seeing some new interest from containerized carriers as well.

### **3. Administrative Issues**

#### **A. Approval of the Minutes – September 9-10, 2015 Meeting in Amelia Island**

The following changes were noted: Val Schwec stated Port of Fernandina was celebrating its 25<sup>th</sup> anniversary with the first and longest customer, Somers Isles. Wayne Stubbs stated Port Panama City would be manufacturing most pipe in Panama City and some in Mobile. Manuel Almira asked for the legal portion of Port of Palm Beach's report to be removed.

John Walsh motioned to approve the minutes with the noted changes. Carlos Buqueras seconded the motion. The motion passed unanimously.

#### **B. Budget Report**

##### **i. Audit of the 2013/2014 Financial Statements**

Doug Wheeler reported on the annual audit noting the audit was mailed to each port director prior to the meeting. Tom Montalbano, chief auditor with accounting firm Carr Riggs & Ingram, was present and offered to answer any questions. Schwec noted the audit was clean with no surprises. Almira asked a question regarding the cost of the court reporter being higher in 13/14 than in 12/13. Wheeler noted an additional FSTED meeting in the 13/14 year, one of which included John Martin's lengthy presentation of the Global Opportunities Analysis.

Wayne Stubbs moved to approve the audit as presented. Paul Anderson seconded. Motion passed unanimously.

**ii. FY 14/15 Budget Statements**

Wheeler reported the FPC was on target to meet the current budget. Schwec noted a cash asset of \$620,000 in the bank; however, the bigger asset is the land and the building - a hard asset not being fully utilized. The question was posed to members, if the FSTED funding is increased by \$10 million, what would the FPC want to do with that infusion of money? If board members have any ideas, they were asked to please share them with Wheeler.

Almira asked how much property was included in the parcel. Gandy responded saying, just over one fourth of an acre. Almira requested an appraisal on the property by the next board meeting in June.

**C. President's Comments**

Wheeler began by stating that we are almost at the halfway point of our current fiscal year and seem to be tracking well with the budget, goals related to legislative, marketing, and data and publications. The FPC continues to implement and make updates as needed on administrative issues, including a brief review and update of the personnel manual, and finalizing a staff review process and evaluation forms that will be utilized for formal reviews at the end of this fiscal year.

Staff continues to build and maintain productive relationships with our agency and business/industry partners - including Enterprise Florida through the Stakeholders Council, TEAM FLORIDA, and the Florida International Trade Partnership – especially now with Bill Johnson at the helm; the Florida Chamber through their International programs, trade logistics initiatives coordinated by the Foundation, and of course advocacy efforts with the legislative staff. The staff stays connected with partners like Florida TaxWatch, CAGTC, AAPA, as well as other modal and industry groups. We also continue to meet regularly with DOT and DEO staff on everything from planning, advocacy and research, and we stay in communication with staff at the Governor's office, DEP and Cabinet offices.

Wheeler stated that Rubin will lead a discussion on legislative issues tomorrow morning, with a focus on the 2015 legislative session. He reminded everyone that the "collective approach" continues to be recognized and appreciated by legislators and agency partners and continues to be our best course for success on increasing FSTED funding. Anything outside that realm could complicate our efforts related to FSTED and clearly would be seen as inappropriate by the Council and FDOT (and outside of an election year, perhaps the Governor as well).

The board had a discussion about the importance of the matching requirements with state seaport funding and of working within the process to get funding for individual projects.

Wheeler thanked the port directors for their respective port lobbyists and staff as a tremendous resource during the legislative session. He said the legislature has long been supportive and we must ensure that continued support through outreach, education and engagement.

Wheeler stated that the FPC continues to build on efforts in the areas of communications and marketing, with great success. He said the levels of engagement in both traditional and social media have never been higher or more productive, and thanked members for the tremendous support provided by staff members on these efforts.

Wheeler also thanked the port directors for their time and commitment to the FPC, their responsiveness to requests, and their engagement on legislative issues.

#### **D. Program Administration**

##### **i. Florida Ports Financing Commission (FPFC)**

Toy Keller gave a brief historical background of the Florida Ports Financing Commission, saying it was created because \$8 - 10 million a year in FSTED funding was not adequate to cover port projects. The legislature identified \$15 million in 1996 and \$10 million in 1999 which could be bonded for port construction projects. Debt service is pledged by the FDOT, and twice a year for each bond program, the funds are invested by the FPFC Trustee for a sixty day period before paying the bond holders. The interest, or "sixty day money" as we call it, is used to administer the FPFC Program by paying the required professionals: an auditor, the trustee (Wells Fargo), a bookkeeper, and recently, DAC Auditing Service that files our required bond disclosure documents annually. However, interest rates in the financial institute where FPFC funds are invested (Wells Fargo Trust) are at .01 percent.

FPFC Chairman, Paul Anderson, recently asked staff to look at other options for investing the sixty-day money, because we are currently only earning about \$400 a year. The FPFC refinanced both bonds in 2011 for 30 years, so we have a long time to run the program. Keller said that an investment of our funds with Morgan Stanley would yield about \$1600 a year. Formerly, the funds were invested in the State Board of Administration (SBA) Florida Prime, which had a melt-down in 2009. Funds were locked down at that time, and there was not enough money to pay the bond holders. The FPFC had to borrow money from FDOT and pay it back over time.

Currently we have been working with Tom Giblin, Bond Counsel, and the FPFC's Financial Advisor to look at the two bond indentures (96 & 99) because the Trustee didn't feel like Florida Prime was an eligible investment. Giblin looked at the indenture and determined that Florida Prime had been excluded during the 2011 bond refinancing as a place for FPFC's investments. Interest on FPFC's investment in Florida Prime would currently generate approximately \$6500 per year. One option may be to change the indenture to once again allow investment with Florida Prime. We will need to call a meeting of the FPFC to have that discussion and look at a host of issues. The trustee has to be involved, and staff will work with Anderson on finding the proper avenue. Staff will report back at the June meeting.

##### **ii. Florida Seaport Transportation & Economic Development Council (FSTED)**

Wheeler directed members to the management agreement between the Florida Ports Council and the FSTED Council in their meeting materials. He reported that it had been renewed this year, and the time period of the agreement was extended from three years to five years.

#### **E. Other Issues**

##### **i. Port Citrus**

Wheeler reported he received a letter from Senator Charlie Dean expressing his support to dissolve Port Citrus. At this point Senator Brandes has filed language in the transportation package to remove Port Citrus from FSTED. This will probably remove them from the Ports Council as members, as well. The bill has not passed, so it is not law yet.

Meeting broke for lunch at 12:30 p.m. and reconvened at 1:13 p.m.

[GUEST SPEAKER BOB EMERSON, FLORIDA DEPARTMENT OF TRANSPORTATION]

Bob Emerson, Seaport Director at FDOT, gave a brief introduction and explained how he got to Florida by way of the Port of Tacoma. He had a broad background with different roles on the port and is familiar with the port capital improvement funding process. Emerson started at FDOT on December 8, 2015 and his goal is to visit every port in the state. He has already visited nine of the 15.

Chairman Schwec thanked him for coming to the meeting, and stated he would be at the FSTED meeting later today.

**ii. Analysis of Global Opportunities & Challenges for Florida Seaports**

Toy Keller reported on how we are looking to approach implementation of this document on several levels. On the legislative level, we are talking to legislators and educating them about Florida's opportunities to increase trade. At a marketing level, we are working with Enterprise Florida (EFI) and FDOT to develop an aggressive and targeted campaign to let the shippers and manufacturers know that Florida has invested in infrastructure and we want their business.

FDOT recently conducted a study of a small number of BCOs -- Target, Home Depot, Lowes and Best Buy. They found that these BCOs thought Florida's strength was its large and growing population, good highways and intermodal rail, and the availability of good logistic providers. They felt that Florida's weaknesses were channel and berth depths, limited number of container carriers calling at Florida ports, lack of first vessel calls, highway congestion, lack of on-dock rail, and distance to markets outside of Florida.

At the funding level, Keller said FDOT is already on board regarding improvements to channel and berth depth issues, evidenced by their recent SPII fund allocations. These investments will allow Florida to become the first inbound and last outbound call for shippers. She said the FPC also has had conversations with Lee Sandler on federal regulatory issues identified in the Analysis, and they will continue to be updated as well.

A lengthy discussion followed regarding the development of a marketing plan for Florida. The Governor has identified \$5 million in the budget towards EFI for marketing Florida; the Senate has \$5 million in its budget; the House has zero. Florida currently spends nothing on business marketing. The Florida Chamber is asking for \$20 million to help market Florida, but that may not be realistic.

Wheeler noted that Florida has invested significantly in its infrastructure, but now needs to tell the world. Anderson added that no company would spend \$5 billion on infrastructure and improvements, but not spend the money to market itself. He said we need to look at port sponsored event to bring the BCOs and carriers together, such as the RILA Conference, to market and brand the ports collectively.

Stubbs noted that other states like Georgia and Alabama have better incentives than Florida and we have an opportunity to rebrand Florida to attract businesses. Walsh gave several

examples of marketing initiatives and commented that Florida must spend marketing money to drive manufacturing back into the state. With retailers unhappy about what is going on in California, the timing is optimal. The Board discussed the need to improve the current incentive process administered by EFI.

Anderson suggested revisiting the idea of a Symposium and hosting it with EFI and all of the Economic Development Councils (EDCs). Wheeler added that the EFI Stakeholders Council also conducts boot camps – perhaps we could participate in a ports boot camp. Davis commented that FDOT has great profiles that list the ports’ technical assets that could be sent to EFI to help them market Florida ports as a system.

Schwec suggested the FPC support EFI on its legislative request for \$5 million this year, and look longer term at working towards an advertising or marketing budget to specifically market ports. He proceeded to appoint Anderson, Stubbs, Almira, and Cernak to serve on an Ad-Hoc Committee for Global Marketing. He requested seeking feedback from EFI.

**iii. 2015 Summer Board Meeting - Tampa**

Gandy announced the FPC Summer Board Meeting would be held at the Tampa Airport Marriott on Tuesday, June 23, 2015 from 10:00 a.m. – 4:00 p.m. Hotel information will be sent by email in a few weeks.

**iv. 2015 Fall Board Meeting and Annual Meeting**

Gandy announced the FPC Fall Board Meeting will be held at the Hyatt Regency Sarasota on Tuesday, September 2 – Wednesday, September 3, 2015. Hotel information will be sent by email closer to meeting dates.

**4. Communications/Marketing Update**

Jennifer Davis reported social media continues to grow, up 200 followers on Twitter and Facebook since the last meeting. She included copies of tweets and some of her favorites. Rep. Rooney (Chairman, House Transportation and Ports Subcommittee) has been very engaged with sharing Florida Ports Council information and mentioning us in his social media. We have engaged with AAPA, Port Panama city paper always includes us in their publications. U.S. Senator Hahn (D - CA) recognized us on social media as well.

Davis worked with FDOT, Governor’s office and DEO in supporting the Governor’s budget recommendations. May need quotes from various port directors during session for Governor’s office. The largest media splash was the Global Opportunity Study with a good turn out from media and partners at the press conference. The media had great questions and speakers did well also. Wheeler added that it was a great event, big deal, but was disappointed in port participation. Davis continued stating that even though we didn’t have the Governor’s participation; his staff was involved and gave a quote. News Service of Florida’s article ran in over 20 outlets over the state in television, press and videos on the Florida Channel website.

Davis remarked that the Florida ports next big media splash is the California trip. EFI is advertising in the Los Angeles times and Journal of Commerce. EFI staff is in transition but they are helping out. Governor’s office has consulted with us on talking points for the governor. Even though JOC wasn’t there, they ran the story. She will keep talking with them to make sure they frame it correctly. We

are definitely attracting attention. The FPC website just won an ADDY award for outstanding redesign. The new design came in under budget. Walsh noted Jennifer's outstanding work and the award on the newly designed website with a round of applause.

Davis stated that the *2015 State of Florida's Seaports* has been completed and is ready for distribution. She thanked port staff, who made sure profiles were correct as well as pictures. The next publication is the Seaport Mission Plan, which takes a lot of time to make sure the information is correct.

Davis continued with the Marketing update. She stated that there are big ticket items taking up most of the budget this year - AAPA and IANA are the two largest events. The ads this year featured Brazil and there is a new one about jobs for Florida Trend. Next year the budget will not include IANA or AAPA so that will open up some funds for additional events. RILA is a big event and it is expensive, however, if we are going to do these big events we're going to need additional display money and funds for these events so we can participate. JOC ads were well received and every time there is an ad run Florida Ports get hits on Twitter, Facebook and the website.

## **5. Partner Updates**

### **CAGTC**

Wheeler reported that one of the main national advocacy groups the FPC has discussed joining is AAPA, but based on previous discussions we have decided to focus on our CAGTC membership. Keller encouraged the ports to become members of CAGTC and to attend their annual meeting next month in D.C. They are currently assembling a booklet of seaport freight projects around the country that are in need of federal funds. It will be released during the annual meeting and used in Capitol Hill stakeholder meetings as a "Call to Action" for freight funding in the upcoming surface transportation authorization. Keller encouraged the seaports to submit their large multimodal projects for inclusion. Even if the project is not included in the booklet, it will be placed on CAGTC's website as a resource for Congressional staffers. The deadline is March 31. Anderson noted that Florida needs to be included in this compilation because CAGTC membership is heavily weighted with West Coast representation. Keller instructed those interested in being included to send their project information to the FPC office, so that we can compile the projects and submit them for inclusion.

Break: 3:00pm

Reconvened at: 10:09 a.m. on Wednesday, March 25, 2015

[GUEST SPEAKER JESSE PANUCCIO, FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY]

Jesse Panuccio, Executive Director of Florida Department of Economic Opportunity, was welcomed to the meeting and introduced Cissy Proctor in her new position as Chief of Staff for DEO. He also introduced Karl Blischke, Director of the Division of Strategic Business Development; Jack Reed, External Affairs Director; and, Bill Wilson, Legislative Director.

Panuccio reported on Florida's job growth, employment and economic growth relative to the rest of the country.

Panuccio reported that DEO would be focused on more funding for the ports and the Governor's incentives programs during the legislative session. They are trying to get, for the first time ever, a brand for themselves, so they can market Florida in other states, much like New York is doing.

[GUEST SPEAKER REPRESENTATIVE LAKE RAY]

Chairman Schwec introduced Representative Lake Ray and thanked him for attending.

Representative Ray addressed the FPC about developing a strong marketing strategy for Florida and focusing on selling our advantages to businesses and manufacturers around the country. He shared several ideas relative to energy production and noted that energy costs in Florida are a deterrent to attracting manufacturing businesses to Florida.

#### **[Partner Updates Section resumed]**

##### **Enterprise Florida**

Wheeler discussed EFI's current Peru trade mission and several missions trips planned for future. He pointed out that six ports are participating in the West Coast Event on April 12-13, which will be a political trip just as much as a business development trip. He said Davis is working with EFI on ads for the JOC and LA Times. Davis stated that EFI is expecting us to provide a list of names of people to invite on the trip and asked members to please send names of people who should be invited.

##### **Florida Chamber of Commerce**

Wheeler stated that the Florida Chamber International Days annual event will be held on April 7-9, 2015 in Tallahassee. Wheeler will be moderating a panel and John Walsh, along with John Martin and Bealls executive will be on the panel. Stubbs asked if it might be an opportunity for the FPC to approach the Chamber about becoming a full time partner on the International Days event, maybe with us taking some ownership. Schwec added that we were planning on dropping the idea of a symposium, but we may need to go in a different direction and pursue this as an idea. Stubbs said that maybe we could partner, not hijack the event and make it a signature event for both of us. Schwec remarked that the infrastructure is there already so we could do it, but asked if the organization would get enough benefit out of it, and if not, how much would we need to change things to make it beneficial to us. Wheeler stated that he would pursue the conversation with the Chamber.

##### **Florida Ocean Alliance**

Keller reported that the Florida Oceans Alliance is looking to amend a bill this legislative session that would give them the responsibility of developing a long range Ocean Policy plan for the state. They discussed using the FSTED program as a model for their organization, to channel their funding, select and review their projects, etc. They also are hoping to get couple hundred thousand dollars this year to develop the plan.

##### **Florida Recycling Partnership**

Wheeler reported that the FRP had their first summit last year in Tampa; they are going to try to hold three events around the state in 2016 and have expressed an interest for one event to be hosted at a port. He asked if ports were interested in hosting that they please let him know.

## **FDOT**

Bob Emerson reported on the department's FTP/SIS plan update process, saying that minutes from past meetings were available on their website. He reported on staff changes at FDOT, saying that there was a new chief of staff, Michael Dew; the Assistant Secretary of Finance is Rachel Cone; and, Juan Flores left the department's Office of Freight Logistics and Passenger Operations to begin working at Port Everglades. Catherine Kelly, the department's data keeper, is retiring at the end of May. Walsh stated that he is on the department's economic development subcommittee for the FTP/SIS plan update process. He said there are some problems with incorporating this process into the Freight Mobility Plan and they will work to have it better integrated. Members should let Walsh know if they have ideas for these processes. Keller will be involved with the SIS subcommittee.

## **6. Legislative**

### **A. State**

Rubin reported on the Amendment One issue, saying there is concern from FDOT because of the potential to modify statutorily how the funds from doc stamps were to be spent. Currently, the House and Senate have different proposals on how to deal with doc stamp revenues that were going into the State Transportation Trust Fund (STTF). The Senate would statutorily redirect a portion of doc stamp funds currently going into the STTF to Amendment One projects. To offset this loss of revenue into the STTF, the Senate has proposed to redirect additional New Start motor vehicle license fees that were increased five years ago from the General Revenue Fund into the STTF. Almost all of that money would offset Amendment One issues. The House does not have a similar proposal to statutorily redirect doc stamp revenues. Amendment One projects would be funded in the Budget with no impact currently on the STTF. The good news is impact on transportation trust fund would be less than what we thought it would be regardless of which method of funding is ultimately passed.

There will be discussion on the floor the first week of April and a plan to pass out some type of water and Amendment One implementing legislation by the second week of April. The Senate is concerned with state healthcare dollars, where the House isn't discussing. This could possibly lead to special session. There is a lot of agreement on transportation funding and the FDOT work program is similar with respect to seaport projects. Currently the amount for port funding is around \$100 million, we assume the \$35 million for SPII is included. Stubbs explained that the Panama City industrial basin dredging project line-item is a personal dredge for a shipbuilder in the area with ties to the Governor and other political positions.

Rubin added that the transportation bill, inclusive of our \$10 million FSTED increase is moving quickly. It is scheduled tomorrow in the House Economic Affairs Committee. House bill is cleaner than the Senate version, the Senate bill contains issues that the House bill does not – such as the Citrus County language.

Rubin continued stating that the Freight Logistics Zones bill will probably pass, and that the Lobbyist registration bill is moving on both sides, there are some concerns with special districts. That bill may get amended out after too long, with potential new requirements for all of us.

State incentive and marketing legislation is moving slowly as well with EFI. We are supportive and we are working with EFI on their marketing fund efforts. Currently the Florida Chamber and others are trying to support a \$20 million marketing fund, but the proposed budget only includes



\$5 million at this time. Wheeler stated that a repeal of the communications services tax contained in the incentives legislation could benefit everyone and could be a savings to a lot as well and we will be supporting it.

## **B. Federal**

### **WRRDA**

Rubin reported that Schuster wanted to do a WRRDA bill every two years. There is currently a lot of discussion on the Section 333 issues and about ignoring the significant “R” (REFORM) portion of the bill that was added. The Congressional Ports Caucus wants to hear from us on it. Walsh commented that we were successful in getting WRRDA passed, but they haven’t funded any of the projects. Rubin added that it is great substantive legislation, but there is no funding being applied yet.

### **APHIS**

Rubin reported about the ongoing issue, and how we have several ports that are impacted by this proposed increase in agriculture inspection fees. Just yesterday we received word from Congresswoman Wilson’s office that she and Congressman Mario Diaz Balart would be sending a letter to APHIS requesting that they delay implementing this rule because of the impact on Florida. APHIS has provided their rule implementation information to the GAO and are currently “slow rolling” any implementation of the fee increases. The good news is that we had a good meeting in DC last time we were up there, and helped Congresswoman Wilson set up a meeting between the Florida Congressional Port Caucus and the APHIS administrator. Wheeler remarked that the Congressional Delegation was enthusiastically appreciative and asked to continue these types of discussions, which leads to the question of whether or not the ports want to go to D.C. again. If we plan these trips, we need to have participation of port directors to make it worth our time, as well as the congressional members. AAPA will be held April 19-21, 2015 in Washington, D.C. as well.

Debra Owens, PortMiami, added that Director Kuryla recently met with the Secretary of Commerce of Peru during the EFI trade mission and brought up the APHIS issue. He learned that that if the rule is passed, costs will be going up significantly on one fee alone, which would be bad for our truckers.

### **FPC DC Fly-In**

Rubin and Wheeler discussed the potential for another FPC DC Fly-In. They stated how important it was for attendance by port directors. The members discussed potential dates for a fly-in, and directed staff to work on a D.C Fly-In sometime this year.

Miller stated that the Gulf Port Association has decided to meet every other year and this year they are meeting so it may be tough for the Gulf Port directors attending all the various events – in D.C. Schwec stated that if Anderson, Cernak and Taylor were here they should push to keep attending. Wheeler said that we need good participation.

### **MAP-21**

Rubin reported that MAP-21 may have the potential need for reauthorization. Florida needs to get our projects in front of them as much as possible. Keller stated that states are putting off spending billions of dollars in infrastructure projects due to the uncertainty of a long-term bill. Both House Transportation and Infrastructure Committee and the Senate Commerce said they

will not reveal any language for the reauthorization bill unless they know how it will be funded  
Wheeler said that we will look at congressional schedule and let members know what may be the best timing for a D.C. Fly-In.

## **7. Other Issues**

### **Maritime Academy**

Wheeler reported that the discussion on the Maritime Academy will be tabled until the next meeting due to changes in the direction of the initiative. Wheeler and Rubin have been invited by Rich Biter, FDOT, to attend a meeting on this subject on Friday, April 3, 2015.

### **2016 Spring Board Meeting and Legislative Forum**

The FPC meeting next year will be a bit different due to session being moved to January /February, instead of March/April. Most likely the meeting will be in February 2016.

## **8. Adjournment**

Stubbs made a motion to adjourn the meeting. Walsh seconded the motion. The motion passed unanimously.

The meeting was adjourned at 12:03 p.m.

### **Guests:**

Director Jesse Panuccio, FDEO  
Bob Emerson, FDOT  
Rep. Lake Ray

**TAB 3B**  
**BUDGET REPORT**

# FY 14/15 Budget Statements

**Florida Seaports Council, Inc**  
**Balance Sheet**  
As of May 31, 2015

Accrual Basis

	May 31, 15
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
HANCOCK BANK MONEY MARKET ACCT	455,887.45
HANCOCK BANK OPERATING ACCT	25,222.67
110 · PETTY CASH ACCT	92.50
Total Checking/Savings	481,202.62
Accounts Receivable	
200 · Administrative Fees Receivable	152,615.43
Total Accounts Receivable	152,615.43
Other Current Assets	
220 · Prepaid Expenses	37,733.93
Total Other Current Assets	37,733.93
Total Current Assets	671,551.98
Fixed Assets	
254 · Loan Costs	3,632.00
257 · Accumulated Amortization	-984.00
250 · Equipment & Furnishings	58,881.34
251 · Building	
252 · Building Improvements	152,729.87
251 · Building - Other	287,641.83
Total 251 · Building	440,371.70
253 · Land	200,000.00
255 · Accumulated Depreciation	-168,383.00
Total Fixed Assets	533,518.04
Other Assets	
260 · Deposits	250.00
265 · Prepaid IRS Interest Payments	-0.44
Total Other Assets	249.56
<b>TOTAL ASSETS</b>	<b>1,205,319.58</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
300 · Accounts Payable	5,302.04
Total Accounts Payable	5,302.04
Other Current Liabilities	
315 · Accrued Leave	11,389.00
301 · PAYROLL LIABILITIES	
301.2 · Direct Deposit Liabilities	242.95
301.3 · 401K Payable	0.69
301 · PAYROLL LIABILITIES - Other	6,238.25
Total 301 · PAYROLL LIABILITIES	6,481.89
Total Other Current Liabilities	17,870.89
Total Current Liabilities	23,172.93

**Florida Seaports Council, Inc**  
**Balance Sheet**  
As of May 31, 2015

Accrual Basis

	<u>May 31, 15</u>
Long Term Liabilities	
304 · Mortgage Note Payable	
304.1 · Mortgage Note Payable - Current	15,590.00
304 · Mortgage Note Payable - Other	159,177.99
Total 304 · Mortgage Note Payable	<u>174,767.99</u>
Total Long Term Liabilities	<u>174,767.99</u>
Total Liabilities	197,940.92
Equity	
3900 · Unrestricted Net Assets	610,519.61
Net Income	396,859.05
Total Equity	<u>1,007,378.66</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>1,205,319.58</u></b>

**Florida Seaports Council, Inc**  
**Profit & Loss Budget vs. Actual**  
**October 2014 through September 2015**

	Oct '14 - Sep 15	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
601 · FPC Dues	635,000.00	635,000.00	0.00	100.0%
602 · FSTED Prog. Admin/Chapter 311	343,049.00	314,549.00	28,500.00	109.1%
603 · FPFC Bond Program	0.00	186.12	-186.12	0.0%
605 · FSTED DATA JPA	0.00	0.00	0.00	0.0%
615 · MISC. INCOME	0.00	12,500.00	-12,500.00	0.0%
<b>Total Income</b>	<b>978,049.00</b>	<b>962,235.12</b>	<b>15,813.88</b>	<b>101.6%</b>
<b>Expense</b>				
6560 · PAYROLL EXPENSES	28,162.94	37,000.00	-8,837.06	76.1%
6999 · UNCATEGORIZED EXPENSES	0.00			
701 · PRESIDENT	118,864.36	167,500.00	-48,635.64	71.0%
702 · VICE PRESIDENT - PUBLIC AFFAIRS	81,874.44	117,580.00	-35,705.56	69.6%
703 · VICE PRESIDENT GOVT AFFAIRS	98,268.17	138,520.00	-40,251.83	70.9%
704 · ADMINISTRATIVE STAFF	37,530.46	53,950.00	-16,419.54	69.6%
705 · FRONT OFFICE STAFF	0.00	0.00	0.00	0.0%
706 · VP PROGRAMS & PLANNING	82,601.46	115,690.00	-33,088.54	71.4%
707 · EMPLOYEE BONUS POOL	10,000.00	10,000.00	0.00	100.0%
710 · SPECIAL CONSULTANTS				
710.4 · Seaport Mission Plan	0.00	0.00	0.00	0.0%
710.2 · Legal Consultants	4,500.00	6,000.00	-1,500.00	75.0%
710.3 · Environmental & Growth Mgmt	18,749.97	25,000.00	-6,250.03	75.0%
<b>Total 710 · SPECIAL CONSULTANTS</b>	<b>23,249.97</b>	<b>31,000.00</b>	<b>-7,750.03</b>	<b>75.0%</b>
715 · WORKER'S COMPENSATION	2,353.00	3,750.00	-1,397.00	62.7%
720 · ACCOUNTING	11,050.00	13,000.00	-1,950.00	85.0%
730 · BANK CHARGES/INTEREST	-570.26	300.00	-870.26	-190.1%
732 · COMMUNICATIONS				
732.1 · Telephone/Fax/Internet/Cable	3,327.79	5,100.00	-1,772.21	65.3%
732.2 · Cell Phones	3,926.10	5,500.00	-1,573.90	71.4%
732.3 · Printing	451.50	1,000.00	-548.50	45.2%
732.4 · Postage, Overnight Delivery	280.22	1,000.00	-719.78	28.0%
732.7 · Magazine Subscriptions	134.37	300.00	-165.63	44.8%
732.8 · Miscellaneous	1,091.84	1,000.00	91.84	109.2%
<b>Total 732 · COMMUNICATIONS</b>	<b>9,211.82</b>	<b>13,900.00</b>	<b>-4,688.18</b>	<b>66.3%</b>
733 · MARKETING				
750 · EQUIPMENT/SUPPLIES	13,460.00	85,000.00	-71,540.00	15.8%
750.1 · Office Equipment	3,425.26	5,500.00	-2,074.74	62.3%
750.2 · Computer, Hardware & Software	1,338.05	2,000.00	-661.95	66.9%
750.3 · IT Services	5,500.00	6,600.00	-1,100.00	83.3%
750.4 · Office Supplies	2,494.44	5,000.00	-2,505.56	49.9%
750.6 · Miscellaneous	-91.40	300.00	-391.40	-30.5%
750 · EQUIPMENT/SUPPLIES - Other	282.04	0.00	282.04	100.0%
<b>Total 750 · EQUIPMENT/SUPPLIES</b>	<b>12,948.39</b>	<b>19,400.00</b>	<b>-6,451.61</b>	<b>66.7%</b>

**Florida Seaports Council, Inc**  
**Profit & Loss Budget vs. Actual**  
**October 2014 through September 2015**

	Oct '14 - Sep 15	Budget	\$ Over Budget	% of Budget
755 · FSTED & FFPC Court Reporter	1,392.00	4,000.00	-2,608.00	34.8%
768 · MISCELLANEOUS	0.00	1,000.00	-1,000.00	0.0%
777 · BUILDING EXPENSES				
777.1 · Mortgage	16,909.60	25,365.00	-8,455.40	66.7%
777.2 · Maintenance/Repairs	442.04	4,000.00	-3,557.96	11.1%
777.3 · Pest/Security/Lawn/Housekeeping	3,554.24	6,400.00	-2,845.76	55.5%
777.4 · Insurance & Taxes	7,880.14	10,500.00	-2,619.86	75.0%
777.5 · Utilities	2,535.49	4,000.00	-1,464.51	63.4%
777.6 · Miscellaneous	0.00	100.00	-100.00	0.0%
Total 777 · BUILDING EXPENSES	31,321.51	50,365.00	-19,043.49	62.2%
782 · DATA				
782.1 · State of the Ports	161.85			
782.2 · Global Opportunities	-24,550.84	0.00	-24,550.84	100.0%
782.3 · Seaport Mission Plan	10,528.28	0.00	10,528.28	100.0%
Total 782 · DATA	-13,860.71	0.00	-13,860.71	100.0%
791 · CONFERENCES				
791.1 · Conferences - Meals	431.08	2,000.00	-1,568.92	21.6%
791.2 · Conferences - Hotel	2,076.66	3,500.00	-1,423.34	59.3%
791.3 · Conferences - Airfare	1,502.40	2,000.00	-497.60	75.1%
791.4 · Conferences - Rental Car/Gas	300.19	1,500.00	-1,199.81	20.0%
791.5 · Conferences - Fees	775.00	2,000.00	-1,225.00	38.8%
791.6 · Conferences - Miscellaneous	30.00	100.00	-70.00	30.0%
Total 791 · CONFERENCES	5,115.33	11,100.00	-5,984.67	46.1%
792 · TRAVEL EXPENSES				
792.1 · Travel - Meals & Entertainment	5,943.53	11,000.00	-5,056.47	54.0%
792.2 · Travel - Hotel	1,372.29	6,500.00	-5,127.71	21.1%
792.3 · Travel - Airfare	1,854.10	5,000.00	-3,145.90	37.1%
792.4 · Travel - Rental Car/Gas/Parking	2,108.20	7,000.00	-4,891.80	30.1%
792.5 · Travel - Speaking Engagements	14.70	1,500.00	-1,485.30	1.0%
792.6 · Travel - Miscellaneous	5.95	500.00	-494.05	1.2%
Total 792 · TRAVEL EXPENSES	11,298.77	31,500.00	-20,201.23	35.9%
793 · MEETING EXPENSES				
793.1 · Meeting Expenses - MEALS	7,647.67	17,000.00	-9,352.33	45.0%
793.2 · Meeting Expenses - ROOM RENTAL	161.25	2,000.00	-1,838.75	8.1%
793.3 · Meeting Expenses - AUDIO/VISUAL	0.00	2,000.00	-2,000.00	0.0%
793.4 · Meeting Expenses - PRINTING	201.75	250.00	-48.25	80.7%
793.5 · Meeting Expenses - CONF. CALLS	0.00	300.00	-300.00	0.0%
793.6 · Meeting Expenses - MISC	112.25	1,000.00	-887.75	11.2%
793.7 · Meeting Expenses - NOTICES(FAW)	90.58	500.00	-409.42	18.1%
Total 793 · MEETING EXPENSES	8,213.50	23,050.00	-14,836.50	35.6%



**Florida Seaports Council, Inc**  
**Profit & Loss Budget vs. Actual**  
**October 2014 through September 2015**

	Oct '14 - Sep 15	Budget	\$ Over Budget	% of Budget
<b>805 · OUTREACH</b>				
805.1 · Memberships	20,449.00	22,000.00	-1,551.00	93.0%
805.2 · Sponsorships	5,200.00	3,000.00	2,200.00	173.3%
805.3 · Lobbying	4,550.00	5,000.00	-450.00	91.0%
<b>Total 805 · OUTREACH</b>	<b>30,199.00</b>	<b>30,000.00</b>	<b>199.00</b>	<b>100.7%</b>
<b>806 · PROFESSIONAL DEVELOPMENT</b>				
930 · WEBSITE DEVELOPMENT	746.00	1,000.00	-254.00	74.6%
	99.14	500.00	-400.86	19.8%
<b>Total Expense</b>	<b>603,529.29</b>	<b>959,105.00</b>	<b>-355,575.71</b>	<b>62.9%</b>
<b>Net Income</b>	<b>374,519.71</b>	<b>3,130.12</b>	<b>371,389.59</b>	<b>11,965.0%</b>

**TAB 3C**  
**PRESIDENT'S COMMENTS**

**TO BE DISCUSSED AT MEETING**

**TAB 3D**  
**PROGRAM ADMINISTRATION**

**FLORIDA PORTS  
FINANCING COMMISSION (FPFC)**

**TO BE DISCUSSED AT MEETING**

**FLORIDA SEAPORT TRANSPORTATION  
& ECONOMIC DEVELOPMENT  
COUNCIL (FSTED)**

# MEETING SUMMARY SEAPORT ENVIRONMENTAL MANAGEMENT COMMITTEE TELECONFERENCE

May 12, 2015

10:00 a.m. - 12:30 p.m.

The Seaport Environmental Management Committee (SEMC) meeting was called to order at 10:06 a.m. by Chairman Bob Musser. Toy Keller called roll; attending in person or via telephone were the following members and guests:

Bob Musser – Chairman, Everglades  
David Kaufman -- JAXPORT  
David Stubbs – JAXPORT  
Scott Skinner – JAXPORT  
Jackie Julien – Tampa  
Becky Hope – Miami  
Mark Crosley – FIND  
Fred Aschauer – FDEP  
Keyna Cory – FRP  
Jeff Littlejohn – Consultant to FPC  
Mike Rubin – FPC  
Mark Thomasson – Littlejohn Mann  
& Associates

Val Schwec -- Fernandina  
George Isiminger – Manatee  
Scott Skinner -- JAXPORT  
Chris Cooley -- Tampa  
Carol Noble -- Canaveral  
Eric Summa – USACE  
Scott Sanders – FFWCC  
Bill Pable – FDEO  
Jimmy McDonald -- FDOT  
Doug Wheeler -- FPC  
Toy Keller – FPC

**Tab 3, Approval of December 19, 2014 Meeting Summary** – the meeting summary was approved by a unanimous vote of the Committee.

**Tab 4, Florida Recycling Partnership Update** was given by Keyna Cory. She reported that the Partnership had its kickoff in October of 2013 and currently has 19 members, on the way to its overall goal of 30 strong and highly engaged members. She said the Partnership is gaining momentum, as noted by its participation in several successful events in the past, and with more planned in the near future (see meeting materials for some of these events). Their goal is to assist the state of Florida achieve a 75% recycling rate 2020. The Partnership currently is in the process of organizing several “recycling summits,” with the first one of the year scheduled at the Marlin’s stadium in July or August. Ms. Cory said they would welcome the opportunity to hold another summit at one of Florida’s seaports. Meeting space is about all they need for the half-day event; they will help design the agenda, show the economic impact of recycling on the port, or even help port tenants solve some of their recycling issues. Chairman Musser stated that Port Everglades would be interested in hosting the next summit, and said if others were interested, they should contact Ms. Cory at 850.728.1054, or email her at [keyna@flrecycling.org](mailto:keyna@flrecycling.org).

**Tab 5, Update on State and Federal Environmental Issues, Tab 5A Legislative Session Wrap-Up** was given by Mike Rubin and Jeff Littlejohn. Mr. Rubin reported that the early departure of the House of Representatives left many bills unpassed, including FDOT’s bill, which contained an increase of \$10 million in Florida Seaport Transportation and Economic



Development program funding. Mr. Littlejohn added that a special session will convene in June, but even without a “call” by the Legislature for certain specified issues to be addressed, FDOT’s work program funding would be included in the overall state budget, which is required to be passed by June 30 each year. Other issues affecting seaports which may be addressed during the special session include Enterprise Florida’s marketing and economic development bills, including incentives and sales tax exemptions.

Mr. Littlejohn summarized some other bills of interest which did not pass, including a bill related to petroleum restoration, a group of bills dealing with the effects of the passage of Amendment 1 on the trust fund, a water resources bill, and a bill related to “fracking”.

FPC staff to the SEMC agreed to keep members posted on what will be discussed during the June special session once more details are available.

Mr. Littlejohn reported on **Tab 5B, Corps Indirect Effects Guidance and Evaluation Tool Update**, saying that peer review comments solicited by the Corps were received in April. The Corps Project Delivery Team is meeting this week, making a presentation to the Chief of Regulatory, and recommending changes (if any) to the evaluation tool. Mr. Littlejohn will provide information from that meeting to the Committee when it is available, with a full report at the September SEMC meeting.

David Stubbs reported on a Corps permit issue at JAXPORT, saying that the Corps’ Regulatory Division evaluated the need for the project as part of the permit review, concluding in their letter that it was a regional issue that could perhaps be more appropriately managed by other states. FPC staff asked for a copy of their findings and will pursue a review of the issue with JAXPORT to determine if it represents an overreach by the Corps.

Members discussed including a representative from the regulatory side of the Corps to participate on SEMC. The statute specifies “a designee from the United States Army Corps of Engineers, as an ex officio, nonvoting member,” but makes no further distinction. Eric Summa with the Civil Works Division has been the Corps designee for a number of years but if the Corps is agreeable, there seems to be no prohibition to including someone from the Regulatory Division as well. Because many of the ports’ issues are related to permitting, it was agreed that Mr. Littlejohn would reach out to the Corps regarding representation by the Regulatory Division on SEMC.

**Tab 5C, Other Issues**, Mr. Littlejohn concluded by noting some organizational changes in the Regulatory Division of the Corps. They were recently reorganized into the North, South and West Permit Branches, headed up by Debbie Wegmann, Kelly Finch and Steve Sullivan, respectively.

**Tab 6, Reports from Agency Partners** was next on the agenda. Fred Aschauer, Division Director of Water Resources Management at FDEP gave a bit of his background and history with the department. He stated that he would like to visit each of the seaports and was currently working with several of the larger ports on deepening and widening permits. He noted that ports had been designated by the state as “critical infrastructure facilities” and offered his assistance in addressing their issues.

Mr. Aschauer's contact information is: email - [fred.aschauer@dep.state.fl.us](mailto:fred.aschauer@dep.state.fl.us); phone – (850)245-8035, and will be corrected on an updated contact list for the next SEMC meeting.

Bill Pable, Planning Analyst with DEO's Bureau of Community Planning acknowledged DEP's lead on environmental issues but noted DEO's role in the seaport planning process. He said the transportation element of a local government comprehensive plan clearly defines access issues for ports, and the coastal management element addresses the adoption of port master plans into the local plan. Amendments to these elements that may impact port facilities are reviewed by the Bureau for compliance with statutory requirements. Finally, Mr. Pable noted DEO's role in the FSTED program's annual project application review process on SeaCIP.

Mark Crosley, Executive Director of the Florida Inland Navigation District (FIND) Board reported on the District's current deepening and utility line projects in the vicinities of Port Everglades and Port of Palm Beach, which will provide benefit to everyone in the region. He said that dredge material management continues to be an issue for the District, as well as the on-going regulatory climate and agency coordination problems with the National Marine Fisheries Services (NMFS). Mr. Crosley said if others are having similar issues, he would like to hear from them. The SEMC Chair asked Mr. Crosley to let us know how we can partner on our similar issues.

Scott Sanders with Fish and Wildlife Conservation reported that they continue to work on communications and cooperative relations with their partners. They are currently working with NMFS, the Corps and the ports on "avoidance and minimization" measures, and to create guiding principles for better coordination. He said they have been working on an Imperiled Species Plan for the past 10 years that sets out permitting guidelines, including how to work with DEP and the water management districts to perform joint coastal permit reviews, and how to reduce redundancies. The plan is being vetted with their stakeholders.

Eric Summa, USACE, agreed that it would be beneficial to invite the Corps' regulatory staff to the table, especially relative to the state's programmatic biological opinion on placing spoil material on beaches. They have had success with the federal commenting agencies and plan to have biological opinions by the end of summer for sea turtle habitat and other critical habitat. This will be important to what they are doing on the coasts and in estuaries. The Corps is also looking at essential fish habitat relative to dredging. There are several big dredge projects in the region – in Savannah, Charleston and Jacksonville. Dredge material management issues include stemming erosion on beaches using materials containing larger amounts of silt than normally used. They are currently collecting such data on a recent placement site near Tampa (Egmont Key), and evaluating the impact of the materials on the surrounding benthic environment.

**Tab 7, SEMC Discussion of SEMC Proposal for FSTED Council Environmental Grant Program** was introduced by Chairman Musser, who said that after several discussions with FPC staff, he was proposing a procedure for the review of "stand alone" environmental projects. He explained that applications for environmental improvement projects, not necessarily a requirement of project specific permitting, could be submitted on SeaCIP and separated for review by the SEMC. The Committee also could offer assistance to the agency reviewers because the projects may not involve the standard criteria issues related to master planning, job

creation or transportation mobility in Chapter 311. A letter of recommendation also could be submitted to the state agencies during the review process, and to the FSTED Council during the allocation process, in support of worthy projects. Ms. Keller added that the identification of a moderate amount of FSTED Program funding for these projects also was a consideration, but until the state's budget was finalized by the Legislature in June, FSTED funding levels were uncertain.

She pointed out that these projects would be reviewed simultaneously by the SEMC and the state agencies. Using the process that was already in place in Chapter 311 would allow for a "trial run" during the next application cycle, first to see if ports had these types of projects to submit, and second, to allow the agencies to go through the process and identify any issues they may have. She noted that provisions for such projects do exist in Chapter 311, and perhaps some minor adjustments to the application would provide the reviewers with clarity and distinction for this type of project.

**Tab 8, Other Issues,** Carol Nobel asked if there were any Best Management Practices available from other ports or agencies due to an issue Canaveral is experiencing with its shoreline management plan. There seems to be a frustration between protective measures of resource restoration, and infrastructure development. Members discussed various best practices their ports or agencies were employing, and offered to provide Ms. Noble with examples.

The meeting was adjourned at 12:30 p.m.

**TAB 3E**  
**OTHER ISSUES**



# Analysis of Global Opportunities and Challenges for Florida Seaports



January 2015



## ***FALL BOARD MEETING & ANNUAL MEETING ITINERARY***

**Wednesday, September 2, 2015 – Thursday, September 3, 2015**  
**Hyatt Regency, Sarasota, Florida**

### **Wednesday, September 2, 2015**

9:00 a.m. – Noon	SEMC Meeting	<i>Hyatt Regency</i>
Noon – 1:00 p.m.	Lunch	<i>Hyatt Regency</i>
1:30 p.m. – 5:30 p.m.	FPC Annual Board Meeting	<i>Hyatt Regency</i>
6:00 p.m. – 7:30 p.m.	Reception	<i>Hyatt Regency</i>
7:30 p.m. – 9:30 p.m.	Dinner (Private)	<i>To Be Determined (Transportation Provided)</i>



### **Thursday, September 3, 2015**

8:00 a.m. – 9:00 a.m.	Port Director's Breakfast (Port Directors Only)	<i>Hyatt Regency</i>
9:30 a.m. – 12:00 p.m.	FPC Board Meeting	<i>Hyatt Regency</i>
12:00 p.m. – 12:30 p.m.	Lunch	<i>Hyatt Regency</i>
12:30 p.m. – 4:30 p.m.	FSTED Meeting	<i>Hyatt Regency</i>

*For more information contact: Christy Gandy at (850) 222-8028 or [christy.gandy@flaports.org](mailto:christy.gandy@flaports.org)*





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**SENATOR CHARLES S. DEAN, SR.**  
5th District

**COMMITTEES:**  
Environmental Preservation and  
Conservation, *Chair*  
Agriculture, *Vice Chair*  
Appropriations Subcommittee on General  
Government  
Children, Families, and Elder Affairs  
Communications, Energy, and Public Utilities  
Community Affairs

January 27, 2015

Doug Wheeler  
President and CEO  
Florida Ports Council  
502 East Jefferson Street  
Tallahassee, Florida 32301

Dear Mr. Wheeler,

I would like to express my support of the recent decision by the Citrus County Port Authority to dissolve both Port Citrus and the Port Authority. I look forward to continuing the conversation next week in Tallahassee. Thank you for your time on this matter.

Sincerely,

A handwritten signature in black ink that reads "Charles S. Dean".

Charles S. Dean  
State Senator, District 5

**REPLY TO:**

- ☐ 405 Tompkins Street, Inverness, Florida 34450 (352) 860-5175
- ☐ 311 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5005
- ☐ 315 SE 25th Avenue, Ocala, Florida 34471-2689 (352) 873-6513

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**ANDY GARDINER**  
President of the Senate

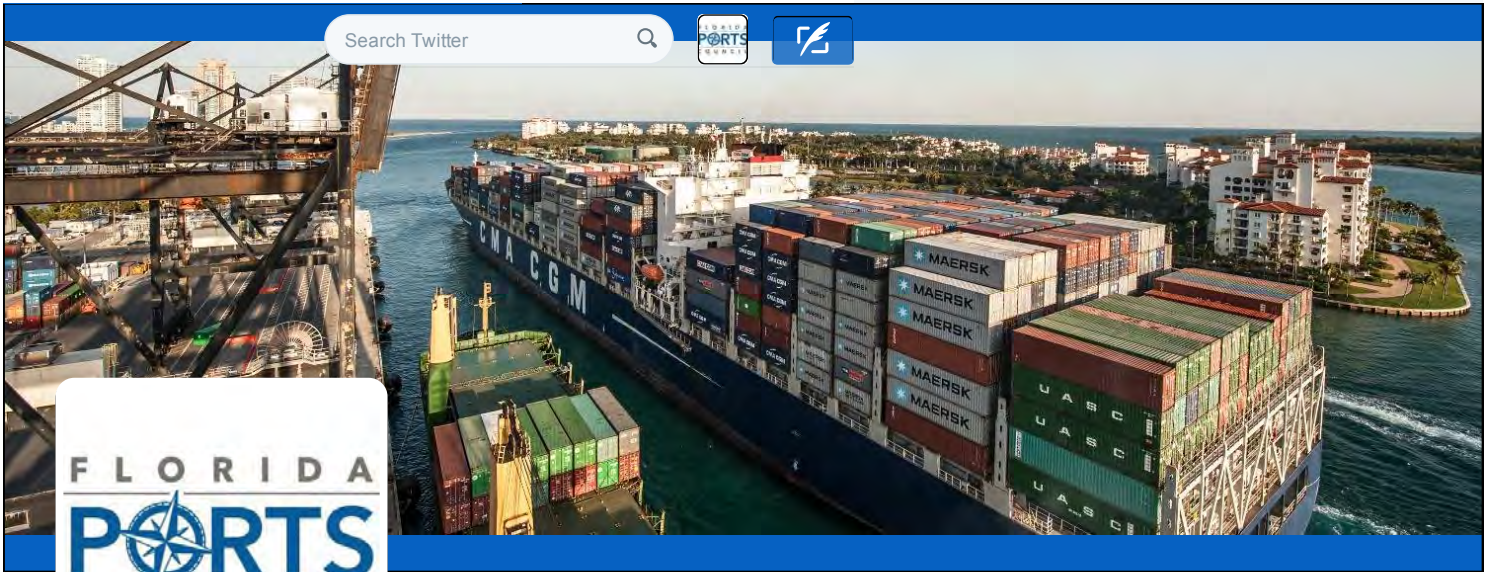
**GARRETT RICHTER**  
President Pro Tempore

**TAB 4**  
**COMMUNICATIONS / MARKETING**





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600

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2,330

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166

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2

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## FloridaPortsCouncil

@FloridaPorts

The Florida Ports Council advocates for Florida's 15 public ports before state/federal government. Florida ports are critical economic engines around the state.

📍 Florida

🌐 [flaports.org](http://flaports.org)

🕒 Joined October 2010

📷 202 Photos and videos



Tweets

Tweets & replies

Photos & videos



FloridaPortsCouncil retweeted



Port Canaveral @canaveralport · 7h

.@GulfTainer USA Canaveral #Cargo Terminal Opens, expects to contribute more than \$630M to the local economy.  
[spacecoastdaily.com/2015/06/gulfta...](http://spacecoastdaily.com/2015/06/gulfta...)



1



1



FloridaPortsCouncil retweeted



Port Canaveral @canaveralport · Jun 12

Canaveral's #Cargo Terminal Grand Opening Ceremony. @GulfTainer USA: Open for Business #ExperienceOurReberth



5



1



[View photo](#)



FloridaPortsCouncil retweeted



Lake Ray III @lakeray3 · Jun 10

The Freight Logistics Zones legislation will promote economic growth & development. Thx @FLGovScott #tcot #jaxpol

Florida Chamber @FLChamber

.@FLGovScott signs FI Chamber-backed Freight Logistics Zones bill into law! [flgov.com/2015/06/10/gov...](http://flgov.com/2015/06/10/gov...) @WiltonSimpson @lakeray3 #sayfie

← ↻ 8 ★ 4 ↶ ⋮



FloridaPortsCouncil retweeted



Joseph R. Russo @JosephRRusso · Jun 3

The @PortofPalmBeach's "Sugar Mound" from all of @PBCGOV's sugar industry! #PBC

👤 Florida Crystals , US Sugar and Chamber Palm Beaches



← ↻ 2 ★ 1 ↶ + ⋮

[View photo](#)



FloridaPortsCouncil retweeted



Port Everglades @PortEverglades · Jun 5

Thirty-nine yachts hauled from Port Everglades to Europe  
[fw.to/4Eg92SU](http://fw.to/4Eg92SU) #BROWARD

← ↻ 3 ★ 2 ↶ ⋮

[View summary](#)



FloridaPortsCouncil @FloridaPorts · Jun 4

Carnival Cruise Lines Launches A "Social Impact" Ship from  
@PortMiami to DR starting in 2016 [buzzfeed.com/mariahsummers/...](http://buzzfeed.com/mariahsummers/...)  
#FlaPorts

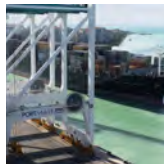
← ↻ 2 ★ 1 ↶ || ⋮

[View summary](#)



FloridaPortsCouncil @FloridaPorts · Jun 4

Great photo from @PortMiami!



PortMiami @PortMiami

#PortMiami's location & resources provide rapid movement of #cargo to North American markets  
#BigShipsWelcome

← ↻ ★ ↶ || ⋮



FloridaPortsCouncil retweeted



Port Tampa Bay @PortTampaBay · Jun 3

Port @PortTampaBay Staff support the Tampa Bay @HockeyBay Lightning! Go Bolts!





19

33



[View photo](#)



FloridaPortsCouncil retweeted



JAXPORT @JAXPORT · Jun 2

#Video: 400 new Florida-built ambulances begin moving to the Middle East via JAXPORT: [bit.ly/1Fqcn9Y](http://bit.ly/1Fqcn9Y) #NewBiz #RoRo #exports



2



[View media](#)



FloridaPortsCouncil retweeted



Jim Boxold @FDOT\_Secretary · Jun 1

.@FloridaPorts CEO Wheeler says FL ports produce 680,000 direct/indirect jobs and \$96 billion in economic value.

[pnj.com/story/opinion/...](http://pnj.com/story/opinion/...)



18

4



[View summary](#)



FloridaPortsCouncil retweeted



Port Pensacola @portofpensacola · Jun 1

Was a great five days hosting the Elcano at Port Pensacola. Safe voyage to Boston!! Yo Solo!



8

9



[View photo](#)



FloridaPortsCouncil retweeted



Port of Palm Beach @PortofPalmBeach · Jun 1

Proud to be hosting FAU's Transportation Management & Logistics class today



1



[View photo](#)



FloridaPortsCouncil @FloridaPorts · Jun 1

CEO Wheeler Viewpoint: Ports are the backbone of the world economy on [nni.com/1HXP79X](http://nni.com/1HXP79X) #FI Trade2015



# Twitter Analytics for May 2015 – Florida World Trade Month

May 2015 • 31 days

## TWEET HIGHLIGHTS

### Top Tweet earned 5,645 impressions

Expanding Asia trade is critical for FL. Thanks to Cong [@VernBuchanan](#) for his perspective: Trade agreement helps U.S. [tampabay.com/opinion/column...](#)

🔒 5 ★ 1

[View Tweet details](#)

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### Top Follower followed by 14.4K people



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### Top mention earned 39 engagements



**Florida Chamber**

[@FlChamber](#) • May 5

TY [@JohnHartnett8](#) [@MfgAssocFL](#)  
[@FloridaPorts](#) [@EnterpriseFL](#)  
[@FDOT\\_Secretary](#) [@VernBuchanan](#)  
[#FLWorldTradeMonth](#)  
[pic.twitter.com/wdhN6ffZlu](#)



🔒 7 ★ 3

[View Tweet](#)

### Top media Tweet earned 842 impressions

[#FlaPorts](#) Spotlight: Since 1754, [@portofpensacola](#) has served as NW Florida's gateway to the world.  
[#FLTrade2015](#) [pic.twitter.com/x6HKedz8O1](#)

## MAY 2015 SUMMARY

Tweets

64

Tweet impressions

28.3K

Profile visits

505

Mentions

29

New followers

54



FloridaPortsCouncil  
@FloridaPorts

Follow

Extremely honored to attend today's Florida Cabinet Meeting for the Recognition of Florida World Trade Month. [#FLTrade2015](#)

9:14 AM - 5 May 2015

2 3



FloridaPortsCouncil  
@FloridaPorts

Follow

Thanks to the Florida Cabinet for recognizing the importance of int'l trade [#FLTrade2015](#)

[bit.ly/FLWTM2015](http://bit.ly/FLWTM2015) [@FLGovScott](#) [@adamputnam](#)

11:31 AM - 5 May 2015

6 3



FLChamber Foundation  
@FLChamberFDN

Follow

.[@FLGovScott](#) & Cabinet proclaim May as [#Florida](#) [#worldtrademonth](#). [@JohnHartnett8](#) [@FloridaPorts](#)  
[flchamber.com/article/govern...](http://flchamber.com/article/govern...)

1:40 PM - 5 May 2015

1 2



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK: International trade and foreign biz is 17% of Florida's economic activity and supports 1 MILLION FL jobs!

[#FLTrade2015](#)

2:37 PM - 5 May 2015



4



5



Cameron Boolman  
@CBT\_innovation

 Follow

MetroPlan\_Orl: RT PortMiami: [#PortMiami](#) joins FloridaPorts in celebrating Florida World Trade Month [#FLTrade2015](#)

5:10 PM - 5 May 2015



1



Gunster  
@GunsterLaw

 Follow

MT @FloridaPorts: Look at this beautiful shot of @canaveralport and the Exploration Tower #FLTrade2015 [ow.ly/i/aGIX9](https://ow.ly/i/aGIX9)

1:10 PM - 6 May 2015

   1



FloridaPortsCouncil  
@FloridaPorts

 Follow

#FlaPorts Spotlight: Port Citrus is located on FL's NE Gulf Coast by the Cross FL Barge Canal. #FLTrade2015  
[flaports.org/ports/port-cit...](http://flaports.org/ports/port-cit...)

11:28 AM - 7 May 2015

   1



Port Everglades  
@PortEverglades

 Follow

Port's success translates to more jobs and higher economic stability [bit.ly/1DSI7mM](http://bit.ly/1DSI7mM) #FLTrade2015 #BROWARD #SeaportsDeliver

4:04 PM - 6 May 2015 · Fort Lauderdale, FL, United States

  2  1



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? [@PortEverglades](https://twitter.com/PortEverglades) is the 12th ranked US container port, moving 1 MILLION containers in 2014 & serving >70 countries. #FLTrade2015

10:45 AM - 8 May 2015

  1  1



FloridaPortsCouncil  
@FloridaPorts

 Follow

#FlaPorts Spotlight: Port of Fernandina services pulp and paper producers in FL and the SE, and provides steel export services. #FLTrade2015

11:53 AM - 11 May 2015

  1  1



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? Historical trade partners for the Port of Fort Pierce have been the Caribbean Basin, the Bahamas, the Far East and Europe. #FLTrade2015

3:33 PM - 12 May 2015

  1  1





FloridaPortsCouncil  
@FloridaPorts

 Follow

#FlaPorts Spotlight: @JAXPORT has cargo/auto/cruise facilities & supports 132,000 jobs-\$27B in economic impact for NE FL  
#FLTrade2015

10:12 AM - 13 May 2015

  2  2



FLChamber Foundation  
@FLChamberFDN

 Follow

A recent @FloridaPorts analysis found that #FL ports created \$96 billion in econ value, 1 out of every \$10 in FL GDP  
[flchamber.com/article/did-yo...](http://flchamber.com/article/did-yo...)

11:55 AM - 13 May 2015

  1  1




Port Everglades  
@PortEverglades

 Follow

Electric bike maker uses 'foreign trade zone' to reduce costs  
[fw.to/SJ4vUmZ](http://fw.to/SJ4vUmZ) #FLTrade2015 #BROWARD @PortEverglades

9:34 AM - 14 May 2015

 Sun Sentinel

Electric bike maker uses 'foreign trade zone' to boost local produc...

Robert Provost has found a simple way to cut costs for manufacturing in South Florida.

[View on web](#)

  6  2





JAXPORT  
@JAXPORT

 Follow

Thx [@FloridaPorts](#) for featuring us yesterday in your [#FlaPorts](#) Spotlight for [#FLTrade2015](#) month, & for all you do to support us year round!

10:28 AM - 14 May 2015

  1  1



Mayor Matt Surrency  
@MATTSURRENCY

 Follow

[#Cities](#) are key in making [#Florida](#) ready for [#Trade](#).  
[#KeepItLocal](#) [@FIChamber](#) [@FLCities](#) [#FLTrade2015](#)  
[@ShareALittleSun](#) [#economicdevelopment](#)

10:54 AM - 14 May 2015

   1



FL League of Cities  
@FLCities

 Follow

MT [@MATTSURRENCY](#): [#Cities](#) are key in making [#Florida](#) ready for [#Trade](#). [#KeepItLocal](#) [@FLCities](#) [#FLTrade2015](#) [#economicdevelopment](#)

12:14 PM - 14 May 2015

   1



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? [@Port\\_Manatee](#) contributes \$2.3 billion in annual economic impact, while supporting > 24,000 jobs.

[#FLTrade2015](#)

1:30 PM - 15 May 2015



2



1



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? [@PortMiami](#) contributes \$27B annually to the S. FL economy and supports more than 207,000 jobs. [#FLTrade2015](#)  
[twitter.com/PortMiami/stat...](https://twitter.com/PortMiami/stat...)

10:45 AM - 18 May 2015



2



2



FloridaPortsCouncil  
@FloridaPorts

 Follow

#FlaPorts Spotlight: Since 1754, @portofpensacola has served as NW Florida's gateway to the world. #FLTrade2015

9:38 AM - 21 May 2015

  4  4



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? Offshore Inland/DeepFlex chose @portofpensacola for a new plant, resulting in >\$50M in new investment & >200 jobs. #FLTrade2015

11:10 AM - 21 May 2015

  1 



FloridaPortsCouncil  
@FloridaPorts

 Follow

New Report: Cargo and Cruise Gaining at [#FlaPorts](#) - container value up 6% and cruise up 10% in 2014 [bit.ly/2015SMP](http://bit.ly/2015SMP)  
[#FLTrade2015](#)

3:49 PM - 21 May 2015

  8  3



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? One of [@portofpensacola](#)'s growing exports is wind turbine nacelles from GE's Pensacola plant. [#FLTrade2015](#) [twitter.com/portofpensacola...](https://twitter.com/portofpensacola)

4:40 PM - 21 May 2015

  1 



Justin Day  
@rjustinday

 Follow

New Report by [@FloridaPorts](#): Cargo and Cruise Gaining Momentum at Florida Seaports: [flaports.org/2015/05/21/2015...](http://flaports.org/2015/05/21/2015...)  
[#sayfie](#)

3:49 PM - 21 May 2015

   1



FloridaPortsCouncil  
@FloridaPorts

 Follow

New Report: Cargo and Cruise Gaining at [#FlaPorts](#) - container value up 6% and cruise up 10% in 2014 [bit.ly/2015SMP](http://bit.ly/2015SMP)  
[#FLTrade2015](#)

3:49 PM - 21 May 2015

  8  3



Port Everglades  
@PortEverglades

 Follow

Today is National Maritime Day, when we honor our merchant marines. [bit.ly/1LsSy6X](http://bit.ly/1LsSy6X) #nationalmaritimeday #FLTrade2015

10:02 AM - 22 May 2015 · Fort Lauderdale, FL, United States

  5  3



PortMiami   
@PortMiami

 Follow

#PortMiami pays tribute to National Maritime Day #Cruise  
#Cargo #Maritime #Port #FLTrade2015

12:25 PM - 22 May 2015

  3  4





FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK: The Port of Port St. Joe was created in the 1830s to compete w/ Apalachicola for the export of cotton & lumber.

[#FLTrade2015](#)

3:30 PM - 26 May 2015



FloridaPortsCouncil  
@FloridaPorts

 Follow

Port of St. Petersburg is close to Downtown St. Pete - the #1 Arts Destination among mid-sized US cities [#FLTrade2015](#)

4:00 PM - 27 May 2015



2



1



Int'l Forwarding  
@Net\_Cargo

 Follow

Did you know? 90% of the world's commerce moves by sea.  
[#NationalMaritimeDay](#) [#FLTrade2015](#)

9:38 AM - 28 May 2015

   1



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? Petroleum and related products are the single largest-volume commodity sector at [@PortTampaBay](#). [#FLTrade2015](#)

2:09 PM - 28 May 2015

   1



FloridaPortsCouncil  
@FloridaPorts

 Follow

The Port serves nearly 9 million people within 100 miles of the port! [#FLTrade2015](#) [twitter.com/PortTampaBay/s...](#)

3:12 PM - 28 May 2015

   2



Florida MEP  
@FloridaMEP

 Follow

RT [@FloridaPorts](#) For the last day of FL World Trade Month, we share FL Trade facts: [#FlaPorts](#) do business with 170 countries!  
[#FLTrade2015](#)

11:57 AM - 29 May 2015

   1





FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? South/Central America and the Caribbean accounted for 55.3 percent of the state's waterborne trade in 2014.

[#FLTrade2015](#)

12:40 PM - 29 May 2015



FloridaPortsCouncil  
@FloridaPorts

 Follow

Fun Fact: Vehicles (except Railway or Tramway, and Parts) are the top waterborne import AND export commodity for Florida.

[#FLTrade2015](#)

1:41 PM - 29 May 2015



FloridaPortsCouncil  
@FloridaPorts

 Follow

DYK? In 2014, China moved past Japan as top FL waterborne import partner, Brazil leads export, and China leads two-way trade. [#FLTrade2015](#)

2:45 PM - 29 May 2015



FloridaPortsCouncil  
@FloridaPorts

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DYK? [#FlaPorts](#) moved \$49.5 billion worth of containerized cargo in 2014 (6.0 percent increase). [#FLTrade2015](#)

3:46 PM - 29 May 2015







Florida Ports Council  
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ABOUT

The Florida Ports Council (FPC), is a Florida nonprofit corporation that serves as the professional association for Florida's 15 public seaports, providing...

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 Coalition for America's Gateways and ...


 Florida Department of Transportation

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What have you been up to?

 Florida Ports Council  
Published by Jennifer Krell Davis [?] · 11 mins · Edited ·


Fantastic shot from Port of Fernandina.




5 people reached

Boost Post

Like · Comment · Share

 Write a comment...

 Florida Ports Council  
Published by Jennifer Krell Davis [?] · June 12 at 12:28pm ·

Great event at Port Canaveral with GT USA.

PHOTOS



POSTS TO PAGE



**Tampa Port**  
May 5 at 2:27pm

Port Tampa Bay wishes the FPC a wonderful day and rest of the week! Thank you for all you do!

Like · Comment



46 people reached

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Digna Mejia and Florida Customs Brokers & Forwarders Association, Inc. like this.

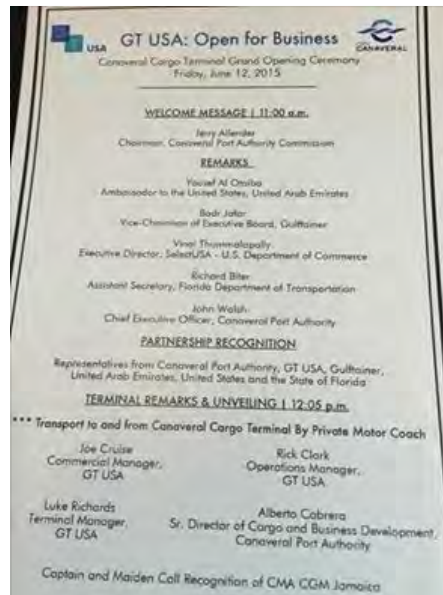
Write a comment...



Florida Ports Council shared Port Canaveral's photo.

Published by Jennifer Krell Davis [?] · June 12 at 11:46am

Very excited to welcome GT USA to Florida and to Port Canaveral. Great news for Florida.



Port Canaveral

Happening now: Canaveral's Cargo Terminal Grand Opening Ceremony!

41 people reached

Boost Post

Like · Comment · Share

Bryan Nelmes and Florida Customs Brokers & Forwarders Association, Inc. like this.

Write a comment...



Florida Ports Council shared Port Tampa Bay's photo.

Published by Jennifer Krell Davis [?] · June 9 at 3:32pm

Go Bolts! #BeTheThunder





#### Port Tampa Bay

Port Tampa Bay is going all out for the amazing Tampa Bay Lightning as they go for the Stanley Cup! GO BOLTS!

28 people reached

Boost Post

Like · Comment · Share

Charissa Cardinalle DaCosta likes this.



Write a comment...



Florida Ports Council shared Jacksonville Port Authority's post.

Published by Jennifer Krell Davis [?] · June 9 at 9:49am ·

Congratulations!



Jacksonville Port Authority added 2 new photos.

More jobs + more exports= more revenue for Northeast Florida!

Today Vac-Con, one of the largest employers in Green Cove Springs, announced that the company is e...

See More

51 people reached

Boost Post



FloridaPortsCouncil  
@FloridaPorts

Follow

CEO Wheeler Viewpoint: Ports are the backbone of the world economy [on.pnj.com/1HXP79X](http://on.pnj.com/1HXP79X) #FLTrade2015

9:32 AM - 1 Jun 2015



Viewpoint: Ports are the backbone of the world economy

Ports are the backbone of the global economy, with 90 percent of consumer goods around the world using waterborne transport as part of their journey from manufacturer to consumer.

[View on web](#)

2 1

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## Viewpoint: Ports are the backbone of the world economy

Ports are the backbone of the global economy, with 90 percent of consumer goods around the world using waterborne transport as part of their journey from manufacturer to consumer. Historically, ports have been centers of commerce vital to the survival of a community dating back to the very beginning of maritime travel. Back then commerce between nations was much more dangerous and lengthy, and yet ports in the modern times are still striving to serve shippers who are trying to get goods to the consumer safely and quickly. Not only used for commerce, ports have also served as vital conduits for travelers wanting to visit the most desired destinations in the world. These services and capabilities are costly and time-consuming, but Florida seaports have been diligent in making smart investments, identifying critical investment needed to remain competitive in a global market both for cargo and tourism. Some seaport infrastructure projects are seeing return on investment numbers as high as \$20 for \$1 of state investment, the typical still achieving \$6 to \$1.

Florida ports have been working hard to bring Florida into the competitive trade conversation and the results are impressive. New data reveals that in 2014 the amount of containers handled by Florida ports increased by 4 percent to 3.3 million, and the value of the goods in those containers increased by 6 percent to \$49.5 billion. Increases in goods coming through our ports mean more jobs and tax revenues to our local and regional economies. Florida maritime activities account for approximately 13 percent of Florida's Gross Domestic Product while contributing \$2.4 billion in state and local taxes.

Florida's cruise business is also an immense economic driver in our state. In 2014, Florida saw 15.6 million revenue cruise passengers, a 10.5 percent increase from 2013, coming through Florida's cruise ports. These passengers spend millions of dollars flying or driving into our state, eating at our restaurants, staying at our hotels and buying merchandise. The three top cruise ports in the world are in our state: PortMiami, Port Everglades and Port Canaveral, and close to 2/3 of all U.S. cruise embarkations are at one of Florida's six cruise ports.

Florida has been fortunate to have dynamic leadership from Governor Scott, the Florida Legislature and our state agencies that understands the impact of seaports and freight infrastructure on the overall economic health of our state, as well as, the lives of families throughout our local communities. With the unprecedented investment in seaports over the past five years, Florida has been able to grow its waterborne trade and strengthen its ports as centers of commerce. Currently, Florida seaports generate more than 680,000 direct and indirect jobs and contribute \$96 billion in economic value to the state through cargo and cruise activities. We look forward to continuing to support that commitment to port and freight investments in the coming budget special session.

Our nation celebrates National Maritime Day this week and Florida is celebrating Florida World Trade Month throughout the month of May. Florida's ports are critical to our nation's and our state's economy, but more importantly, they positively impact Florida's businesses and families on a daily basis. Florida's ports are proud to deliver your world and they are gaining momentum by the day.

*Doug Wheeler serves as the President and CEO of the Florida Ports Council, the professional association and advocate for Florida's 15 public seaports.*



**For Immediate Release:**

Contact: Jennifer Krell Davis

Florida Ports Council

[jenniferkd@flaports.org](mailto:jenniferkd@flaports.org)

850.222.8028

## [Cargo and Cruise Gaining Momentum at Florida Seaports](#)

TALLAHASSEE, Fla. (May 21, 2015) – The Florida Ports Council released today the [Florida Seaports: Gaining Momentum - 2015-2019 Five-Year Florida Seaport Mission Plan](#) providing updated figures on international trade, cargo data and cruise activity at Florida's seaports and showing increases in both cargo and cruise activity.

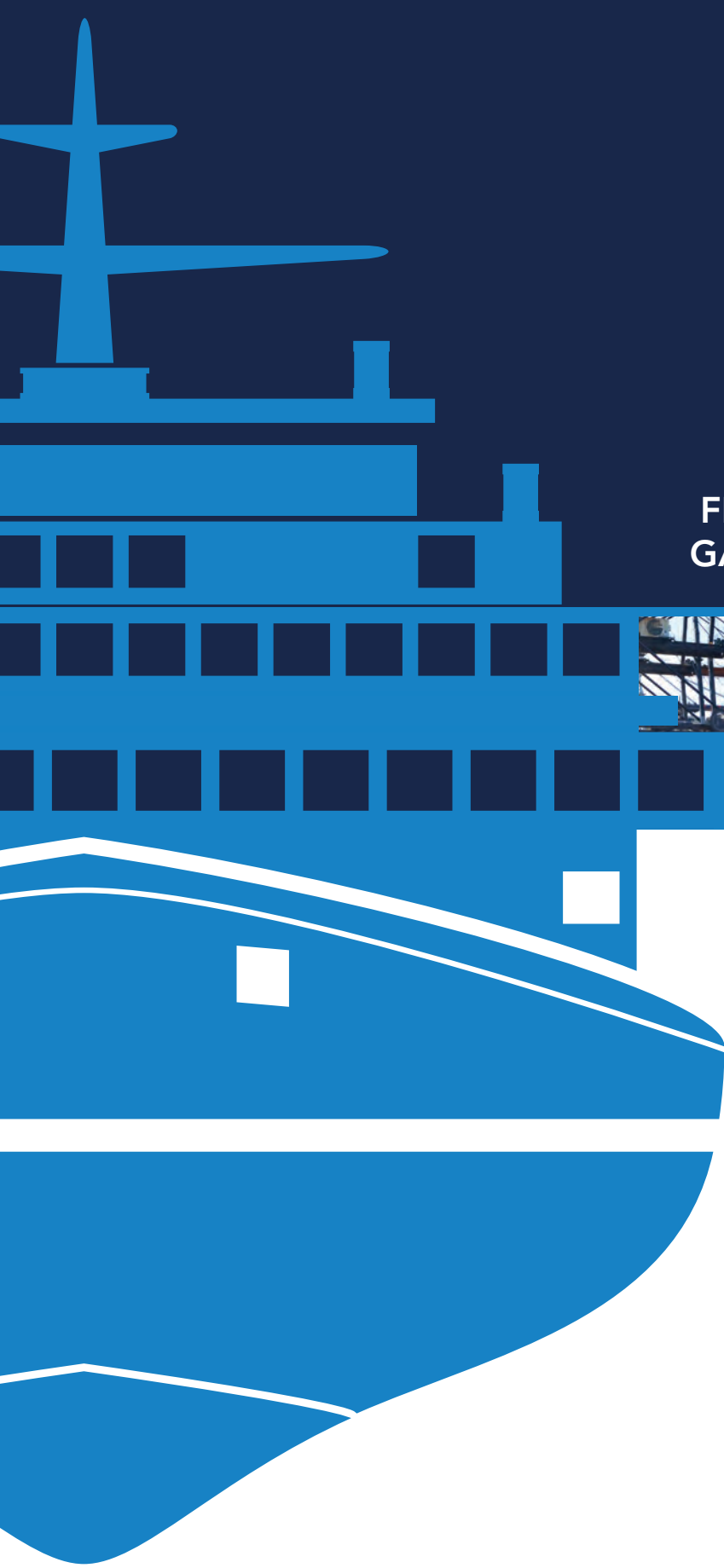
"What is exciting about this data is that it shows noteworthy gains in cargo and cruise moving through Florida's ports, a trend data suggests will continue in 2015 and future years. With many of the investments in infrastructure being completed, global companies are seeing our state as a very competitive option to help make their business succeed," said Doug Wheeler, president and CEO of the Florida Ports Council. "With the continued commitment by the Governor and Florida Legislature to seaport infrastructure, we expect those numbers to continue to gain momentum and bolster Florida's economy overall."

Some highlights of the 2014 data include:

- Florida's Waterborne International Trade **rose to \$86.8 billion in 2014, a \$900 million increase.**
- Florida seaports moved more than **3.3 million containers or TEUs (a 4 percent increase) and \$49.5 billion worth of containerized cargo in 2014 (a 6 percent increase from 2013).**
- Florida seaports also served more than **15.6 million cruise passengers in 2014, a 10.5 percent increase from 2013.**



We are especially pleased that we can provide this new data during [2015 Florida World Trade Month](#), which recognizes the significant contributions international trade and Florida's seaports make to the local and state economies.



# FLORIDA'S SEAPORTS: 15|19 GAINING MOMENTUM



## FIVE-YEAR FLORIDA SEAPORT MISSION PLAN

Florida Seaport Transportation and  
Economic Development Council  
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# WHY CUBA? WHY NOW?

## Florida Ports Heading the Call

POSTED BY SUSAN REVELLO ON JUNE 15, 2015 IN [INTERNATIONAL](#) | [30 VIEWS](#) | [LEAVE A RESPONSE](#)

The state has spent \$850 million in seaport infrastructure improvements in the past four years. That fact coupled with Southern California's months-long labor dispute between the International Longshore and Warehouse Union and the Pacific Maritime Association, which represents shipping companies, seems to have benefited Florida ports. The labor crisis ended officially in February, but the ripple effect continues from the estimated \$2 billion a day loss in trade.

Primarily involving the ports of Los Angeles and Long Beach, West Coast commerce was crippled by the dispute.

New figures seem to confirm the increased market share. PortMiami's container volume had its busiest month on record since December 2004. In a report released in late May, the port's container volumes increased by 17.5 percent year over year to 93,400 20-foot equivalent units in April. And it experienced an 11.8 percent year-to-date increase for the first seven months of the 2015 fiscal year according to officials.

The Florida Ports Council released updated figures for the state's seaports in late May. Florida's waterborne international trade increased to \$86.8 billion in 2014, a \$900 million increase.



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 rs. With many of the investments in infrastructure being completed, global  
 panies are seeing our state as a very competitive option to help make their business  
 eed," said Doug Wheeler, president and CEO of the Florida Ports Council.

l. Rick Scott led a trade delegation to California in April to pitch Florida's ports to  
 pping companies there in the wake of the labor dispute. He did chalk up a win during  
 visit, meeting with executives from Nestlé USA. The company is shifting a majority of  
 J.S. to Puerto Rico shipments to JAXPORT from the Port of New York and New Jersey.

le technically not a West Coast shipment, new port business is new port business.

## MIAMI SURGES

eMerge Americas, the international technology conference held in early May in Miami,  
 drew more than 10,000 attendees from 50 countries and millions around the world  
 participated through NBCUniversal's live broadcasts and online streaming. More than  
 500 companies participated, including 125 startups from throughout the Americas and  
 the world and 200 expert speakers were featured. The event with its 7,500 hotel room  
 nights generated millions in economic impact for Greater Miami. "eMerge Americas 2015  
 exceeded our most optimistic expectations in its second year and has once again set a  
 high standard for years to come," said Manual D. Medina, founder and chairman of  
 eMerge Americas.

Michael T. Rodriguez was recently named CEO of eMerge Americas, a former vice  
 president and general manager of WLTN and WAMI, Univision's flagship stations in South  
 Florida. Next year's dates were also announced and the event will be held in Miami, April  
 18 and 19, 2016.

## EXPORT-IMPORT BANK?

The fate of the Export-Import Bank will be known in June as  
 Speaker John Boehner has said he will bring Ex-Im Bank  
 reauthorization to the floor in the House if it passes the  
 Senate. Last year the bank provided \$20.5 billion in  
 financing to support sales of U.S. products overseas. The  
 bank's charter is set to expire June 30. Florida is the second-  
 largest recipient of money from the Ex-Im Bank.

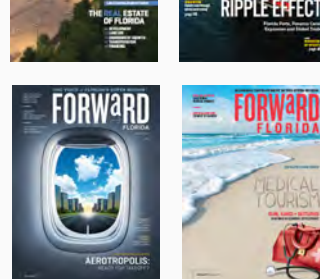
## THE SKY IS THE LIMIT

A number of airlines have begun new routes in Florida.  
 Emirates airline will begin daily nonstop service from  
 Orlando to Dubai starting in September. Each plane will have eight first-class suites, 42  
 business class lie-flat beds and 216 economy class seats.

Miami International Airport is the nation's second-busiest airport for international  
 passengers with more than 20 million travelers for each of the past two years. MIA is  
 adding a total of eight new international service options to its growing route network in  
 2015, including five new international destinations. Martin Associates took an in-depth  
 look at five of the new flights to determine their value to the local community. Assuming  
 they sustain operations at MIA for one full year, the five new international flights are  
 projected to impact Miami-Dade's economy as follows:

- 3,435 jobs
- \$457 million in economic impact, which includes:
- \$143 million in total income
- \$45 million in local purchases; and
- \$1.7 million in state and local tax contributions

New international flights and service options included in the Martin Associates' study are:  
 Thomas Cook Airlines' twice-weekly service to Manchester, England; American Airlines'  
 daily Frankfurt service; Aruba Airlines' five weekly flights to Aruba; Austrian Airlines' five  
 weekly flights to Vienna; and Turkish Airlines' daily service to Istanbul.







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**For Immediate Release:**

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## The Florida House Passes Increase in Minimum Statutory Seaport Funding

TALLAHASSEE, Fla. (April 16, 2015) – The Florida Ports Council released the following statement today on the passage of the FDOT Transportation Package by the full Florida House of Representatives (CS/HB 7039), which included an increase in the minimum statutory amount for seaport funding under the Florida Seaport Transportation and Economic Development (FSTED) program. The FSTED program is administered by the Florida Ports Council

“By increasing minimum funding levels and supporting the future funding of strategic seaport projects, the Florida House has shown their commitment to growing Florida’s economy and creating jobs,” stated Doug Wheeler, president of the Florida Ports Council. “International trade has been identified as the best opportunity for Florida to enhance its economy, and Florida’s ports are the gateway to trade partners all over the globe. We thank the Florida House of Representatives and Chairman Rooney for their support and leadership focused on further positioning Florida as a global competitor.”

# FOR IMMEDIATE RELEASE

Date: April 17, 2015

Contact: Andy Fobes, Public Affairs, 813.905.5132 or [afobes@tampaport.com](mailto:afobes@tampaport.com)

## Florida House passes increase in minimum statutory seaport funding, ports to benefit

TAMPA, Fla.— Port Tampa Bay, along with other Florida seaports, applauds the move yesterday by the full Florida House of Representatives on its passage of the Florida Department of Transportation’s (FDOT) Transportation Package (CS/HB 7039), which included an increase in the minimum



statutory amount for seaport funding under the Florida Seaport Transportation and Economic Development (FSTED) program. The FSTED program is administered by the Florida Ports Council.

This increase in minimum funding levels will be a major factor as applied to a bevy of important seaport projects statewide. In recent years, the state of Florida and its leadership have shown unprecedented financial commitment and focus on growing the state’s ports and infrastructure projects that will further the state’s role as a major global hub for trade.

“Passage of this legislation by the Florida House further proves the commitment of our state to long-term investment in our ports. Florida’s ports, including Port Tampa Bay, will benefit by building stronger infrastructure, attracting business to our state, and ensuring sustainable economic contributions, jobs and generational impacts,” Paul Anderson, port president and CEO, said. “Port Tampa Bay and its leadership thank the Florida House of Representatives and Chairman Rooney for their

strong leadership and for making this important step in our journey toward becoming a global hub for trade here in Florida, as well as the hard work of the Florida Ports Council as the collective voice of Florida's ports."

**About Port Tampa Bay**

Port Tampa Bay is Florida's largest port and the largest economic engine in west central Florida, supporting nearly 80,000 jobs and generating almost \$15 billion in annual economic impact. In addition to being a top 10 U.S. cruise port, the port handles a wide array of bulk, break bulk, containers and roll-on/roll-off cargoes, and is a major shipbuilding and repair center.

### END ###



# FLORIDA IS READY!



Florida's 15 diverse seaports can quickly and cost effectively move your goods across the nation and beyond. Located at the center of the hemisphere, Florida ports provide speedy connections to the world's fastest growing markets. Under the leadership of Governor Rick Scott, Florida is investing more than **\$1 billion** in port and logistics infrastructure. Florida is big ship ready! We are the only Atlantic state south of Virginia with port waters deep enough to accommodate super-sized container vessels with **no restrictions**. You now have many more reliable options to reach U.S. markets. Florida is Ready!



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# Florida striking gold with California ports

Apr 10, 2015, 8:23am EDT

Jim Turner and Dara Kam, The News Service of Florida

Gov. [Rick Scott](#) and an economic-development entourage will head for California this weekend, but the Florida Ports Council says the "business development mission" should already be viewed as a success.

The council doesn't anticipate finishing the two-day trip to Los Angeles loaded with contracts from shippers intent on moving more cargo through the Sunshine State.

But Scott's decision to invade California, as West Coast ports continue to clear up congestion from a nearly year-long labor dispute, has the industry talking --- both good and bad --- about Florida's efforts to muscle more into the national discussion on ports.

"You've seen the responses out of California, they obviously didn't take well to it," said Florida Ports Council President and CEO [Doug Wheeler](#), who will accompany Scott to California. Also along will be officials from six Florida ports --- Port Canaveral, JaxPort, Port Everglades, PortMiami, Port Tampa Bay and Port Manatee.

"But we're not going out there to bash California," Wheeler added. "The end goal, the big win is to talk to some folks who are serious about diverting some of their cargo to Florida ports. This is about making relationships with folks that have been entrenched on the West Coast and may only know where we were 10 years ago. But that is not where we are today."

The trip, part of Scott's inauguration pledge to recruit businesses from states such as New York, Illinois, California and Pennsylvania, follows a late February junket to Philadelphia that landed a renewed commitment for more Wawa convenience stores across Florida.

Enterprise Florida, the state's public-private economic development agency which is helping coordinate the California trip, released an ad this week that will appear in the Los Angeles Times and the Los Angeles News Group encouraging shipping companies to re-route their business through Florida.

Florida has spent about \$1 billion the past five years upgrading its port system, which hadn't been part of past national intermodal discussions.

In February, the ports council released a study that implored the state to establish a marketing campaign to help lure cargo-shipping companies from major ports in other areas of the country.

"Ten years ago when (shippers) made the decision to bring their stuff to L.A.-Long Beach and put it on a truck or a train and drive it all the way to Chicago or Philadelphia, it wasn't a practical decision to consider Florida," Wheeler acknowledged. "But with all the recent investments by the ports and the state, we are now a viable option."



**DESTINATION:** Port Antonio, Jamaica



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**Florida Ports. Delivering Your World.**  
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PortMiami • Port of Palm Beach • Port Panama City • Port of Pensacola • Port of Port St. Joe • Port of St. Petersburg • Port Tampa Bay





**DESTINATION:** Rio de Janeiro, Brazil



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**CAGTC**

(Coalition for America's Gateways and Trade Corridors)



# The Trade Corridor Bulletin

*Improving America's Intermodal Freight and Goods Movement*

Volume Nine - No. 4

May 2015

[www.tradecorridors.org](http://www.tradecorridors.org)

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## Coalition Highlight

### CAGTC Annual Meeting Message to Congress: Freight Can't Wait

On April 22 and 23, CAGTC members gathered in Washington DC to spread the message to Congress and the Administration: freight can't wait. A booklet of the same name was released in conjunction with the 2015 Annual Meeting. *Freight Can't Wait* features sample freight infrastructure projects from around the country that stand to benefit from federal investment and partnership.

With the passage of another short-term extension this month, the Freight Can't Wait message is more poignant than ever. America's national competitiveness and our economic recovery are suffering as a result of underinvestment in our freight corridors. CAGTC members took this message straight to the ears of the Administration and lawmakers alike during the Annual Meeting. Dialogue between CAGTC, and Members of Congress, think tanks, and the Department of Transportation officials pointed to a similar desire to make these critical infrastructure investments.

Lawmakers and stakeholders alike expressed their frustrations during the meeting with the years-long challenge plaguing transportation: how to pay for it. However, an oft-repeated and bipartisan theme should give freight interests hope. There was consensus during the Annual Meeting that Congress now understands the importance of a strong federal freight program. The question of finding sufficient resources is the next challenge.

Published by:

**CAGTC**

Coalition for America's  
Gateways & Trade Corridors  
1120 20th Street NW  
Suite 500 North  
Washington, DC 20036

*Continued on Page 2*

*(Continued from page 1)*



*Transportation and Infrastructure Committee Ranking Member DeFazio (D-OR) speaks to attendees*



*Rep. Lowenthal (D-CA) poses with SCAG Regional Council Member Hon. Michele Martinez*

*Photos Courtesy of Eric Shen,  
Port of Long Beach*

Public Day attendees heard from Rep. Lowenthal (D-CA), who spoke about his "Economy in Motion" freight bill (H.R. 1308), Rep. DeFazio (D-OR), Ranking Member of the House Transportation & Infrastructure Committee, and Rep. Blumenauer (D-OR), member of the influential Ways & Means Committee. Rep. Hanna (R-NY), never one to mince words, provided CAGTC with a "quote of the day:" Congress operates on an alarm clock, not a calendar. He encouraged Annual Meeting attendees to put pressure on Congress to enact and fully-fund a long term bill.

In the afternoon, CAGTC members heard from Department of Transportation Deputy Secretary Victor Mendez, who touted the Administration's GROW AMERICA Act. Sen. Tom Carper (D-DE) provided attendees with an upper-chamber perspective, speaking in favor of a user-fee to fund a long-term bill. He mentioned that voters overwhelmingly support politicians who raise revenue to support infrastructure – a point CAGTC explores later in this newsletter. (See page 5)

In addition to pressing members of Congress and the Administration on their plans for a long-term bill with a sound freight component, CAGTC attendees heard from representatives from Eno Foundation, Brookings Metropolitan Policy Program, and the media, as well as Congressional staff members from the relevant transportation committees. After the public meeting concluded, CAGTC members fanned out over Capitol Hill, taking the Freight Can't Wait message to the offices of Members of Congress.

The entire Freight Can't Wait booklet can be downloaded here: <http://bit.ly/1J99L7I>. To request hard copies, please contact Anna Denecke at 202.828.9100.



## Freight Can't Wait



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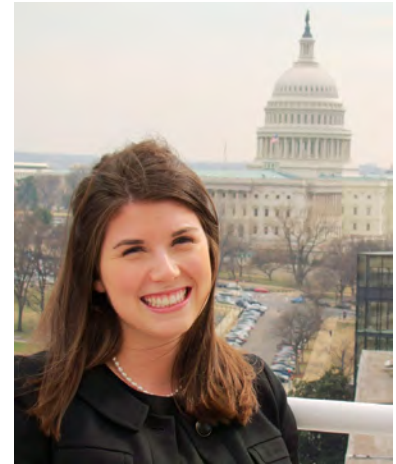


# CAGTC Perspective

## Freight Can't Wait

The scene is familiar: a drive to the market takes twice the length of time it should. The price of your purchase has risen – ever so slightly – since your last shopping trip. We exist in a world of inconveniences and inflation due, in part, to outdated and insufficient infrastructure. Inconvenience and increased costs leave us teetering between “acceptable” and “unacceptable” and even the slightest disruption to normal operations tilts us in the direction of “unacceptable.” All the while, businesses look outside our borders to find efficiency.

Previous generations saw the benefit of investment in our goods movement infrastructure. They developed a highly-functioning multimodal freight system to support the growth of U.S. businesses and the benefits yielded by a bustling economy. It worked: we currently enjoy the position of the wealthiest nation in the world. Recently, though, we abandoned our playbook and it was picked up by our trading partners. Mimicking our path to prosperity, China, India, and the European Union are all investing at a rate more than double or quadruple the United States’ rate of infrastructure investment. Meanwhile, our federal investment as a share of GDP is falling. By allowing our infrastructure investments to dwindle, we squander the competitive advantage bestowed to us by previous generations.



*Elaine Nessel*

Despite our lag in investment, our fate is not sealed with the “unacceptable” stamp. While Americans see congestion and rising prices, they don’t see the design for the future. Across the country, public and private infrastructure developers have designed improvement and expansion projects to reduce travel time, increase travel time reliability, unsnarl chokepoints, and move goods and people in a more seamless fashion.

Our potential is waiting to be unlocked by these freight infrastructure projects. But it is not enough to speak in vague terms. This spring the Coalition assembled the “Freight Can’t Wait” booklet to show Congress a sampling of the types of projects that stand to benefit from a federal partnership. This 80-page booklet contains projects across the nation that have been designed to improve freight mobility. During our Annual Meeting in April, Coalition Members disseminated the booklets on Capitol Hill to show Congress the types of projects that require federal partnership and funding.

These projects – and many others – can no longer sit in queue while our competitive edge slips away. Now is the time to make these critical investments and CAGTC continues to ask Congress for a robustly-funded freight program in the next surface transportation authorization. We ask you to join us in making this request. The Freight Can’t Wait booklet is a living document and we encourage our Members to continue submitting projects and sharing the booklet broadly with Congress and other decision makers.

We’ve paid enough for inefficiencies. It is time to begin investing for the future.

Elaine Nessel, Executive Director

# Bi-Partisian Bill Would Require Congress to find Revenue to Pay for Long-Term Transportation Program

On April 16, Reps. Jim Renacci (R-OH) and Bill Pascrell (D-NJ) of the Ways & Means Committee, and Reps. Dan Lipinski (D-IL) and Reid Ribble (R-WI) of the Transportation and Infrastructure Committee, introduced the Bridge to Sustainable Infrastructure Act. The bill would force Congress to enact a long-term surface transportation revenue option by the end of 2016. If Congress was unable to agree on a funding source, the gas and diesel user fees would be indexed to inflation.



*Rep. Jim Renacci (R-OH)*

The Bridge to Sustainable Infrastructure Act would require the establishment of a bipartisan Transportation Commission no later than Sep. 1, 2015. The commission, made up of lawmakers appointed by leadership, would be advised to consider all revenue options in order to help reach a sustainable long-term funding solution. The Commission would then be required to introduce legislation aimed at enacting the chosen revenue raising option.

If Congress fails to act on the Commission's recommendation by Dec. 31, 2016, the gasoline tax, which has remained at 18.4 cents per gallon since 1993 and diesel tax, currently 24.4 cents per gallon, would increase to a level that would sustain the Highway Trust Fund for a three-year period. If Congress fails again by 2020 to implement long-term funding solutions, then the gas and diesel user fees would increase to meet the next five-year Highway Trust Fund shortfall, guaranteeing ten years of funding.

The legislation also establishes a 2015 shortfall advance from the Treasury, using otherwise unappropriated funds to keep the Highway Trust Fund and Mass Transit Account in the Highway Trust Fund afloat until the Commission is able to establish a path for sustainable funding. The bill allocates \$8 million from the general fund to the Highway Account of the Highway Trust Fund and \$3 million to the Mass Transit Account in the Highway Trust Fund. Once proper funding is secured, the Highway Account must repay the advances with \$4 million and the Mass Transit Account must repay \$1 million.

According to the bill's sponsors, H.R. 1846 would generate \$27.5 billion that can be used to pay for nearly two years' worth of transportation projects and give lawmakers time to find a new infrastructure funding source to replace the gas tax. It is one of several transportation revenue generators currently being floated in Congress.

Further information on this legislation can be found here: <http://1.usa.gov/1J99FNa>



# States React to Decreased Federal Highway Funding with Action

## *Funding Sources and Payment Structures Vary*

As the Highway Trust Fund (HTF) faces insolvency yet again this summer, state legislatures around the country are seeking alternative sources of revenue to offset decreases in federal funding. According to the Associated Press, highway funding available to states from the HTF decreased 10.9 percent nationwide between 2008 and 2013, after adjusting for inflation. As a result, several states have enacted legislation aimed at shoring up transportation coffers and providing much-needed funding for vital infrastructure projects. While there is not yet consensus on the best way forward, state-led initiatives have thus far confirmed government's capacity to enact meaningful reform.

### *Gas Tax Increases*

In the last two years, 16 states passed gas tax reforms in attempts to shore up the lack of federal investment. Despite the commonly-held conception that Republicans do not favor revenue measures, under Republican-controlled legislatures, Georgia, Idaho, Iowa, and Utah all passed gas tax increases in 2015. Republicans in the Nebraskan legislature even enacted a 6-cent-per-gallon tax increase over Republican Gov. Pete Ricketts' veto.

Most of the 16 states that have raised the gas tax have structured the increase by creating a set, per-unit tax on gasoline and diesel, similar in structure to the national gas tax. But per-unit taxes do not take into account inflation or prices at the pump. The U.S. Energy Information Administration found that the combined state and national gas tax dropped from 28 percent of the total cost of gas in 2000 to only 12 percent in 2013.

To mediate revenue losses, several states attempted or succeeded at indexing their gas tax to inflation. Maryland and Massachusetts joined Florida in 2013 on the list of states that did so and New Hampshire followed suit in 2014. However, gas tax reform is not immune from public controversy. Opponents of the legislation in Massachusetts triumphed when a ballot initiative to repeal the tax received 53 percent of the vote in the 2014 election. The bill's defeat came at the expense of road improvements across the state. A 2014 study conducted by the Tax Policy Center (TPC) confirms the financial benefit of shifting away from a per-unit tax model. In the report, the TPC predicted that if Massachusetts began indexing their gas tax in 1993, the state would have seen an additional \$360 million in 2013 alone.

Indexed gas taxes have a proven success rate. This is evident in Florida, a state that serves as a model for well-maintained roads and bridges. According to a 2014 report by the National Economic Council, 4 percent of Florida's roads are in poor condition, compared to 14 percent nationwide. A system of tolls, user fees, and taxes provide a stable funding source for infrastructure projects across the Sunshine State. All three revenue-generating mechanisms adjust annually based on inflation. Enacted in 1990, this policy allows Florida lawmakers to make effective long-term planning decisions.

*Continued on page 6*

Continued from page 5

### Sales Taxes & Wholesale Tax on Gasoline

In 2013, Virginia overhauled their gas tax funding structure in an attempt to achieve a stable revenue source for infrastructure maintenance. The legislature approved a bill that replaced the state's 17.5 cents-per-gallon gas tax with two alternative revenue sources. Dedicated revenue for infrastructure funding now comes from a 3.5 percent excise tax on the statewide average wholesale price of gasoline and a 5.3 percent general sales tax, which was previously set at 5 percent. The 2013 Fiscal Impact Statement, published by the Virginia Department of Taxation, predicted a \$5.6 billion increase in funds available for transportation projects by FY2018.

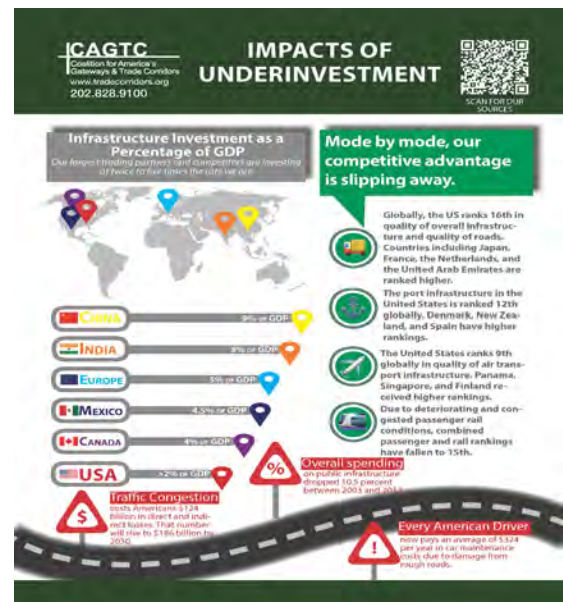
### Road Usage Charge

The architects of the HTF intended for the beneficiaries of infrastructure maintenance and construction to pay the associated cost of government investment. But as alternative-fuel vehicles gain popularity, the gas tax evades drivers of all-electric vehicles and disproportionately impacts drivers based on fuel economy. To address the outdated funding structure of traditional gas taxes, Oregon recently launched an innovative demonstration project. Beginning July 1, 2015, drivers in Oregon can volunteer to receive devices that record how many miles they travel within the state. Participants will pay 1.5 cents for each mile traveled on public roads, referred to as a Road Usage Charge (RUC), in exchange for a reimbursement on the taxes they pay at the pump.

RUC proposals have the potential to equalize the user fee system and ensure all drivers pay their fair share, but not everyone supports the change. In addition to concerns raised over privacy, electric and hybrid car owners have been the most vocal opponents of the pilot program. They've argued that the tax puts an undue burden on investors in green energy and disincentivizes the purchase of alternative-fuel vehicles.

## CAGTC Publishes New Fact Sheets

In conjunction with the 2015 CAGTC Annual Meeting, the Coalition released two fact sheets detailing the benefits of investing in freight as well as warning of the impacts of federal underinvestment. They can be viewed and downloaded here: <http://bit.ly/1F9kM5U>





## New Member Spotlight



The Community Planning Association of Southwest Idaho (COMPASS) is an association of cities, counties, highway districts, and other governmental agencies that brings together regional leaders to coordinate decision-making and collaborate on shared goals for Ada and Canyon Counties in southwest Idaho. COMPASS also serves as the metropolitan planning organization for the two counties.

Ada County is the most populous county in the state and is home of Idaho's capital city, Boise. Canyon County, immediately to the west of Ada County, is the second most populous county in the state, but also has a large rural, agricultural component.

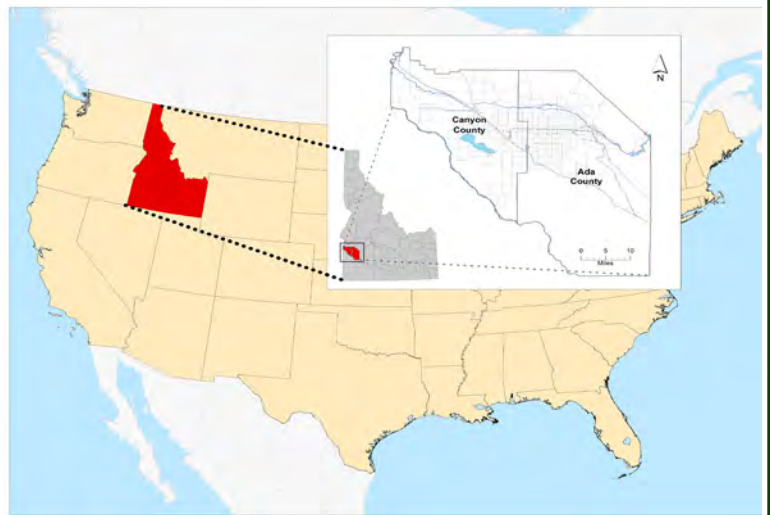
Freight plays a key role in the southwest Idaho economy. Of the 305,000 jobs in the COMPASS planning area, about 53,000 have a strong tie to freight, including jobs in agriculture, warehousing, manufacturing, and construction.

The majority of the freight in the area is carried by truck; however, pipeline, rail, and air are also key components of the overall freight system. The two counties are served by one interstate – I-84 – which runs east/west from Portland, OR, to Salt Lake City, UT, and beyond. Additional regional freight corridors are comprised of US and state highways – mainly running north/south.

Pipeline freight is second to truck freight in Idaho in terms of tonnage, followed by rail and air.

While air freight's share of tonnage is slight, the value of its shipments is high. Foreign exports by air from Idaho were just 0.06% of the weight of shipments in 2011, but were 5.5% of the total value.

While COMPASS has long addressed freight in its planning efforts, the agency is now embarking on a much more robust analysis of regional freight issues.



*COMPASS serves as the metropolitan planning organization for Ada and Canyon Counties in southwest Idaho.*

### **2014/2015 Farm Freight Study:**

Agriculture is one of the primary economic drivers in the western portion of the two-county area, yet very little is known about the transportation routes and needs associated with farm freight. In July 2014, COMPASS began work on a farm freight study to identify important routes used for hauling farm produce from fields to processors, and from processors to market. Identification of those key routes is a first step in ensuring they are preserved and well-maintained so they can continue to serve the agricultural community. The study also helps identify areas for safety improvements.

*Continued on page 8*



*Continued from page 7*

In an effort to determine common routes used by the agriculture industry, COMPASS has surveyed local producers, processors, and transporters. The survey addressed the nature and volume of freight being moved, the variety and physical characteristics of equipment, routes, and frequency of trips. Data will be analyzed and mapped, and a final report will be completed in fall 2015. Results of this study will help inform the project prioritization process for federal transportation funding in the two-county area.



*COMPASS' Farm Freight Study is analyzing key freight routes to identify potential safety concerns*

### **2008 Truck Freight Travel Survey**

In 2008, COMPASS commissioned a truck freight travel survey to collect data on truck freight in Ada and Canyon Counties. The project consisted of three interrelated data collection efforts: a commercial vehicle intercept survey to gather information on the origin and destination of commercial vehicles, an external station license plate survey to provide specific information on trips whose origin and destination were outside of the study area, and a commercial vehicle survey to determine trip characteristics of commercial vehicles operating solely within or originating in the two-county area.

Based on the survey information, only about 10% of interstate freight traffic constituted “through” trips (originating outside the area and not stopping in Ada/Canyon Counties for any reason). This is not surprising, as the greater Boise area is the most isolated metropolitan area in the lower 48, meaning it is further from its closest metropolitan neighbors than any other city – 340 miles from Salt Lake City, UT, and 430 miles from Portland, OR. Therefore, even when the two counties are not the origin or destination of the freight shipment, most freight haulers stop in the area for fuel, food, or lodging, thus, increasing the economic impact of freight in the area.

### **2018 Local Freight Travel Survey**

In 2018 COMPASS will update its 2008 freight study, following a scheduled 10-year cycle. In addition to updating existing data, the 2018 study will provide information on the movement of goods in the two-county area by identifying key local freight generators and the transportation characteristics associated with them. In addition to truck freight data, the study will also gather and analyze information relating to rail, air, and pipeline freight modes.

The study will quantify impacts of proposed improvements to the freight system, provide data that can be used in transportation project prioritization, and develop recommendations for updates to regional and statewide travel demand models.

### **Management and Operations**

The 2014 COMPASS Treasure Valley Transportation System: Operations, Management, and ITS plan provides the area with a list of implementable strategies to improve management and operations of the entire regional transportation system, including freight corridors. Strategies include incident management, interstate ramp metering, and transportation demand management, which will improve traffic flow and thus support the movement of freight and goods throughout the area.



*Interstate 84 is the primary east/west freight corridor in Ada and Canyon Counties, Idaho.*

These efforts will assist COMPASS in prioritizing transportation improvements to support the movement of freight and goods in the two-county area. COMPASS looks forward to working with the Coalition for America's Gateways and Trade Corridors to highlight the importance of freight corridors and the importance of investing in those corridors to support our national and regional economies.

# San Diego Forward: The Regional Plan Released for Public Comment

At its meeting on April 24, 2015, the SANDAG Board of Directors released the draft version of San Diego Forward: The Regional Plan for public review and comment. The Draft Plan is available at [sdforward.com](http://bit.ly/1J97LvV) (<http://bit.ly/1J97LvV>)

San Diego Forward incorporates the Regional Transportation Plan, Sustainable Communities Strategy, and Regional Comprehensive Plan into one overarching blueprint for the region's future. It combines the big-picture vision for how our region will grow over the next 35 years with an implementation program to help make that vision a reality.

"Over the last two and a half years, we have worked with community members, stakeholders, and local agencies to develop San Diego Forward: The Regional Plan," said Santee Councilmember and SANDAG Board Chair Jack Dale. "The resulting Plan encourages the development of vibrant, healthy communities that are connected by a range of transportation choices, including public transit, walking and biking facilities, and roads."

San Diego Forward proposes a strategy for a more sustainable future, including investment in transportation projects that will provide more travel choices, protect the environment, create healthy communities, and stimulate the economy. More than \$200 billion will be invested in the regional transportation network between now and 2050 to provide more transit services, expand our active transportation network, and build more Express Lanes to support transit operations and carpooling.

The Plan responds to changes in overall land use patterns by our local cities and the county, which envision more compact development in the future (with more than half the region preserved as open space). These investments will directly support the regional economy, with every dollar invested in the Plan resulting in nearly two dollars of economic benefit.

SANDAG will hold two public hearings in June. Comments also may be submitted via [sdforward.com](http://bit.ly/1J97LvV) (<http://bit.ly/1J97LvV>) directly through email at [sdforward.com](http://sdforward.com); via telephone at (619) 699-1934, toll free (877) 277-5736, via fax at (619) 699-1905, and through the mail to ATTN: Regional Plan, 401 B Street, Suite 800, San Diego CA, 92101; and in person by dropping off written comments at SANDAG's offices at the address above.

Source: SANDAG <http://bit.ly/1Gla7kG>

## Member News



### **Port of Oakland Shares Vision for Future** ***New Project Will Bring More Jobs, Growth...And Perhaps First Calls***

New development projects at the Port of Oakland promise added jobs and economic growth here. They could also make Oakland a first port-of-call (vessels coming straight to Oakland from Asia) for international shipping lines, a Port official said today.

Maritime Business Development Manager Beth Frisher told Bay Area leaders from the public, private and nonprofit sectors that the Port is strengthening its role as a premier global logistics center. "As that happens, we'll bring increased economic vitality to the entire Bay Area and Northern California," she said at the Bay Planning Coalition's 2015 Decision Makers Conference.

The key is a 360-acre trade and logistics center being built by the Port and City of Oakland on the former Oakland Army Base. It's envisioned as a magnet to attract additional import and export cargo.

The Port of Oakland is currently constructing a railyard at the site to be followed by new transload warehouses. When completed, commodities shipped in bulk can be transferred to containers for export out of Oakland and imports can be transloaded into 53-foot domestic containers and then placed on rail cars for inland shipment.

Ms. Frisher said the new capabilities could convince shipping lines to make Oakland their first U.S. call. All the top container carriers have weekly services in Oakland now, but stop first in Southern California.

Two other projects in the planning stage are expected to generate more cargo growth, Ms. Frisher added. One is a cold-storage facility; the other is a grain transload operation. Both would permit bulk shipments of agricultural products such as beef and grain to be transferred from rail to containers for overseas delivery. "With these facilities and our Class 1 rail connections, we're providing a direct link to the farm belt," Ms. Frisher said.

Cargo growth at the Port should translate into increased jobs for Oakland. More than 73,000 jobs are already linked to the Port's three businesses: the seaport, Oakland International Airport and commercial real estate holdings that include Jack London Square. It is estimated that every 1,000 additional containers moving through the Port creates eight more jobs.

Growing the Bay Area's maritime and industrial economy sustainably is the focus of the annual Decision Makers Conference.

"As stewards of the Oakland waterfront and San Francisco Bay, we will continue to build our businesses responsibly and view everything we do through an environmental lens," said Richard Sinkoff, the Port's Director of Environmental Programs and Planning.

Oakland Mayor Libby Schaaf opened the conference. Scheduled speakers included Congressional representatives Jared Huffman, D-San Rafael, and John Garamendi, D-Fairfield.

*Source: Port of Oakland*

### **Mayor Garcetti Announces Phillip Washington as New Metro CEO**

***L.A. Mayor and Metro Chair Eric Garcetti announced the Metro Board  
appointed Phillip Washington new CEO of Metro.***

"Phil Washington is the ideal person to manage our \$36 billion transportation infrastructure program to ease congestion, cut smog and boost our economy for decades to come," Mayor Garcetti said.

"Phil Washington's track record of maximizing project efficiency, securing much-needed funding and increasing customer service will well-serve Metro riders and taxpayers."

"I join with my colleagues on the Metro Board in welcoming Phillip Washington to Los Angeles. His experience in Denver delivering on projects is needed as we continue to expand the Metro system and carry out the will of the voters by implementing Measure R. Phillip Washington has earned a reputation as a creative manager and leader who has come up with innovative ways to get projects done," said LA County Supervisor and Metro Vice Chair Mark Ridley-Thomas.

"With Phil Washington, we will continue to build a system that effectively moves people and goods across Los Angeles County," said Duarte Councilmember and Second Vice Chair Member John Fasana.

"I am excited to help Mayor Garcetti and the Metro Board deliver the best possible transit experience and infrastructure for the L.A. area," Washington said.

Washington comes to Metro from Denver's Regional Transportation District (RTD) where he was unanimously selected as RTD's CEO in December 2009 after serving as interim CEO for 6 months and the Assistant General Manager for nearly ten years.

In Denver, Washington was implementing the FasTracks program, one of the largest voter-approved transit expansion programs in the country.

He was responsible for a total agency budget appropriation of \$2.8 billion and managed more than \$5 billion in active transit expansion projects. Under his management, RTD's West Line Rail was completed eight months earlier and under budget and the award-winning Denver Union Station was completed 5 months ahead of schedule.

In 2012, Washington's emphasis on safety training led to a 40 percent decrease in preventable bus accidents and he has achieved an on time bus and rail rate of 90 percent and a 96 percent ADA on time performance.

Originally from the south side of Chicago, Washington is a 24-year veteran of the United States Army where he held the rank of Command Sergeant Major, the highest non-commissioned officer rank an enlisted person can achieve.

Washington holds a B.A. in Business Administration from Columbia College and a M.A. in Management from Webster University.

Source: LA Metro <http://bit.ly/1LlkKIH>



## Industry News



# New App Helps Everyday Heroes Save America's Infrastructure

ASCE's new app, Save America's Infrastructure, is here! Help save America's roads, water pipes, airports, and more by telling your elected officials to get to work on raising America's infrastructure grades. Click here to download: <http://apple.co/1BuSmOF>

Whether it's an issue in your state or nationally, the new app will remind you when it's critical for your elected leaders to hear from you. The new app will continue to provide easy reference to the 2013 Infrastructure Report Card (<http://bit.ly/1BuSuxz>) as well as bring you news about infrastructure issues. If you care about fixing America's infrastructure, this is the app for you! Available for both iPhone and Android devices, the new app will continue to provide easy reference to the grades and new state facts along with these new advocacy features.

Source: ASCE <http://bit.ly/1J93fxy>



The IHS logo, featuring the letters "IHS" in white inside a blue circle.The JOC.COM logo, with "JOC" in large black letters and ".COM" in smaller red letters below it.

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### **A Hamilton Project and Building America's Future Policy Forum**

Many observers agree on the need for increased investment in America's aging infrastructure, including roads, bridges, and airports. However, determining how to fund and finance infrastructure investment presents an important policy challenge. As it stands, the main source of U.S. infrastructure funding at the federal level — the Highway Trust Fund — is predicted to become insolvent this summer, underscoring the need to implement long-term policy solutions; adding to the urgency is the expiration of the surface transportation bill at the end of May 2015.

On May 11, as part of Infrastructure Week, The Hamilton Project and Building America's Future hosted a public forum discussing the challenges of U.S. infrastructure financing and potential policy solutions. In conjunction with this event, The Hamilton Project released a new paper by Roger Altman of Evercore, Alan Krueger of Princeton University, and Aaron Klein of the Bipartisan Policy Center that proposes a multi-pronged approach to increase investment in the nation's infrastructure.

Source: *The Hamilton Project* <http://bit.ly/1PNFIGr>

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## Research News

### Reagan Devolution- The Real Story of the 1982 Gas Tax Increase

*Eno Center for Transportation*

*May 2015*

Highway Revenue Act of 1982 is now remembered as a triumph of bipartisanship – a Republican President who had recently passed the largest tax cuts in living memory joined with a Democratic House of Representatives and a Republican Senate to more than double (from 4 cents per gallon to 9 cents per gallon) federal motor fuels taxes and to use that money to provide large increases in federal spending on highways and bridges and, for the first time, to provide a permanent federal role in financing urban mass transit. As the legend goes, people of goodwill in both political parties saw a great national need and came together to find a politically difficult but common-sense solution. The reality is a bit messier.

Source: Eno Center for Transportation <http://bit.ly/1QaGurG>

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### Freight Infrastructure Issues in Surface Transportation Reauthorization

*Congressional Research Service*

*March 2015*

Goods movement has increased substantially over the past few decades as the economy and global trade have expanded. Freight transportation demand in tandem with passenger-side demand has caused congestion in many parts of the transportation system, resulting in slower and less reliable freight movement. Also, the condition and performance of freight infrastructure play considerable roles in the efficiency of the freight system and, therefore, are likely to be of significant congressional concern in the reauthorization of the surface transportation program that is currently authorized through May 31, 2015.

There is no specific federal freight transportation program. Instead, the federal government supports freight infrastructure through several programs that promote both passenger and freight mobility. The most important of these are four of the five “core” programs of the federal-aid highway program, which together account for roughly 90% of highway spending. One of those five programs, the Surface Transportation Program, also provides limited support for freight rail projects. Federal assistance to ports and inland navigation, waterborne shipping, and air freight are beyond the scope of this report.

Source: Congressional Research Service <http://bit.ly/1JSwX6z>

## Upcoming Events

**June 1-5, 2015:** International Association of Ports and Harbors, World Ports Conference  
Hamburg, Germany

**June 7-10, 2015:** NARC 2015 Annual Conference & Exhibition  
Raleigh, NC

**September 20-22, 2015:** IANA Intermodal Expo  
Ft. Lauderdale, FL



Sept. 20 – 22 | Ft. Lauderdale, FL

**September 27-30, 2015:** Council of Supply Chain Management Professionals  
San Diego, CA

## CAGTC & Freight in the News

### Freight Group Lists 36 Sites As Top Projects to Address

Transport Topics

April 27, 2015

<http://bit.ly/1JSAbad>

### Congressional, industry leaders urge passage of freight funding bill

Los Angeles Daily News

April 21, 2015

<http://bit.ly/1JSAthb>

### How Will the Next Highway Bill Get Funded?

Heavy Duty Trucking

April 15, 2015

<http://bit.ly/1JSAK3H>

### Congressman Alan Lowenthal Introduces Bill to Strengthen Nation's Deteriorating Freight Infrastructure System

Long Beach Post

March 19, 2015

<http://bit.ly/1JSB4iW>

# Why Join CAGTC?

## Shape Policy

CAGTC Members have the opportunity to help shape policy and legislation with an organization that is known for getting results on the Hill. Membership gives you a seat at the table as our positions are vetted, debated, finalized and carried to the halls of Congress, where we then pull out the votes. All members are invited and encouraged to participate in our various policy and planning committees, which meet by phone, email and, occasionally, in person.

## Up To Date Information

CAGTC strives to keep our members well informed and keyed in on important national freight developments. Because our work focuses solely on goods movement issues, we are able to disseminate concise, lightening-quick updates. Our members often tell us that CAGTC delivers information quicker than any of their other DC connections!

## Access

CAGTC holds one annual, in-person meeting every spring, with impressive member turn out. In addition to our annual meeting, we hold smaller member events on a regular basis, such as our Congressional Goods Movement Briefing each spring and our Trade Corridor Summit in 2007. We also meet regularly with Congressional Members and staff and with the Administration. All of these meetings are free and open to members. Given that this is authorization time, we expect our calendar for Hill visits to book up quickly - in the run up to SAFETEA-LU, CAGTC held over 500 meetings with policy makers!

## Up to Date Information

In all our endeavors, the Coalition highlights its member organizations as examples of good projects and how the process should work. We do this in our regular meetings on the Hill, at conferences and during presentations and in our newsletter, which goes out every other month. Members have a spotlight for recent achievements, a sounding board of experts for advice, as well as an opportunity to network with like-minded organizations.

To learn more contact:

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For more information about **The Coalition for America's Gateways and Trade Corridors**  
or for newsletter submissions,

please visit our website at [www.tradecorridors.org](http://www.tradecorridors.org) or  
contact us at (202) 828-9100 or [adenecke@blakey-agnew.com](mailto:adenecke@blakey-agnew.com)

# **FLORIDA CHAMBER OF COMMERCE**













# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>TALENT SUPPLY AND EDUCATION PILLAR</b>			
At the Florida Chamber, we believe a quality education and workforce development system is Florida's best long-term economic development strategy. We need to work toward filling the gap created between Florida's current education system and the needs of Florida's employers by diversifying our economy and creating job opportunities for future generations.			
<b>PERSONAL LEARNING ACCOUNTS</b>  <b>SB 602: Sen. Gaetz</b> <b>HB 7095: Rep. Bileca</b>	 <small>Sen. Don Gaetz R-Destin</small>	Expands the pool of students eligible for the Florida Personal Learning Scholarship Account Program.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>DIGITAL CLASSROOMS</b>  <b>SB 1264: Sen. Legg</b> <b>SB 7050: Government Oversight &amp; Accountability</b>	 <small>Sen. John Legg R-Lutz</small>	Establishes classroom digital technology standards.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>EDUCATION ACCOUNTABILITY</b>  <b>SB 616: Sen. Legg</b> <b>HB 7069: Rep. O'Toole</b>	 <small>Sen. John Legg R-Lutz</small>	Reduces the number of required state and local education assessments.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>PASSED</b>  <b>HB 7069 Signed by Governor on April 14, 2015</b>
<b>VOLUNTARY CONTRIBUTIONS/ PUBLIC EDUCATION FACILITIES</b>  <b>SB 118: Sen. Hays</b> <b>HB 37: Rep. Rashein</b>	 <small>Sen. Alan Hays R-Umatilla</small>	Allows businesses to solicit and collect contributions from customers for construction and maintenance of public education facilities.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>SCHOOL CHOICE/ CHARTER SCHOOLS</b>  <b>HB 7037: Rep. Cortes</b> <b>SB 692: Sen. Brandes</b> <b>SB 1448: Sen. John Legg</b>	 <small>Rep. Bob Cortes R-Maitland</small>	Establishes a charter school institute to provide technical assistance to charter school applicants, increasing the likelihood that only high-quality charters get approved.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>











2015 Florida Chamber Business Agenda  
**LEGISLATIVE SUMMARY REPORT**

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>BRIGHT FUTURES SCHOLARSHIPS</b>  <b>SB 960: Sen. Lee</b> <b>HB 747: Rep. Rooney, Jr.</b>	  Sen. Tom Lee R-Brandon	<p>High school students would be allowed to work in certain internships to satisfy volunteer requirements for a bright future scholarship.</p> <p><b>FLORIDA CHAMBER SUPPORTED</b></p>	<p><b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b></p>
<b>EDUCATIONAL PROFESSIONAL PRACTICES</b>  <b>HB 587: Rep. Spano</b> <b>SB 888: Sen. Detert</b>	  Rep. Ross Spano R-Riverview	<p>Requires the Department of Education to establish an educator liability insurance program.</p> <p><b>FLORIDA CHAMBER SUPPORTED</b></p>	<p><b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b></p>
<b>PARENT AND STUDENT RIGHTS</b>  <b>HB 1145: Rep. Sprowls</b> <b>SB 1552: Sen. Benacquist</b>	  Sen. Lizbeth Benacquist R-Fort Myers	<p>Empowers parents to choose the best educational path for their children.</p> <p><b>FLORIDA CHAMBER SUPPORTED</b></p>	<p><b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b></p>
<b>STEM</b>  <b>HB 631: Rep. Narain</b> <b>SB 1156: Sen. Smith</b>	  Rep. Edwin Narain D-Tampa	<p>Creates a loan-forgiveness program for STEM teachers who complete eight years of consecutive employment as a teacher of STEM courses at a public school in Florida.</p> <p><b>FLORIDA CHAMBER SUPPORTED</b></p>	<p><b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b></p>
<b>HIGHER EDUCATION PERFORMANCE AND ACCESS</b>  <b>SB 7046: Senate Education Pre-K-12</b>	  Sen. Don Gaetz R-Destin	<p>Streamlines policies regarding state research universities, intensive reading instruction, teacher bonus funding, and performance funding for universities and state colleges.</p> <p><b>FLORIDA CHAMBER SUPPORTED</b></p>	<p><b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b></p>








# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>INNOVATION AND ECONOMIC DEVELOPMENT PILLAR</b>			
With four out of five new jobs in Florida created by small businesses specializing in areas from international trade to rural economic development, Florida needs to stay the course of diversifying our economy.			
<b>ENTERTAINMENT INDUSTRY TAX CREDIT</b>  <b>HB 451: Rep. Miller</b>  <b>SB 1046: Sen. Detert</b>	 Sen. Nancy Detert R-Venice	Will help save local jobs and businesses underpinned by the Entertainment Industry Tax Credit Program, by attracting more film projects to Florida.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>DEFENSE CONTRACTING</b>  <b>HB 529: Rep. Smith</b>  <b>SB 980: Sen. Soto</b>	 Rep. Jimmie T. Smith R-Lecanto	Revises certain tax credit application procedures and creates the Defense Works in Florida incentive.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>RESEARCH &amp; DEVELOPMENT TAX CREDITS</b>  <b>HB 891: Rep. Narain</b>  <b>SB 886: Sen. Brandes</b>	 Rep. Edwin Narain D-Tampa	Increases the total amount of research and development tax credits available for certain businesses.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>ENTERPRISE ZONE ACT</b>  <b>HB 903: Rep. Porter</b>  <b>SB 392: Sen. Clemens</b>  <b>SB 1556: Sen. Montford</b>	 Rep. Elizabeth Porter R-Lake City	Extends Florida's Enterprise Zones which are set to sunset in December; however, both bills make significant changes to the purpose of the program as well as the application process.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>CAPITAL INVESTMENT TAX CREDIT</b>  <b>SB 1128: Sen. Stargel</b>	 Sen. Kelli Stargel R-Lakeland	Revises the annual tax credit that can be provided for a qualifying capital investment project.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>ECONOMIC DEVELOPMENT</b>  <b>SB 1214: Sen. Latvala</b>	 Sen. Jack Latvala R-Clearwater	Extends the Qualified Defense and Space Flight incentive and reforms other tax credits.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>












# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>ECONOMIC DEVELOPMENT</b>  HB 7067: Rep. LaRosa		Creates uncertainty in Florida's economic development programs for competitive relocations and expansions.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>MACHINERY AND EQUIPMENT TAX EXEMPTION</b>  HB 613: Rep. Magar HB 4035: Rep. Ray HB 597: Rep. Hill SB 544: Sen. Hukill SB 1044: Sen. Bean		Extends, and in some cases makes permanent, the sales tax exemption on machinery and equipment  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b>  <b>DID NOT PASS</b>
<b>INFRASTRUCTURE AND GROWTH LEADERSHIP PILLAR</b>			
Last year more than 97 million visitors came to Florida and it's estimated that by 2030, more than six million new residents will call Florida home. We must prepare for this growth in smart and sustainable ways. Securing Florida's future will require changing the way we view issues such as water and energy supply, agriculture, land development, roads, bridges, ports and telecommunications.			
<b>FREIGHT LOGISTICS ZONES</b>  HB 257: Rep. Ray SB 956: Sen. Simpson		Defines "freight logistics zone," and allows a county, or two or more contiguous counties, to designate freight logistics zones.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>PASSED</b>  HB 257 Heads to Governor Scott for Signature
<b>FREIGHT MOBILITY &amp; TRADE PROJECTS</b>  HB 331: Rep. Ray & Rep. Moraitis, Jr. SB 958: Sen. Simpson		Allows certain funds in the State Transportation Trust Fund to be set aside for specific freight mobility and trade projects.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b>  <b>DID NOT PASS</b>
<b>COMMUNITY DEVELOPMENT</b>  HB 933: Rep. LaRosa SB 832: Sen. Simpson SB 1216: Sen. Simpson		Allows landowners and applicants to apply for amendments to local government comprehensive land plans.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>PASSED</b>  SB 1216 Heads to Governor Scott for Signature















# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>WATER RESOURCES</b>  HB 7003: Rep. Caldwell  HB 653: Rep. Pigman  SB 918: Sen. Dean	  Rep. Matt Caldwell R-Lehigh Acres	Helps secure Florida's water future by protecting the health of Florida's waterways, and developing greater access to clean water for today and the future.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>WELL STIMULATION/ HYDRAULIC FRACTURING</b>  HB 169: Rep. Jenne  SB 166: Sen. Darren Soto		Prohibits the use of hydraulic fracturing.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>BUSINESS CLIMATE AND COMPETITIVENESS PILLAR</b>			
Florida is on the right track toward a more competitive and global economy and businesses are taking notice. Last year, several large employers moved their headquarters or expanded to Florida because of Florida's attractive business climate. Instead of short-term solutions from well-funded plaintiff lawyers with special interest agendas, the Florida Chamber is focused on creating long-term sustainable solutions so Florida can continue to attract, add and grow the top businesses in the nation.			
<b>SALES TAX ON COMMERCIAL LEASES</b>  HB 101: Rep. Steube  SB 140: Sen. Hukill	  Sen. Dorothy L. Hukill R-Port Orange	Lowers sales taxes on commercial leases to help keep the cost of doing business low.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>TARGETED TAX CUT PACKAGE</b>  HB 7141: Rep. Gaetz	  Rep. Matt Gaetz R-Fort Walton Beach	Reduces cell phone taxes (communications services tax), taxes on commercial real estate, extends a sales tax holiday, and includes tax credits for research and development and includes defense contracting tax preferences.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>














2015 Florida Chamber Business Agenda  
**LEGISLATIVE SUMMARY REPORT**

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>TAX ON COMMERCIAL REAL ESTATE PROPERTY</b>  HB 245: Rep. Ahern SB 1230: Sen. Alan Hays	  Sen. Alan Hays R-Umatilla	Phases out the sales tax on commercial leases by exempting certain amounts of rent.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>CORPORATE INCOME TAX</b>  HB 49: Rep. Moskowitz SB 138: Sen. Hukill	  Sen. Dorothy L. Hukill R-Port Orange	Increases the corporate income tax exemption.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>SALES TAX EXEMPTION ON COMMON AREA MAINTENANCE</b>  SB 1368: Sen. Latvala	  Sen. Jack Latvala R-Clearwater	Defines common area maintenance charges, and exempts taxes for certain common area maintenance charges.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>AD VALOREM TAX - RECAPTURE</b>  SB 1142: Sen. Gaetz	  Sen. Don Gaetz R-Destin	Proposes to amend Florida's Constitution to allow the legislature to prohibit increases in the assessed value of homestead or certain nonhomestead real property if the just value of the property declines.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>PROPERTY TAX EXEMPTIONS</b>  HB 847: Rep. Ray SB 1086: Sen. Ring	  Rep. Lake Ray R-Jacksonville	Removes burdensome property taxes on machinery and equipment for a period of time after purchase, and encourages businesses to expand by exempting property taxes on improvements for 10 years.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>STREAMLINED SALES TAX</b>  HB 1265: Rep. Rehwinkel Vasilinda	  Rep. Michelle Rehwinkel Vasilinda D-Tallahassee	A resolution encouraging the federal government to pass the Marketplace Fairness Act.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>









2015 Florida Chamber Business Agenda  
**LEGISLATIVE SUMMARY REPORT**

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>ASSIGNMENT OF BENEFITS AND ATTORNEY'S FEES</b>  HB 669: Rep. Tobia SB 1064: Sen. Hukill SB 1210: Sen. Hays	  Sen. Dorothy L. Hukill R-Port Orange	Prevents attorney fees in certain cases brought by a third party, and prevents increased and fraudulent claims through the prohibition of assignment of benefits.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>PROPERTY INSURANCE</b>  HB 947: Rep. Plakon SB 1292: Sen. Bean	  Rep. Scott Plakon R-Longwood	Reforms Florida's insurance market by reducing exposure on Citizens Property Insurance, and reducing fraud.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>COMMUNICATIONS SERVICES TAX</b>  SB 110: Sen. Hukill	  Sen. Dorothy L. Hukill R-Port Orange	Lowers the cost of living on businesses and families by reducing the cell phone and cable television tax.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>FAIR SETTLEMENT</b>  SB 1088: Sen. Brandes HB 1197: Rep. Mike Hill	  Sen. Jeff Brandes R-St. Petersburg	Helps reform Florida's broken legal system by providing a certain time limit for an insurer to assess and remedy a claim.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>ACCURACY IN DAMAGES</b>  SB 1240: Sen. Richter HB 1199: Rep. Metz	  Sen. Garrett Richter R-Naples	Reforms Florida's broken legal system by paying for actual charges paid in a personal injury lawsuit.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS:</b> <b>DID NOT PASS</b>
<b>PREJUDGMENT INTEREST</b>  HB 941: Rep. McGhee SB 794: Sen. Ring		Makes Florida less competitive by allowing plaintiff's trial lawyers to seek prejudgment monetary damages.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>







# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>HURRICANE CATASTROPHE FUND</b>  SB 1494: Sen. Ring SB 1506: Sen. Braynon HB 1281: Rep. Renuart		Creates a less competitive and less stable insurance market, and increases the likelihood of future hurricane taxes.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>JOINT LEGISLATIVE SALES AND USE TAX COMMITTEE</b>  HB 1221: Rep. Rodriguez		This "no-biz" bill calls for onerous, combined sales and use tax reporting - taking into account what companies might do in other states or internationally - and has the potential to increase businesses taxes.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>CIVIC AND GOVERNANCE SYSTEMS PILLAR</b>			
At the Florida Chamber, we believe efficient and transparent government systems allow businesses to grow in a globally competitive economy. As our state grows, taxpayers deserve an efficient government that provides the highest return to taxpayers with the lowest burden on job creators.			
<b>PRIVATE PROPERTY RIGHTS</b>  HB 383: Rep. Edwards and Rep. Perry  SB 284 Sen. Diaz de la Portilla		Clarifies the terms for property owners so that a citizen's private property may not be taken for public use without just compensation.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>PASSED</b>  HB 383 Heads to Governor Scott for Signature
<b>LOCAL GOVERNMENT PENSION REFORM</b>  SB 172: Sen. Ring and Sen. Bradley		Reduces existing flexibility of insurance premium tax revenues, interrupts existing collective bargaining authority, and mandates increases in required minimum pension benefit levels.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>PASSED</b>  SB 172 Heads to Governor Scott for Signature




# 2015 Florida Chamber Business Agenda LEGISLATIVE SUMMARY REPORT

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>PUBLIC SERVICE COMMISSION</b>  HB 399: Rep. Dudley and Rep. Rodriguez		Removes the Public Service Commission's ability to recover costs associated with energy exploration.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>LABOR REGULATIONS/ OVERTIME</b>  HB 455: Rep. Campbell SB 890: Sen. Bullard		Makes Florida less competitive by imposing burdensome employer mandates.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>STATE MINIMUM WAGE</b>  HB 47: Rep. Stafford SB 114: Sen. Bullard SB 1318: Sen. Latvala		Reduces Florida's competitiveness by imposing employer mandates.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>SOCIAL MEDIA PRIVACY</b>  SB 126: Sen. Clemens		Imposes burdensome employer mandates regarding social media.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>

## QUALITY OF LIFE AND QUALITY PLACES PILLAR








Florida's unique quality of life is one reason Florida is consistently ranked as an attractive place to visit, live, learn, play and work. Retaining and attracting the right employers who fuel jobs and great communities are key to Florida's long-term success. Families, students and businesses alike cause us to examine the policies that can either strengthen or harm Florida's future job growth.

<b>TELEMEDICINE</b>  HB 545 Rep. Cummings and Rep. Jones  SB 478: Sen. Bean	  Sen. Aaron Bean R Jacksonville	Helps provide smarter healthcare coverage in Florida by serving as an alternative healthcare delivery system.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
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*2015 Florida Chamber Business Agenda*  
**LEGISLATIVE SUMMARY REPORT**

Bill Name	Pro-Biz /No-Biz	What it Means to Your Business	Outcome
<b>SCOPE OF PRACTICE</b>  HB 547: Rep. Pigman SB 614: Sen. Grimsley HB 281: Rep. Pigman SB 532: Sen. Grimsley	  Rep. Cary Pigman R-Sebring	Increases the capacity and number of medical professionals by allowing nurse practitioners and physician assistants to practice to their fullest potential.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>MEDICAL TOURISM</b>  HB 945: Rep. Costello SB 86: Sen. Bean	  Sen. Aaron Bean R-Jacksonville	Creates a medical tourism marketing plan within Enterprise Florida and requires the state Division of Tourism Marketing to promote medical tourism.  <b>FLORIDA CHAMBER SUPPORTED</b>	<b>UNFINISHED BUSINESS: DID NOT PASS</b>
<b>PATIENT COMPENSATION</b>  HB 1109: Rep. Pigman SB 1200: Sen. Brandes		Creates a fund that compensates patients hurt by malpractice, and lowers the threshold from negligence to avoidable injury - thereby creating additional causes of action.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>RIGHT MEDICINE, RIGHT TIME ACT</b>  HB 863: Rep. Harrison SB 784: Sen. Gaetz		Eliminates the long-standing medical protocol known as "step therapy," which provides patients with access to care while also controlling costs. Additionally, it will create a new government bureaucracy that will dictate what therapy and medications insurance companies must prescribe without consideration of cost.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>
<b>GAMBLING</b>  HB 1233: Rep. Young SB 7088: Regulated Industries		The Florida Chamber has a 20-year long opposition to gambling. Additionally, the Florida Chamber supports an extension or a newly negotiated Seminole Tribe compact that limits gambling to tribal lands.  <b>FLORIDA CHAMBER OPPOSED</b>	<b>DEFEATED</b>

# **FLORIDA RECYCLING PARTNERSHIP**



## Look Who's Recycling! Welcome New Members ...

We want to welcome our newest members ... Harvest Power



Harvest Power has found a higher and better use for Central Florida's pre and post-consumer food waste. Through cutting edge technology anaerobic digestion process, Orlando's food and organic waste can be recycled and converted into clean energy, effectively transforming the community's organic waste problem into a sustainable local resource.



BDE Florida LLC, a franchisee of Taco Bell, operates 22 existing Taco Bell restaurants in the Tampa/ St. Pete and Sarasota areas. Additionally, BDE Florida is building 4 additional restaurants in these surrounding areas. BDE Florida now employs approximately 650 people and generates approximately \$35 million in annualized sales.

**Be Sure to Follow us to see who is recycling**



Congratulations to Liz Castro and her husband, Davis DeWitt, on the birth of Everett Jackson. Liz is the Executive Director for the Florida Beverage Association and Chair Elect for the Florida Recycling Partnership.



## Governor Scott and Florida Cabinet Recognize FRP Member Bealls' Centennial Anniversary



## FRP membership is growing ...



**For membership information, please contact:**

Keyna Cory - [Keyna@flrecycling.org](mailto:Keyna@flrecycling.org) - (850) 728-1054  
Post Office Box 10683 – Tallahassee, FL 32302

**#LookWhosRecycling**





Governor Rick Scott welcomed Wawa convenience stores to Orlando at the grand opening of their first store in the state of Florida. The store is the first of five stores opening in the greater Orlando area by mid-August, with 100 Florida stores planned during the next five years. These stores represent the company's first outside of the Mid-Atlantic states of Pennsylvania, New Jersey, Delaware, Maryland and Virginia.

### Keep America Beautiful Announces Results of "Recycling at Work" Research Study

Providing employees with a desk-side recycling bin and a smaller trash bin attached to it can serve as a successful model for increasing recycling and reducing waste in the workplace.

Study results showed:

- A 20% increase in office recycling when employees are provided with a desk-side recycling bin along with a small trash bin.
- In common areas, it's recommended that recycling and trash bins be paired with simple, consistent signage provided on bins and posters with the most common recyclables identified on the recycling bin.
- 41% of polled adults ages 18-65 indicated they recycle in the workplace. Furthermore, 50% of those respondents indicated that it is difficult to extremely difficult to recycle in the workplace.

The Carton Council is proud to announce that just over one million households have had cartons added to their local recycling programs since the beginning of the year.

- Now more than 63 million U.S. households can recycle cartons.
- That is 54 percent of the entire country, which marks a 200 percent increase since the Carton Council was formed in 2009.



Be Sure to Follow us on



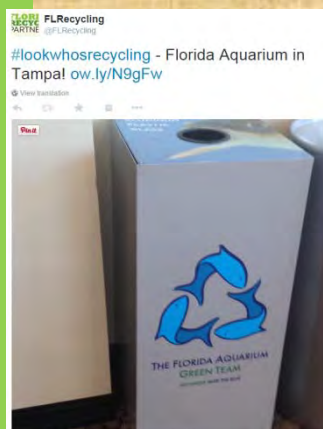
**For membership information, please contact:**

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Post Office Box 10683 – Tallahassee, FL 32302

**#LookWhosRecycling**



#LookWhosRecycling



Are you going to the 29<sup>th</sup> Environmental Permitting Summer School July 7<sup>th</sup> -10<sup>th</sup> at the Orlando Marriott World Center. Be sure to catch our members at the event:

- Keyna Cory to serve as Moderator for event
- RFP members to participate on panel to discuss recycling efforts in Florida
- Stop by our Booth #216



**Be Sure to Check back for Upcoming Florida Recycling Summits**  
**Miami Marlins to host at Marlins Park**  
**Port Everglades – Cruise Ship Terminal**  
**More information with Dates and Speakers to be Announced Soon!**



**RICK SCOTT**  
GOVERNOR

March 30, 2015

Mr. Ed Crenshaw  
 Chief Executive Officer  
 Publix Supermarkets  
 Corporate Office, Post Office Box 407  
 Lakeland, Florida 33802

Dear Mr. Crenshaw:

It is my privilege to congratulate you on receiving the 2015 President's Award from the Construction and Demolition Recycling Association. This award represents the tremendous talent that can be found throughout Florida and demonstrates that it is possible for people to achieve their dreams here in the Sunshine State.

Your business helps grow our state's economy and protect our natural resources, and every new job opportunity helps families have the chance to live their dreams in Florida. Companies like yours are able to grow because of the great business climate we have created in our state, creating more than 807,000 private sector jobs since December 2010. We will keep working to make Florida the global destination for job creation.

Again, congratulations on your achievement, and I wish you all the best for your continued success.

Sincerely,

Rick Scott  
Governor

**Congratulations Publix on winning the 2015 Presidents Award from the Construction and Demolition Recycling Association**

FRP members participated in the first Southern Waste Information Exchange (SWIX) Recycling Workshop for Small Businesses in Orlando. It was a great forum for participants to learn about recycling trends and opportunities including financial help. Three of Florida Recycling Partnership members, Publix, Harvest Power and Rooms To Go, talked about how they incorporate successful recycling programs into their business models.



Be Sure to  
Follow us  
on



**For membership information, please contact:**

Keyna Cory - [Keyna@flrecycling.org](mailto:Keyna@flrecycling.org) - (850) 728-1054  
 Post Office Box 10683 – Tallahassee, FL 32302



# **FLORIDA TAXWATCH**

A photograph of the Florida State Capitol building in Tallahassee, Florida. The building is a large, white, neoclassical structure with a prominent central dome and a portico supported by tall columns. Red and white striped awnings are visible over the windows. An American flag flies from a tall pole in front of the building. The sky is blue with some clouds.

# 2015 Florida Legislative Session Wrap-Up

May 2015

Florida  
**TaxWatch**

A red graphic element resembling a stylized arrow or a portion of the state of Florida, pointing downwards and to the right, positioned behind the text "TaxWatch".



106 North Bronough Street, Tallahassee, FL 32301 [floridataxwatch.org](http://floridataxwatch.org) o: 850.222.5052 f: 850.222.7476

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**Michelle A. Robinson**  
Chairman of the Board of Trustees

**Dominic M. Calabro**  
President & Chief Executive Officer

Dear Fellow Taxpayer,

Each spring, the elected members of the Florida Legislature return to Tallahassee to perform their roles as the representatives of the people of the Sunshine State. Surrounded by interest groups both large and small, regular citizens and high-powered lobbyists, our senators and representatives propose and debate new laws and attempt to meet the needs of their constituents.

The 2015 Regular Session will be remembered as a unique one, with an unusual ending that has not been seen in Florida in decades. On top of the progress of many bills coming to an abrupt end, the Legislature failed to pass its only required piece of legislation: a budget.

During Session, Florida TaxWatch provides on our website the public a weekly recap of bills related to the issues that we are following, including economic development, health care, criminal and juvenile justice, and education policies and programs.

This publication is a final look at the legislation followed by TaxWatch this Session, but does not address the budget, which is scheduled to be completed by the Legislature in June.

For more information on any research topic highlighted in this publication, please visit <http://www.floridataxwatch.org>.

Sincerely,

Dominic M. Calabro  
*President & CEO*



# Introduction

The 2015 Legislative Session was certainly not a normal one. The session effectively ended three days early when the House unexpectedly declared “sine die” and went home, leaving a lot of work undone and creating more acrimony among lawmakers. Senate Democrats even asked the Supreme Court to compel the House to return, claiming the House’s unilateral adjournment violated the Florida Constitution, with which the Court ultimately agreed on principle, but acknowledged that there was little that could be done about it, as Session was set to end on the day of its ruling regardless.

It was already apparent that the one job the Legislature is required to do, the budget, was not going to get done on time and a special session would be needed. The main reasons for the budget stalemate, Medicaid expansion and federal funding of the Low-Income Pool to reimburse hospitals for indigent care, seemed no closer to a compromise. It was expected lawmakers would finish most of the policy work, but most of the major issues remain unresolved, including many priorities of the two chambers’ leadership.

Prison reform, a statewide water policy, the implementation of Amendment 1, and more opportunities for persons with disabilities are just a few of the issues on which some kind of resolution was expected. Omnibus legislation (or “trains”) in areas such as education, health and human services and economic development also withered on the vine, killing many separate issues.

A final tax cut package was also not passed.

While taxes will certainly be part of the budget negotiations in special session, tax cuts are no longer a sure thing this year.

The Legislature did manage to pass 231 bills (the fewest since at least 2000). A number of bills addressing Florida TaxWatch recommendations were considered and some were passed, including bills advancing justice reform, a first step in local pension reform and several measures relating to cost savings, and accountability recommendations. In addition, if there is ultimately an agreement on a tax cut package, a reduction in the communications services tax, a Florida TaxWatch priority, will likely be part of it. There were also some disappointments, as state pension reform and the collection of sales taxes on remote sales were again not addressed. Other Florida TaxWatch-supported measures, including bills relating to flexibility under the class size amendment, telehealth, medical tourism, justice reform, and enterprise zones advanced but ultimately did not pass.

The Legislature will return to Tallahassee on June 1 and leaders expect to finish their work by June 20, just 10 days before the start of the new fiscal year. The official proclamation, which will enumerate the issue that can be considered, has yet to be released. The special session will likely be mostly limited to the budget and the budget implementing and conforming bills, but more issues could be added. Other unresolved issues that have a bearing on the budget may find their way into conforming bills. Past legislatures have shown that the definition of “conforming” may be broadly construed.



Informal, behind-the-scenes negotiations will be taking place over the next couple of weeks, as at least a basic framework needs to be agreed upon prior to the start of the special session. Smooth sailing is not assured. The Senate wants to include a debate on health care expansion in the session, the House wants to exclude it, and neither side has shown any softening of its position.

The following is a summary of the final results for legislation of interest to Florida TaxWatch and its Centers for Educational Performance & Accountability, Health & Aging, Smart Justice, Competitive Florida and Government Efficiency.

## Taxes

Very few tax bills passed this session. However, while now in doubt, tax cuts are still alive. While no tax package was approved by the Legislature, tax cuts will certainly be part of the special session budget negotiations.

### Passed

**Corporate Income Tax “Piggy-Back”** - Florida uses federal taxable income as the starting point for determining corporate income tax liability. The Legislature passes an annual “piggyback” bill to conform to any changes in the federal tax code. The federal Tax Increase Prevention Act of 2014 extended two deductions: an increase in the first-year expensing deduction from \$25,000 to \$500,000 and a 50 percent bonus depreciation deduction. Adopting these changes would have cost Florida \$180 million in FY 2015-16, with revenue being recouped subsequent years. The

Legislature chose to “de-couple” Florida’s tax code from these federal changes. HB 7009 requires Florida taxpayers to add-back the federal deductions and then subtract from income one-seventh of these amounts in the next six years. The existing federal deductions are treated this way.

### Value Adjustment Board (VAB) Petitions –

Making a minor but worthwhile change, HB 489 allows a taxpayer to include multiple items of substantially similar tangible personal property on a single VAB petition and to pay a single petition filing fee. Substantial VAB reform was a victim of the sudden House adjournment (see below).

## Did Not Pass

**Tax Cuts** – The House passed a \$689.2 million tax cut package: **HB 7141**. The Senate did not produce a tax package, citing the budget stalemate; however, the Senate did advance several tax reduction bills. **The centerpiece of the House proposal is a \$470.5 million reduction in the communications services tax, a long-time Florida TaxWatch recommendation. Other provisions supported by Florida TaxWatch research include a reduction in the sales tax on commercial leases and an increase in the research and development tax credit.** The package also includes three different sales tax holidays. The rest is a patchwork of many different tax cuts, some of them very small and many that had not yet been part of any legislation. A final tax cut package will likely be part of the budget conference negotiations. **To review the provisions of the House tax package (and any Senate action on those provisions) see Appendix A.**



### **Sales Tax Exemption for Manufacturing Machinery and Equipment - The 2013**

Legislature passed a three-year exemption, set to expire April 30, 2017. **SB 544 and HB 613** would have made the exemption permanent. **This is a long-standing recommendation of Florida TaxWatch.** Recurring tax savings were expected to be \$142.5 million annually. This exemption is not part of the House tax cut package. Both bills died in committee.

**Collection of Sales Taxes on Remote Sales:** Once again, the Legislature failed to address the non-collection of sales taxes on sales to Floridians by out-of-state sellers, a situation that hurts Florida retailers. **Florida TaxWatch has been researching this issue and recommending solutions for more than 10 years.** Many bills have been filed to help address this over the years. This year, **SB 310** would have brought Florida fully into the Streamlined Sales and Use Tax Agreement, which provides an opportunity for Florida to begin collecting money from a compact of sellers that voluntarily collect the tax. **HB 101** would have expanded nexus over remote retailers, requiring more retailers to collect tax on sales to Floridians. **HB 1265** was a memorial urging Congress to support the Marketplace Fairness Act. None of these bills were heard this session.

**Corporate Income Tax Reduction - HB 49 and SB 138** would have increased the standard corporate income tax exemption from \$50,000 to \$75,000, as was recommended by Governor Scott. The exemption was increased from \$5,000 to \$25,000 in 2011 and to \$50,000 in 2013. This higher exemption would eliminate

corporate income taxes for 2,189 out of 9,934 taxpayers (22.0 percent), and save \$18.7 million annually. This is not part of the House tax package. **SB 138** passed two committees and died in Appropriations. **HB 49** was not heard in committee.

**Value Adjustment Boards (VAB) - HB 695 and SB 972** would have made several **Florida TaxWatch-supported** changes to the VAB process including: taxpayers must sign the petition, interest on assessment and refunds would change from 12 percent to the prime rate and all VAB petitions must be resolved by June 1 annually, unless the county's petitions increased by more than 10 percent. **HB 695** also would have changed the composition of VABs from county commissioners, school board members, and citizen members to all citizen residents of the county appointed by their legislative delegation. This is an attempt to remove the conflict of interest created by the current composition which allows those who benefit from higher assessments to make the decisions. Both bills were passed by their respective chambers, but because of differences, both bills died.

**Aviation Fuel – HB 595 and SB 722** would have reduced the tax on aviation fuel from 6.9 cents per gallon to 5.4 cents per gallon, beginning July 1, 2018. Also, the bills would eliminate a refund of all aviation fuel taxes paid by transcontinental airlines that created a certain number of jobs. The idea is that the two changes together would be revenue neutral and that all airlines would benefit from lower taxes. However, at its last committee stop, **SB 722** was amended to expand the current refund to include at least one other airline, which would

reduce revenues until the refund expired in three years. HB 595 was approved by the full House. SB 722 died in the Appropriations Committee.

#### **Law Enforcement Services Special Assessment**

- **SB 780 and HB 919** would have allowed the governing body of a municipality to levy this assessment to fund all or a portion of its costs of providing law enforcement services if the property tax millage is reduced by a similar amount. SB 780 limited the assessment to \$200 per parcel. SB 780 died on second reading. HB 919 died in the Local and Federal Affairs Committee.

*The following bills passed one committee, but went no further:*

#### **Save Our Homes (SOH) “Glitch” Bill - SJR1142**

was a proposed constitutional amendment to repeal the recapture provision which allows the assessed value of homestead property to increase by the SOH cap, even if the market value falls, provided that the assessed value does not exceed the just value.

**Direct Mail Advertising (DMA)- SB 858** would have created a sales tax exemption for DMA goods and services.

**Renewable Energy Source Devices - SJR 400 and HJR 865** proposed an amendment to the state Constitution that would exempt the assessed value of these devices from the tangible personal property tax and allow the Legislature, by general law, to prohibit consideration of the installation of such device in determining the assessed value for real property taxes. It would expire December 31, 2036.

#### **Property Tax Discount for Spouse of Disabled**

**Veterans - SJR 910** proposed an amendment to the state Constitution to authorize the living spouse of a deceased veteran, who upon death was aged 65 or older, partially or permanently disabled as a result of combat, and honorably discharged, to keep the discount on ad valorem taxes currently afforded the veteran.

#### **Low Income Elderly Homestead Exemption**

- **SJR 652** proposed an amendment to the state Constitution that would revise the current homestead tax exemption for low-income, elderly people that have lived in their home for at least 25 years. The current exemption is 100 percent of the assessed value of a homestead with a just value less than \$250,000. The amendment would lock in the just value of the home to its value when the exemption is originally applied for, meaning the taxpayer would not lose the exemption due to rising value.

**Food Desert Tax Credit - SB 610** provided an income tax credit for grocery businesses that sell nutrient-dense food items in areas designated as food deserts. The credit would be equal to 20 percent of its annual sales.

**For a summary of tax bills that were filed but not heard this session see Appendix B.**

# Economic Development

## Passed

**Freight Mobility and Logistics - HB 257** defines a freight logistics zone and allows a county, or two or more contiguous counties, to designate one. Projects within freight logistics zones, which are consistent with the Department of Transportation's Freight Mobility and Trade Plan, may be eligible for priority in state funding and certain incentive programs. **Florida TaxWatch research has highlighted the importance of freight mobility to Florida's economy.**

## Did Not Pass

**Start-up and Second-stage Companies – HB 7067** would have created the “Startup Florida Initiative,” which would encourage start-up and second-stage company growth. **Prior to the session, Florida TaxWatch released a report that highlighted the benefits of second-stage companies**, including the creation of 394,000 net new jobs in Florida from 2009 to 2013. HB 7067 was approved by the full House but the Senate economic development package (SB 1214) did not include this provision.

**Enterprise Zones Program** - There was much discussion of the Enterprise Zone program this session, as the program is scheduled to sunset in December 2015. **Florida TaxWatch testified at several committee hearings, referencing our recent analysis of the program.** The report calls on the Legislature to revise and extend the

state's Enterprise Zone program, designed to revitalize and redevelop distressed, blighted areas in Florida. However, the state's enterprise zone program will not be renewed. Bills to extend and revise the program (**HB 903, SB 1556, and SB 392**) were not heard. **HB 7067** would have replaced the state program with a Local Enterprise Zone Program. Late in the session, language was added to **SB 1214** that would have permitted businesses located in enterprise zones that have active economic development contracts to continue to apply for enterprise zone state tax programs and the child care facility property tax exemption for three years.

**Economic Development Programs** – Both chambers had omnibus economic development bills that would have made numerous changes to several programs. **SB 1214 and HB 7067** became “trains,” with more provisions added as the session progressed. SB 1214 standardized the incentives application process, limited most incentive agreements to 10 years and required capital investment to remain in the state for the duration of the contract. It also set approval requirements for different thresholds such as allowing the Governor to approve projects requiring less than \$2 million without legislative notice or approval. The bill also makes additional changes to the Quick Action Closing (QAC) Fund and the Qualified Target Industry Business (QTI) Tax Refund. HB 7067 also makes numerous changes including creating a new approval process for performance-based cash incentive programs and capping economic development incentive programs at \$60 million annually. While the two

chambers could not agree on this legislation, it is likely some of these provisions will show up in a budget conforming bill during the Special Session.

**Seaports – HB 7039 and SB 1554**, in addition to several provisions related to the Florida Department of Transportation, increased the funding for the Florida Seaport and Economic Development (FSTED) Program from \$15 million to \$25 million per year. HB 7039 passed the full House. SB 1554 died in committee. This funding may be addressed in Special Session.

**Entertainment Industry Financial Incentive Program** – This program, which tries to bring film and television productions to the state by offering sales and corporate income tax credits, has received a lot of attention this session. A report by the Office of Economic and Demographic Research, which reviewed the return on investment for many of the state's economic development programs, said the entertainment program is not recouping the state's investment (in terms of produced state revenue). **SB 1214 and HB 451** would have made numerous changes to the program. **Florida TaxWatch was asked by the sponsor to review HB 451 and we found it makes significant improvements to the current program, including changing from a first-come first-served process to one that prioritizes based on expected economic return.** Both bills transferred and renamed the Office of Film and Entertainment under the Department of Economic Opportunity as the Division of Film and Entertainment under Enterprise Florida. The Senate bill reduced the size of the Florida Film and Entertainment Advisory Council and the House

bill eliminated the Council. SB 1214 also created the Entertainment Action Fund Program to respond to extraordinary opportunities. A similar fund was removed from the House bill. SB 1214 set a sunset date of July 1, 2021 and July 1, 2025 for the action fund. Under HB 451, the program would still expire July 1, 2016. Both bills died on second reading.

**Qualified Television Revolving Loan Fund - HB 237 and SB 196** would have created a qualified television revolving loan fund - an "evergreen" fund privately managed under state oversight, which offers loans (term limited to 36 months) for qualified television content production throughout the state. The program would use state money and private funds raised by a third-party loan administrator. Neither the bill nor the current House budget contain an appropriation for the fund. HB 237 died on second reading. SB 196 was not heard in committee.

*These bills, containing potentially valuable concepts, did not get a hearing:*

**Freight Mobility and Trade - HB 331 and SB 958** would have directed a portion of motor vehicle fees, such as title fees, to be set aside for specified freight mobility and trade projects.

**Incentives for Small Technology Companies** – **SB 1090** would have authorized the provision of loans to small technology companies through the Microfinance Guarantee Program. The bill appropriated \$50 million for these loans.

**New Small Business Tax Credit – SB 128 and HB 517** would have created a corporate income tax credit for new small businesses. If qualified, the business would receive a \$1,500 credit for each employee, up to a maximum total credit of \$21,000.

**Community Creative Grant Program - SB 1030** would have created this alternative to the expiring Enterprise Zone program. The program was a competitive process through which cities and counties could apply for grants to fund local economic development projects.

## Education

### Passed

**Testing, Student Assessments & Teacher Evaluations – HB 7069** will reduce testing time in Florida schools, capping the time students spend on state and local tests at 5 percent of their school hours, or up to 45 hours. The legislation also reduces the reliance on test results in evaluating teacher performance from 50 percent to 33 percent of an evaluation. The bill eliminates the 11th-grade language arts test (ELA) and the Postsecondary Education Reading Test (PERT). It eliminates the requirement that a school district administer a local end-of-course assessment for each course that is not assessed by a statewide, standardized assessment. It codifies the rollout schedule for statewide, standardized computer-based testing and paper testing options through the 2017-2018 school year and requires independent verification of validity of statewide, standardized assessments

before the results can be used to determine third grade retention or high school graduation. The bill has been signed into law by the Governor.

### Did Not Pass

**Class Size Requirements - SB 818 and HB 665** would have revised the method for calculating the penalty for failure to comply with the class size requirements by performing the calculation at the school average instead of at the classroom level. **Florida TaxWatch released a report showing that adjusting the way class sizes are calculated will result in significant savings to Florida taxpayers, which can then be reinvested in measures that have been proven to improve student achievement.** Florida's class size limits have cost taxpayers more than \$30 billion since voters approved them in a 2002 constitutional amendment. The report encourages the Legislature to adjust Florida's class size calculation to a school wide average. Applying the school level average calculation across all of Florida's public schools would allow school districts to comply with the class size reduction mandate, while reinvesting the savings into measures to improve teacher quality and student achievement. HB 665 passed the full House and even though it was identical, SB 818 died on second reading.

**Charter Schools/School Choice – HB 7037** aimed to increase charter school accountability and increase student access. It also changes some funding provisions. It required charter schools to begin submitting monthly financial statements upon approval of the charter contract, and clarifies that charter schools that earn two consecutive





grades of “F” are automatically terminated. It removed the limit on replication of high-performing charter schools if the school is created to serve high-need areas. The bill also created the Florida Institute for Charter School Innovation at Florida State University to provide technical assistance, conduct research on policy and practice and provide opportunities for aspiring teachers to experience teaching in charter schools. The bill earmarked \$1 million annually for the institute. **HB 357** established the Principal Autonomy Pilot Program Initiative (PAPPI) to provide the principals of schools in participating school districts with increased autonomy and authority regarding allocation of resources and staffing, similar to charter schools. **SB 1552 and HB 1145** expanded school choice by allowing a student to attend an out of district school, provided it has capacity and the parents provide transportation. The bills also included the PAPPI program and **SB 1552** included the charter school institute provisions. All the House bills were approved by the House. **SB 1552** died on the Special Order Calendar.

**Digital Classrooms – SB 1264** directed the Agency for State Technology (AST) to establish information technology architecture standards for purposes of implementing the state’s new digital classroom funding allocation. AST was required to collaborate with the Departments of Education and Management Services to identify state procurement options and shared services available through the State Data Center to facilitate implementation digital classrooms. AST must also do an annual assessment and provide planning

assistance to address issues identified by the assessment. The bill appropriated \$10 million to the Agency for State Technology. This language was also added to **SB 948**, the Senate education “train.” Both bills made it to the floor but did not get to a vote.

**Reducing Educational Facility Costs - HB 181 and SB 1262** aimed to provide cost savings to school districts by allowing them to implement exceptions to the State Requirements for Educational Facilities (the public education building code). These exceptions relate to the use of wood studs in interior nonload-bearing walls, paved walkways, roadways, driveways, and parking areas, covered walkways for relocatable buildings, and site lighting. A school board must hold a workshop and then the resolution must pass by a supermajority vote at a public meeting. The school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for the facility. The cost-benefit analysis must also demonstrate that implementation of the exception will not compromise student safety or the quality of student instruction. This language was also added to **SB 948**, the Senate education “train.” All three bills made it to the floor but did get to a vote.

# Smart Justice

## Passed

**Civil Citations** - Civil citation programs give law enforcement officers an alternative to arresting youth who have committed non-serious delinquent acts. **Florida TaxWatch research has shown the benefits of expanding civil citations.** **SB 378** will expand civil citations by allowing law enforcement to issue a civil citation to a youth who has committed a second or subsequent misdemeanor. (Civil citation is presently only available to youths who admit to committing a first-time misdemeanor.) It also authorizes a law enforcement officer to issue a warning to a juvenile who admits having committed a misdemeanor or to inform the child's parents. If the officer does not use one of these options, the officer may issue a civil citation or require participation in a similar diversion program. The bill does provide that, in exceptional situations, an officer may arrest a first-time misdemeanor offender in the interest of protecting public safety.

**Problem Solving Courts** – **HB 1069** provides that a person eligible to participate in any type of problem solving court, not just a preadjudicatory drug court, may have their case transferred to another county if certain requirements are met. This could help expand the use of these courts. The bill defines “problem-solving court” to include preadjudicatory and postadjudicatory drug courts, preadjudicatory and postadjudicatory veterans’ courts, and mental health courts. **Florida TaxWatch research has shown the benefits of these courts as cost-effective diversion programs.**

## Did Not Pass

**Prison Reform** – This was one of the biggest issues of the session and both chambers passed reform bills. **SB 7020** would have made a number of changes including requiring periodic safety inspections and audits, specialized training for dealing with mentally ill inmates and allowing staff to make confidential reports of inmate abuse or neglect. The bill also created an independent commission to provide oversight of the state's prison system. **The bill addressed a Florida TaxWatch recommendation** (see Elderly Release below) with several provisions: requiring the Criminal Justice Estimating Conference to project prison admissions for elderly felony offenders; requiring standards of care criteria for the needs of inmates over age 50; allowing an inmate's family or lawyer to hire and pay for an independent medical evaluation; and expanding the existing conditional medical release program to allow the Commission on Offender Review to consider the release of elderly and infirm inmates.

The House prison reform bill (**HB 7131**) was more limited than the Senate bill and did not contain the independent oversight commission. Both bills passed their respective chambers, but the differences in the bills could not be reconciled. In the end, the Senate decided the House bill did not constitute real reform and with the House already gone, this important issue died this session.

**Mental Health Services – SB 1452 and HB 7113** attempted to expand Florida’s mental health courts, veterans’ courts, drug courts, and juvenile delinquency pretrial intervention programs. These programs provide pretrial or postadjudicatory alternatives for some offenders, allowing them to access programs and treatment options. Some of the provisions included expanding participation in veterans’ court, allowing counties to create and fund treatment-based mental health court programs creating a Forensic Hospital Diversion Pilot Program, allowing judges to require qualifying veterans to participate in treatment programs as part of their probation or community control, and allowing a juvenile offender with a mental illness to be admitted to a delinquency pretrial treatment program. These bills also enable judges to dismiss the charges against a juvenile upon successful completion of the program. **Florida TaxWatch has recommend the expansion of these programs to help reduce recidivism.** HB 7113 passed the full House. SB 1452 died in committee.

*These bills had the potential to advance Smart Justice concepts, but they never got a hearing:*

**Elderly Release – HB 785** would have created the Supervised Conditional Elderly Release Program for inmates 65 years of age or older who pose low risk to society. The bill allowed specific elderly inmates to reduce their sentence by up to 50 percent if they meet certain criteria and receive a favorable determination from the Florida Commission on Offender Review. It also expanded eligibility for Conditional Medical Release to include severely ill or disabled inmates that do

not meet the current 180 day life expectancy requirement. **A recent Florida TaxWatch report warned that as the average age of the prison population rises and the number of elderly prisoners increases, the cost of lengthy sentences and prisoner healthcare needs threaten a substantial rise in Florida’s Corrections budget. The report offered options for reform.**

**Job Tax Credit - HB 121 and SB 356** would have created a \$1,000 corporate income tax credit for hiring a person who has been convicted of a felony and who remains continuously employed by the corporation for at least 1 year. The credit may be taken only once per new employee and is not available for violent offenders or sexual offenders or predators.

**Education Gain-Time – HB 591** would have increased the amount of incentive gain-time awarded to an inmate for completing a high school equivalency diploma or vocational certificate from 60 to 120 days.

**Inmate Reentry – SB 1384** would have required the Department of Corrections to develop and administer a reentry program for nonviolent offenders, which is intended to divert nonviolent offenders from long periods of incarceration. It also requires that assessments of vocational skills and future career education be provided to offenders.

**Mandatory Minimum Sentencing – HB 881 and SB 1092** would have allowed a judge to impose a sentence less than the mandatory minimum sentence if the unique circumstances of the case

indicate that the offender does not pose a threat to the public and the mandatory minimum sentence does not fulfill the goal of punishment and other sentencing criteria.

## Health & Aging

### Passed

**Behavioral Health - HB 79** creates the Crisis Stabilization Services Utilization Database.

The bills require the Department of Children & Families (DCF) to develop, implement, and maintain standards under which a behavioral health managing entity will be required to collect utilization data from public receiving facilities. It provides \$175,000 to DCF for implementation.

**A recent Florida TaxWatch report emphasized the use of such data to inform behavioral health funding decisions.**

**ARNP/PA Scope of Practice - HB 335** would expand Baker Act powers to nurse practitioners with certain mental health certifications. The measure allows a psychiatric nurse to discharge or order emergency treatment for a patient held under the Baker Act. **Expanding scope of practice has been a priority of the Florida TaxWatch Center for Health and Aging.**

### Did Not Pass

**Healthcare Expansion** – The most contentious debate of the 2015 session resulted in an abrupt end to the session without a budget. The Senate passed **SB 2512**, which would have helped approximately 800,000 low-income Floridians

acquire access to affordable healthcare. The proposal was an alternative to the Medicaid expansion under the federal Affordable Care Act but, pending federal approval, would still allow Florida to draw down billions in federal funding. The bill created a health-insurance “marketplace,” where low-income people would shop for plans. People with incomes up to 138 percent of the federal poverty level that do not qualify for Medicaid would be eligible. These income limits are currently \$16,000 a year for individuals and \$33,000 for families of four. Participants would pay monthly premiums ranging from \$3 to \$25, and there is a requirement to be working or looking for work. The Senate passed the bill fairly early in the session but the House refused to consider it. Some form of an agreement must be reached before a state budget can be finalized.

**ARNP/PA Scope of Practice – The Florida TaxWatch Center for Health and Aging has released reports detailing the benefits of expanding nurse and physician assistant scope of practice. SB 532 and HB 281** would have provided authority for an advanced registered nurse practitioner to order any medication for administration to a patient in a hospital, ambulatory surgical center, or mobile surgical facility. **HB 547** was a more comprehensive scope of practice bill. **SB 614** would have allowed ARNPs and PAs to prescribe brand drugs under their current supervisory standards and limits the prescribing of controlled substances in a pain-management clinic to physicians. All of these bills passed all of their committees but did not get a floor vote.



**Telehealth** - Telehealth involves providers using the Internet and other technology to care for patients remotely, and has the potential to increase access to health care in rural and other underserved communities. Some healthcare providers are beginning to use telehealth and the bills (**HB 545 and SB 478**) would have authorized Florida licensed health care professionals to use telehealth to deliver services within their respective scopes of practice. The bills set practice standards and allowed prescriptions through telehealth, although they prohibited the prescription of chronic pain medications. The Senate bill further prohibited the prescription of eyeglasses and contact lenses through a solely telehealth diagnosis. **Telehealth is a TaxWatch Top Issue, and a separate telehealth wrap-up is available on the TaxWatch website.** Both bills died in committee.

**Medical Tourism - SB 86 and HB 945** aimed to establish Florida as a worldwide destination for medical tourism. The bills directed Enterprise Florida, in collaboration with the Department of Economic Opportunity, to market Florida as a health care destination. The Division of Tourism Marketing would have been required to include the promotion of medical tourism in a four-year marketing plan, which would specifically promote national and international awareness of healthcare specialties and expertise, and showcase key healthcare providers. An annual minimum of \$3.5 million would be appropriated from state general revenue to Florida Tourism Industry Marketing for developing and implementing medical tourism marketing. The bill also created a \$1.5 million matching grant program to encourage medical

tourism through local and regional economic development organizations. While similar legislation failed last session, the budget provided \$5 million to Visit Florida to develop a medical tourism marketing plan and to provide medical tourism matching grants. **Florida TaxWatch supports the promotion of Florida as a medical tourism destination.** While these bills were not heard, a new bill (**SB 7084**) surfaced late in the session which required Enterprise Florida to include specific initiatives to establish Florida as a destination for quality, medical services. The plan must promote the state nationally and internationally. Also, **HB 7047** was amended in the House Health and Human Services Committee to include the Senate medical tourism language. These two multi-issue health care bills appeared to be headed for passage, but they were casualties of the early end of session.

**Behavioral Health** – Earlier in the session, Florida TaxWatch released an analysis of Florida's Behavioral Health Managing Entity (BHME) system, through which the state delivers mental health and substance abuse services to uninsured Floridians. The report shows that the BHME model is working well, despite limited funding. It also offers recommendations to improve the system. In addition to HB 79, which passed (see above), a number of behavioral health bills were filed and many would have advanced these concepts.

**HB 7119** would have revised Florida's behavioral health safety-net system. The bill would have allowed for-profit entities to bid to becoming managing entities when fewer than two responsive



bids from non-profits are received. It also extends the age to qualify for the state's child and adolescent mental health system of care from 18 to 21. It required care coordination and prioritization of the populations served, as well as performance standards that measure improvement in a community's behavioral health and in specified individuals' functioning or progress toward recovery. The bill also required DCF to create the Crisis Stabilization Services Utilization database. Further, the bill required DCF to contract for a study of the safety-net system, to include an examination of options for increasing the availability of federal Medicaid services.

**SB 7068** made changes to the state's delivery of behavioral health services. The bill would have required the Agency for Health Care Administration (AHCA) and DCF to develop a plan to obtain federal approval to increase Medicaid funding for behavioral health care. The bill also reorganized behavioral health managing entities, requiring them to create a coordinated care organization in each region of the state. This would have created a network of behavioral health care providers offering a comprehensive range of services and capable of integrating behavioral health care and primary care. SB 7068 passed the full Senate. The House took it up and replaced the language with the language from HB 7119, sending it back to the Senate. The Senate refused to concur.

**SB 7070** attempted to better integrate state substance abuse services (the Marchman Act) with mental health services (the Baker Act). The bill provided that an individual may be held for an additional 48 hours if a physician determines

the individual would benefit from detoxification services. The bill directed the DCF to include substance abuse in a complete and comprehensive statewide program of mental health and to establish a continuity of care management system for the provision of mental health and substance abuse care. The bill also required providers to distribute information concerning mental health or substance abuse treatment advance directives and created the Forensic Hospital Diversion Pilot Program to provide competency-restoration and community-reintegration services in locked residential treatment facilities, based on consideration of public safety, the needs of the individual, and available resources. This legislation would have resulted in more persons having access to substance abuse treatment during emergency behavioral health care that must be delivered under the Baker Act. The state could also have saved money when patients are diverted from inpatient settings to outpatient settings under the bill. SB 7070 died on second reading.

*Other behavioral health bills that died in committee:*

**SB 1462** – In addition to creating the Crisis Stabilization Services Utilization Database (see HB 79 above), the bill authorized counties to fund treatment based mental health courts and directs AHCA to submit a federal waiver or a Medicaid state plan amendment for the provision of health homes for individuals with chronic conditions, including severe mental illnesses or substance use disorders. The agency was also directed to apply for a federal grant that can be used to create improved access to community mental health services.

**SB 1340 and HB 1017** created the Substance Abuse Assistance Pilot Program to develop safe and cost efficient treatment alternatives. DCF could contract with BHMEs or Medicaid managed care organizations to manage the program. The bills also created a process for an adult to execute a mental health or substance abuse treatment advance directive to guide their treatment should they become incapacitated.

*These bills never got a committee hearing:*

**HB 1277** would have established the Priority Care Pilot Project to provide access to care for priority target adults with serious mental illness and a history that indicates they could pose a threat to public safety. It also established service requirements for Assisted Outpatient Treatment (AOT), requiring DCF to fund BHMEs “at sufficient levels” for their management of AOT.

**SB 1476** would have created a mental health treatment bed registry website that collects and publishes utilization data regarding available treatment beds in real-time. The data would be accessible by facility administrators, service providers, health care providers, and county law enforcement.

**HB 1005** would have created the Behavioral Health Task Force to, among other duties, evaluate whether current funding for BHMEs is adequate. It also required that DCF create a new Substance Abuse & Mental Health data collection system with the goal of reducing system fragmentation and improving coordination of care. It also creates a \$450,000 student loan forgiveness program for personnel who work at community behavioral health centers.

**SB 1338** was the “Excellence in Behavioral Health Act,” creating the Behavioral Health Task Force within DCF. It authorized counties to fund treatment-based mental health court programs and requires the Agency for Health Care Administration to implement a prospective payment methodology for reimbursement rates at community behavioral health centers. The bill appropriated \$110 million to increase Medicaid reimbursement rates for behavioral health services providers to the actual cost of providing such services.

*(also, see the Smart Justice of this wrap-up for information on bills related to behavioral health services in the criminal justice system)*

## Government Efficiency and Accountability

A number of bills were filed this session that were related to **current and past recommendations of the Florida TaxWatch Center for Government Efficiency (CGE)**.

### Passed

**Civil Citations** - Civil citation programs give law enforcement officers an alternative to arresting youth who have committed non-serious delinquent acts. **SB 378** will expand civil citations by allowing law enforcement to issue a civil citation to youth who have committed a second or subsequent misdemeanor. (Civil citation is presently only available to youth who admit to committing a first-time misdemeanor.) It also authorizes a law

enforcement officer to issue a warning to a juvenile who admits having committed a misdemeanor or to inform the child's parents. If the officer does not use one of these options, the officer may issue a civil citation or require participation in a similar diversion program. The bill does provide that, in exceptional situations, an officer may arrest a first-time misdemeanor offender in the interest of protecting public safety.

**Problem Solving Courts – HB 1069** provides that a person eligible to participate in any type of problem solving court, not just a preadjudicatory drug court, may have their case transferred to another county if certain requirements are met. This could help expand the use of these courts. The bill defines “problem-solving court” to include preadjudicatory and postadjudicatory drug courts, preadjudicatory and postadjudicatory veterans’ courts, and mental health courts.

**ARNP/PA Scope of Practice - HB 335** will expand Baker Act powers to nurse practitioners with certain mental health certifications. The measure allows a psychiatric nurse to discharge or order emergency treatment for a patient held under the Baker Act.

**Procurement - SB 778** should reduce costs through increased competition by prohibiting local ordinances and regulations from restricting a certified contractor’s competition for award of a contract for construction services based upon certain conditions when the state is paying 50 percent or more.

**Agency Inspectors General - HB 371** will provide additional employment qualifications for inspectors

general & staff. The bill expands the records and personnel accessible to inspectors general during audit or investigation, authorizes inspectors general to administer oaths, and authorizes Chief Inspectors General to issue and enforce subpoenas. It also requires personnel to comply with requests of inspectors general under penalty of loss of employment.

**Pension Reform** - While a bill closing the defined benefit plan to new employees was not filed, there were bills proposing smaller changes to the FRS. **HB 565** will create a 6-month period to allow local governments participating in FRS to reassess Senior Management and to request removal from the class of any such positions that it deems appropriate. The bill allows for possible subsequent reviews and reclassifications every five years. The bill should save FRS local government money by using the additional flexibility to reduce the number of positions classified as Senior Management.

## Did Not Pass

**Early Release – SB 7020** would have expanded the existing conditional medical release program to include elderly and infirm inmates which would allow the Commission on Offender Review to consider the release of elderly and infirm inmates. SB 7020 passed the full Senate. Because the House went home early and its bill was so different, prison reform, and these measures, died this session.

**Class Size Requirements - SB 818 and HB 665** would have revised the method for calculating the penalty for failure to comply with the class size requirements by performing the calculation at the

school average instead of at the classroom level. Florida TaxWatch released a report showing that adjusting the way class sizes are calculated will result in significant savings to Florida taxpayers, which can then be reinvested in measures that have been proven to improve student achievement. HB 665 passed the full House. SB 818 died on the Special Order Calendar.

**ARNP/PA Scope of Practice – SB 532 and HB 281** would have provided authority for an advanced registered nurse practitioner to order any medication for administration to a patient in a hospital, ambulatory surgical center, or mobile surgical facility. **HB 547** was a more comprehensive scope of practice bill. **SB 614** would have allowed ARNPs and PAs to prescribe brand drugs under their current supervisory standards and limits the prescribing of controlled substances in a pain-management clinic to physicians. All these bills passed all their committee but did not get a floor vote.

**Procurement - SB 574 and HB 615** would have allowed school districts to use on-line procurement and electronic auctions. The Department of Education would have been allowed to use electronic auctions to help districts procure buses. SB 574 passed the Senate but died in House messages.

**Mental Health Services – SB 1452 and HB 7113** attempted to expand Florida's mental health courts, veterans' courts, drug courts, and juvenile delinquency pretrial intervention programs. These programs provide pretrial or postadjudicatory alternatives for some offenders, allowing them to

access programs and treatment options. Some of the provisions included expanding participation in veterans' court, allowing counties to create and fund treatment-based mental health court programs creating a Forensic Hospital Diversion Pilot Program, allowing judges to require qualifying veterans to participate in treatment programs as part of their probation or community control and allowing a juvenile offender with a mental illness to be admitted to a delinquency pretrial treatment program and allows a judge to dismiss charges against the juvenile upon the successful completion of the program. HB 7113 passed the full House. SB 1452 died in committee.

**Telehealth** - CGE has recommended that the Legislature remove disincentives and barriers to use of telehealth services and provide a foundation for statewide expansion of telehealth. Telehealth involves providers using the Internet and other technology to care for patients remotely. It can increase access to health care in areas such as rural communities. Some healthcare providers are beginning to use telehealth and legislation (**HB 545 and SB 478**) would have authorized Florida licensed health care professionals to use telehealth to deliver services within their respective scopes of practice. The bills set practice standards and allowed some prescriptions through telehealth. Telehealth is also a priority of the Florida TaxWatch Center for Health and Aging. Both bills died in committee.

**Collection of Sales Taxes on Remote Sales:** Once again, the Legislature failed to address the non-collection of sales taxes on sales to Floridians by out-of-state sellers, a situation that hurts Florida

retailers. **Florida TaxWatch** has been researching this issue and recommending solutions for more than 10 years. Many bills have been filed to help address this over the years. This year **SB 310** would have brought Florida fully into the Streamlined Sales and Use Tax Agreement, which provides an opportunity for Florida to begin collecting money from a compact of sellers that voluntarily collect the tax. **HB 101** would have expanded nexus over remote retailers, requiring more retailers to collect tax on sales to Floridians. **HB 1265** was a memorial urging Congress to support the Marketplace Fairness Act. None of these bills were heard this session.

*These bills did not receive a committee hearing:*

**Elderly Release – HB 785** would have created the Supervised Conditional Elderly Release Program for inmates 65 years of age or older who pose a low risk to society. The bill allowed specific elderly inmates to reduce their sentence by up to 50 percent if they meet certain criteria and receive a favorable determination from the Florida Commission on Offender Review. It also expanded eligibility for Conditional Medical Release to include severely ill or disabled inmates that do not meet the current 180 day life expectancy requirement.

**Job Tax Credit - HB 121 and SB 356** would have created a \$1,000 corporate income tax credit for hiring a person who has been convicted of a felony and who remains continuously employed by the corporation for at least 1 year. The credit may be taken only once per new employee and is not available for violent offenders or sexual offenders or predators.

**Education Gain-Time – HB 591** would have increased the amount of incentive gain-time awarded to an inmate for completing a high school equivalency diploma or vocational certificate from 60 to 120 days.

**Inmate Reentry – SB 1384** would have required the Department of Corrections to develop and administer a reentry program for nonviolent offenders, which is intended to divert nonviolent offenders from long periods of incarceration. It also requires that assessments of vocational skills and future career education be provided to offenders.

## Pension Reform

Once again, major reform of the Florida Retirement System (FRS) did not happen. While it was a House priority going into session, House Speaker Steve Crisafulli later announced the House would not pursue FRS reform. His announcement was in response to an actuarial study that looked at closing the defined benefit pension plan to new employees and placing them in the investment plan, as recommended by the Florida TaxWatch Center for Government Efficiency. The Speaker said “The results from the most recent study of the very same bill changed from several billions of dollars in savings to millions of dollars in costs. Given the unexpected and puzzling report, we believe it is important to pause and understand what factors caused such a dramatic shift.” While a bill closing the defined benefit plan to new employees was not filed, there were some bills proposing smaller changes to the FRS and some bills dealing with local pension reform.





## Passed

**Local Pension Reform - SB 172** could result in a change to the distribution of insurance premium tax revenues that provides some funding for Florida's municipal police and fire pension plans. The current system, which mandates that revenue over a certain threshold be used for additional benefits, is becoming unsustainable. The bill authorizes deviation from the specified uses of premium tax revenues, by mutual consent of collective bargaining representatives or majority consent of plan members. The bill permits a reduction in plan benefits that are provided over the minimum benefit levels if the plan provides a 2.75 percent accrual rate, and directs how the freed up money must be used. Florida TaxWatch concludes that this is only a first step to true pension reform. **The bill does contain some provisions to increase accountability and oversight, but it fails to ensure Florida's local government pension system is stable and secure for pensioners and taxpayers.**

**HB 1309** will require local government pension plans to use mortality table methodologies consistent with the methodologies by the Florida Retirement System (FRS). In most instances, the mortality tables used will recognize longer lifetimes for annuitants and result in higher annual contributions being required to be paid into the pension funds in the near term.

**Florida Retirement System - HB 565** will create a 6-month period to allow local governments participating in FRS to reassess Senior Management and to request removal from the class

of any such positions that it deems appropriate. The bill allows for possible subsequent reviews and reclassifications every five years. The bill should save FRS local government money by using the additional flexibility to reduce the number of positions classified as Senior Management.

## Did Not Pass

**Local Pension Reform - HB 1279** also addressed police and firefighter pension plans. **The original bill was strongly supported by Florida TaxWatch research, but it was substantially watered down.** For local plans that provide benefits for both firefighters and police officers in municipalities with a population of 800,000 or more, the bill would have expanded the board membership to nine members. It provided that four of the members must be appointed by the governing body of the municipality, two must be firefighters, and two must be police officers.

It also required that plans funded under 50 percent must, every 3 years, conduct an internal audit of the plan's management and accounting practices and investments. HB 1279 died on second reading.

**Florida Retirement System - SB 7042 and HB 1249** would have allowed FRS retirees to come back to work for the state and participate only in the investment plan. The bill was filed in response to a 2010 law designed to end double-dipping, which provided that when an employee returned, they could not renew their membership in FRS. While critics say the bill would have led to double-dipping again, proponents say the current law is a

disincentive to workers from coming back to work for the state. More than 11,000 employees have returned to state work since June 30, 2010. They cannot join the FRS again. SB 7042 passed one committee. HB 1249 was not heard in committee.

# Appendix A

## The House Tax Cut Package

(and Senate action on the provisions)

The following are the provisions of the \$689 billion House Tax Cut Package (HB 7141) which was approved by the full House. Any Senate action on individual provisions is included.

### Tax Rate Reductions

- **Communications Services Tax (CST)** – The tax on wireless phone, cable and satellite television and non-residential landline phone services rate would be reduced by 3.6 percentage points. Local CST rates are not affected and revenue sharing distributions are revised to ensure that local governments do not see a revenue reduction. **Florida TaxWatch research has shown that reducing the CST is the best way to give broad based tax relief, since it affects almost all Florida families and the high tax rate is discriminatory and distortionary.**

Tax Savings - \$431.3 million (\$470.5 million recurring).

Senate Action – SB 110 passed two committees, died in Appropriations

- **Sales Tax on Commercial Leases** – There would be a small (0.2 percent) reduction in the rate from 6 percent to 5.8 percent. **Florida TaxWatch supports the reduction because this affects the competitiveness of Florida businesses. Florida is the only state to impose this tax.**

Tax Savings - \$22.3 million (\$53.1 million recurring). Effective January 1, 2016.

Senate Action – SB 140 (provides a larger cut of 1 percent), passed two committees, died in Appropriations

### Sales Tax Exemptions

- **Agricultural Exemptions** - Exempts irrigation equipment, maintenance and repair of irrigation and power farm equipment, stakes used in planting, the sale price below \$20,000 of a trailer weighing 12,000 pounds or less, and aquaculture feed.

Tax Savings - \$12.4 million (\$13.4 million recurring).

Senate Action – SB 398 passed two committees, died in Appropriations

- **Book Fairs at K-12 Schools** - If the sales are made by a third-party vendor, the vendor must commit all or some of the profits for the benefit of the school.

Tax Savings - \$2.8 million annually

Senate Action – no Senate bill

- **Food and Beverage Concessions** – Exempts concessions in support of extra-curricular activities at public, parochial, or nonprofit K-12 schools.

Tax Savings - \$1.7 million annually

Senate Action – SB 572 died on the calendar

- **College Textbooks** - Exempts printed or digital instructional materials required or recommended for public or private colleges and universities.

Tax Savings - \$43.7 million annually

Senate Action – SB 938 passed the Education Committee, died in Appropriations Subcommittee

- **Metal Recycling Machinery and Equipment** – Adds this to the current exemption for manufacturing machinery and equipment which expires on April 30, 2017.

Tax Savings - \$0.9 million annually

Senate Action – No Senate bill

- **Gun Clubs** – Exempts admissions and membership fees.

Tax Savings - \$1.2 million annually

Senate Action – No Senate bill

- **Motor Vehicles Purchased by Military Service Members** - Provides a sales tax exemption for any motor vehicle purchased and used for six months or longer in a foreign country by an active member of the United States Armed Forces or that member's spouse. Currently, no credit for Florida tax is given for use in or taxes paid in another country.

Tax Savings - \$0.9 million annually

Senate Action – No Senate bill

## Sales Tax Holidays

- **Back to School** - From July 31 to August 2, 2015, clothing, footwear, wallets and bags that cost \$100 or less would be exempt from the state and local sales taxes. Also exempt would be school supplies costing \$15 or less per item and the first \$750 of the sales price for personal computers and related accessories purchased for noncommercial home or personal use.

Tax Savings - \$44.0 million (one-time)

Senate Action – No Senate bill

- **Small Business** - On November 28, 2015, items priced \$1,000 or less that are sold by small businesses would be exempt from sales taxes. The bill defines “small business” as one that owed and remitted less than \$200,000 in sales tax during the one-year period ending September 30, 2015.

Tax Savings - \$40.3 million (one-time)

Senate Action – SB 384 passed two committees, died in Appropriations

- **Outdoor Sportsmen** - On July 4, 2015, rifles, shotguns, spearguns, crossbows, bows and ammunition for those items will be exempt. Also exempt will be camping tents and fishing supplies. This will provide consumers with a one-time savings of \$3.2 million.

Tax Savings - \$3.2 million (one-time)

Senate Action – No Senate bill

## Property Taxes

- **Exemption for Widows, Blind, or Totally and Permanently Disabled Persons** – Increases the current exemption from \$500 to \$5,000.

Tax Savings - \$41.3 million annually

Senate Action – No Senate bill

- **Exemption for Military Servicemembers** – The current partial homestead exemption available to servicemembers deployed overseas would be expanded to add 11 new military operations that qualify.

Tax Savings - \$0.2 million annually

Senate Action – SB 7052 passed the full Senate



## Corporate Income Taxes

- **Research and Development Tax Credits** - The bill increases the annual amount available for these credits from \$9 million to \$23 million in calendar years 2016, 2017, and 2018. **Florida TaxWatch research has supported research and development tax credits and exemptions.**

Tax Savings - \$14.0 million annually for three years

Senate Action – SB 886 (increases cap to \$20 million) was not heard in committee

- **Defense Works in Florida Incentive** – This new incentive would encourage defense contractors receiving federal contracts to select Florida-based subcontractors by providing tax credits. Up to \$250 million in total qualified subcontract awards for a single Florida prime contractor are allowed per tax year, total qualified subcontract awards for all applicants are capped at \$2.5 billion.

Tax Savings - \$5.5 million annually for three years

Senate Action – SB 980 (provides half of the total amount of credits as the House) passed two committees and died in Appropriations.

- **Brownfields** - The state provides currently tax credits of up to \$500,000 per business to incentivize **rehabilitation of brownfields and voluntary cleanup of other contaminated sites.** There is a current annual cap of \$5 million for these credits. The bill provides a one-year increase of the annual cap to \$17 million to clear up the backlog.

Tax Savings - \$12.0 million one-time

Senate Action – SB 980 (provides half of the total amount of credits as the House) passed two committees and died in Appropriations.

- **Community Contribution Tax Credit Program** - The program, scheduled to sunset June 30, 2106, would be extended for one year. The program encourages private sector participation in community revitalization and housing projects.

Tax Savings - \$13.3 million one-time

Senate Action – SB 302 (provides a nine-year extension) passed two committees and died in Appropriations.

## Other Taxes

- **Pear Cider** - The bill equalizes the alcoholic beverage tax rate applied to apple and pear cider by amending the definition of cider to include pear cider. Pear cider would be taxed at a rate of \$0.89 per gallon as opposed to the current rate of \$2.25 per gallon. This will save pear cider producers and drinkers \$0.5 million annually.

Tax Savings - \$0.5 million annually

Senate Action – No Senate bill

- **Title Insurance Premiums** - The bill provides a one-year extension of the insurance premium tax exemption for the portion of title insurance premiums that is retained by agents. The current exemption is scheduled to sunset December 31, 2017.

Tax Savings - \$4.5 million (one year extension)

Senate Action – No Senate bill

- **Aviation Fuel** - An exemption from the 6.9 cents per gallon aviation fuel tax would be created for fuel used by Florida higher educational institutions for flight training. There are four schools that qualify.

Tax Savings - \$0.2 million annually

Senate Action – No Senate bill

- **Alcoholic Beverage Transport Permit** - A \$5 fee for a permit for a vehicle used by a vendor to transport alcoholic beverages would be eliminated. The fiscal impact of this provision is “insignificant” (less than \$50,000).

Tax Savings - Insignificant (less than \$50,000)

Senate Action – No Senate bill

The bill also removes the **estate tax** from Florida law. The Florida Constitution prohibits any estate tax upon Florida residents in excess of the amount that may be credited upon or deducted from the federal estate tax. Since the federal government phased-out the credit for state estate taxes beginning in 2002, Florida has effectively not had an estate tax since 2005.

# Appendix B

## Other Filed Tax Bills That Were Not Heard This Session

### Sales Tax Bills

**HB 693 and SB 712** would exempt the sale or lease of all **aircraft** from the sales tax. Currently the exemption is provided only for aircraft over 15,000 pounds that is used by a common carrier.

**HB 355 and SB 506** would change the method for **calculating the amount of sales tax due** on all purchases. Instead of using the current bracket system, the sales price would be multiplied by the tax rate and rounded down to the nearest cent. These bills have not been heard and their significant price tag - \$101 million - will make it difficult to advance.

**HB 303 and SB 624** would impose a **25 cent surcharge on tickets to professional sporting events** to fund high school sports programs.

**SB 198** would allow the governing authority in each county to levy a **discretionary sales surtax** of 0.5 percent or 1 percent for the purpose of funding capital restoration of natural water bodies, including tributaries, canals, stormwater systems, and channels. Funds may be used for dredging operations if related to ecologically beneficial muck removal.

**HB 89 and SB 188** would exempt the sale of an **original work of art** that is signed and sold by the artist if the work is not numbered and the sales price equals or exceeds \$1,000.

**SB 864 and HB 905** would exempt the sale of electric and hydrogen motor vehicles.

**HB 101, HB 739 and SB 900** would create the **Restaurant and Hotel Renovation Tax Refund Program** allowing hotels and restaurants that undertake renovations could apply for sales tax refunds. To qualify the hotel renovation must be at least \$2 million and the restaurant renovation must be at least \$100,000. The refund would be based on the additional sales tax the business collects after renovation and cannot exceed 50 percent of those taxes.

**Sales Tax Exemption Review – HB 1221** would also create a Joint Legislative Sales & Use Tax Review Committee to examine exemptions and exclusions for possible repeal or modification. It also would create a water's edge unitary corporate income tax scheme for Florida.

## Property Tax Bills

**Property Tax Exemptions - HB 847 and SB 1086** would create a new property tax exemption for businesses located at the same location for at least 20 years. Improvements to the property that are made as a result of technological or production advances or to meet new regulatory requirements would not increase the property's assessed value for a period of 10 years. Also, the new machinery and equipment included in such improvements would not be subject to tangible personal property taxes.

**HJR 229 and SJR 588** propose an amendment to the state Constitution to allow the Legislature, by general law, to **exempt** from taxation property owned by a municipality that is not used for municipal or public purposes.

**Taxpayers' Bill of Rights - HB 417** would add a new right that reads: "The right to value definitions based on actual assessment practices, applicable provisions of the State Constitution, and the laws of this state, applied consistently in both assessment development by the property appraiser and assessment review by the value adjustment board and the courts of this state."

## Corporate Income Tax Bills

**Water's Edge Unitary Tax** – HB 1221 would create a water's edge unitary corporate income tax scheme for Florida. The bill would also create a Joint Legislative Sales & Use Tax Review Committee to examine exemptions and exclusions for possible repeal or modification. This bill has not yet been referred to a committee and has no Senate companion.

**New Small Business Tax Credit** – SB 128 and HB 517 would create a new corporate income tax credit for new small businesses. If qualified, the business would receive a \$1,500 credit for each employee, up to a maximum total credit of \$21,000.

**Florida Student Internship Tax Credit** – HB 427 would provide a corporate income tax credit for hiring a student as an intern within the student's field of study if the business has been in existence for at least 3 years. The credit is limited to two students per business and the student must be employed as an intern for no more than 180 days. The credit is equal to 50 percent of the student's salary, with a limit of \$3,600 per student.

## Other Tax Bills

**Tax Swaps** – Two bills were filed that would be a significant change to the state’s tax system by replacing some taxes with others. Both would also provide a large tax cut. **HB 317** replaces the corporate income tax, the sales tax on commercial leases and on manufacturing machinery and equipment with a 1 percent increase in the state sales tax. This would result in a net \$141 million tax reduction. **HB 319** would replace most school property tax (Required local effort and non-voted discretionary and capital outlay levies) with a 2.75 percent increase in the state sales tax. This would result in a net \$279 million tax cut.

**Local Government Infrastructure** – SB 850 and HB 923 would allow local governments to use impact fees to improve existing infrastructure, not just new infrastructure. It would also authorize a local option documentary stamp tax of up to \$1 per \$100 to be used for the same thing. A local government would be allowed to use only one of the options.

**Cigarette Tax**– SB 1386 would impose a new fee of 2.6 cents on each cigarette produced by a “non-settling” manufacturer. These are manufacturers that are not part of the tobacco settlement agreements.



## ABOUT THE AUTHOR



Kurt Wenner, Vice President of Research, is a mainstay on the Tallahassee state budget watchdog scene and is the second-longest serving staff member of Florida TaxWatch. Kurt has authored all of the major tax publications produced by Florida TaxWatch, including pieces on Florida's Intangibles Tax, and general sales, property, and business tax issues. Kurt is the author of TaxWatch staples "How Florida Compares," the annual "Taxpayer Independence Day" report on tax burdens, and the annual "Budget Turkey Watch."

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## ABOUT FLORIDA TAXWATCH

As an independent, nonpartisan, nonprofit taxpayer research institute and government watchdog, it is the mission of Florida TaxWatch to provide the citizens of Florida and public officials with high quality, independent research and analysis of issues related to state and local government taxation, expenditures, policies, and programs. Florida TaxWatch works to improve the productivity and accountability of Florida government. Its research recommends productivity enhancements and explains the statewide impact of fiscal and economic policies and practices on citizens and businesses.

Florida TaxWatch is supported by voluntary, tax-deductible donations and private grants, and does not accept government funding. Donations provide a solid, lasting foundation that has enabled Florida TaxWatch to bring about a more effective, responsive government that is accountable to the citizens it serves for the last 35 years.

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The findings in this *Report* are based on the data and sources referenced. Florida TaxWatch research is conducted with every reasonable attempt to verify the accuracy and reliability of the data, and the calculations and assumptions made herein. Please feel free to contact us if you feel that this paper is factually inaccurate. The research findings and recommendations of Florida TaxWatch do not necessarily reflect the view of its members, staff, Executive Committee, or Board of Trustees; and are not influenced by the individuals or organizations who may have sponsored the research.

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**TAB 6**  
**LEGISLATIVE**

**TAB 6A**  
**LEGISLATIVE:**  
**STATE**



## **MEMORANDUM**

DATE: May 1, 2015

TO: Florida Port Directors

FROM: Michael Rubin, Vice President Governmental Affairs

SUBJECT: **END OF SESSION LEGISLATIVE REPORT**

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In the words of one Senator, the 2015 Regular Session came to an acrimonious close this week. The House left on Tuesday, April 28<sup>th</sup> and the Senate is scheduled to end at 11:59 p.m. on Friday, May 1<sup>st</sup>. This Session was marked by more of what didn't pass than what actually passed. We expect them to come back in June to complete at least the budget and maybe some additional issues. Below is a recap of issues that passed or failed to pass during the Regular Session with respect to FPC legislative issues:

### ***Legislation Passed By the Florida Legislature***

1. **Freight Logistics Zones (HB 257 by Representative Ray and SB 956 by Senator Simpson)**. As you may recall, this bill failed to pass during the 2014 Regular Session, and it was poised to move quickly through the process this year. The bill authorizes the creation of freight logistics zones by counties. The legislation requires the county or counties creating the zone to adopt a strategic plan for the development and operation of the zone. Although the legislation does not provide any specific incentives for these zones, it does authorize state entities administering incentives to prioritize eligible projects in the zones for such incentives.
2. **Local Bill Relating to Ocean Highway and Port Authority, Nassau County (HB 1201 by Representative Adkins)**. The Legislature passed a local bill by Representative Adkins to require partisan election of members of the Board of Port Commissioners for the Nassau County Ocean Highway and Port Authority.

### ***Legislation NOT Passed By the Florida Legislature***

1. **Fiscal Year 2015/16 Budgetary Issues**. The House and Senate were unable to reach any compromise over Medicaid funding, and have delayed any discussion on the budget until at least June when they expect to have additional information on the potential impact of this federal issue on state revenues. A "new" budget would have to be drafted for this Special Session, but at this time we do not expect any significant changes to our seaport budget



items. During Regular Session 2015, both the House and Senate had approved the following specific seaport budget line items:

- a. **Line Item 1874** -- \$15 million for debt reserve payments (FPFC 1996 Bond/Refinance)
  - b. **Line Item 1875** -- \$10 million for debt reserve payments (FPFC 1999 Bond/Refinance)
  - c. **Line Item 1876** -- \$69,421,949 for the FSTED Program, SIS, GM, and other FDOT allocations in FDOT 5-Year Work Program.
  - d. **Line Item 1877** -- \$11,407,044 for the Seaport Investment Program/Bond debt reserve payments.
  - e. **Line Item 1879** -- \$45,142,357 for the FDOT Intermodal Development/Grants Program. This may include some seaport projects.
2. **FDOT 2015 Legislation -- Increase of FSTED Statutory Program Funding from \$15 million to \$25 million (CS/HB 7039 by the House Transportation and Ports Subcommittee, SB 1456 by Senator Latvala, and CS/CS/SB 1554 by Senator Brandes).** This legislation was one of many major policy pieces that failed to pass during Regular Session 2015. As we have previously reported, both sides were very supportive of our desire to increase the statutory minimum for the FSTED Program.

We will be working to amend this statutory increase language onto appropriate legislation during either a Special Session on the budget, or during any other called Special Session. This statutory increase language can be placed on an appropriations implementing bill that will be heard during the Budget Special Session. We will let you know specific plans when that Special Session is called into action.

3. **Government Accountability/Lobbyist Registration (CS/CS/CS/SB 1372 by Senator Gaetz and CS/CS/CS/HB 1063 by Representative Metz).** CS/CS/SB 1372 was passed by the full Senate but died in the House. The bills included requirements for several local government entities – including port authorities -- to create lobbyist registration procedures. The local government employment provisions of the bills were amended to include language to provide hospitals, universities, and airports and seaports authority to pay bonus and severance packages from non-state sources.

We do not expect this legislation to be included in any potential Special Session, but we do expect Senator Gaetz to refile this legislation next year during Regular Session 2016.

4. **Freight Mobility & Trade Projects (HB 331 by Representative Ray and SB 958 by Senator Simpson).** This legislation would have transferred motor vehicle license fees that had previously been dedicated to the General Revenue Fund into the State Transportation Trust Fund. These fees would be set aside for “freight mobility and trade projects identified in the Freight Mobility and Trade Plan pursuant to s. 334.044 or for navigational channel deepening or maintenance projects approved by the United States Army Corps of Engineers.” This legislation was never heard in any committee in the House or the Senate.

We do not expect this legislation to be included in any potential Special Session, but we do expect Representative Ray to refile this legislation during Regular Session 2016.

5. **FPC Partner Issues.** Issues backed by the Florida Chamber of Commerce and Enterprise Florida that we were supporting also failed to pass. These issued included:
- a. Permanently eliminate the tax on machinery and equipment. This proposal was also a part of the Governor’s tax cut package. The current estimated impact of this tax cut is \$142.5 million. Many of these issues were being merged into a larger omnibus economic development bill during the last few weeks of Session, but they failed to pass either side. Some of the Governor’s tax cut issues may become part of a Special Session on the Budget or other potential Special Sessions.
  - b. \$20 million “Market Florida” campaign. These funds would go to a professionally designed marketing strategy and branding initiative created by Enterprise Florida called “The Perfect Climate for Business.” This issue was part of the Governor’s budget request (although his requested level of funding was \$5 million), and should be part of any future budget discussions.

Thank you to everyone for your hard work during a difficult Regular Session. We are far from finished with our FPC legislative efforts this year, and are looking forward to working with everyone to pass our FSTED Program funding increase during the next called Special Session. We will let you know when these efforts kick off in earnest. Please call or email us if you have any questions in the meantime.

**Follow the Florida Ports Council to get the latest news on seaport issues:**



**TAB 6B**  
**LEGISLATIVE:**  
**FEDERAL**

# **Federal Initiatives**

**TO BE DISCUSSED AT MEETING**



# **Federal Issues**

# MAP-21

**TO BE DISCUSSED AT MEETING**

**Water Resources &  
Reform Development Act  
(WRRDA) / HMTF**



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**

**Peter A. DeFazio**  
**Ranking Member**

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

June 5, 2015

**SUMMARY OF SUBJECT MATTER**

**TO:** Members, Subcommittee on Water Resources and Environment  
**FROM:** Staff, Subcommittee on Water Resources and Environment  
**RE:** Hearing on “One Year Anniversary After Enactment: Implementation of the Water Resources Reform and Development Act of 2014”

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**PURPOSE**

On Wednesday, June 10, 2015, at 10:00 a.m. in 2167 Rayburn House Office Building, the Subcommittee on Water Resources and Environment will meet to receive testimony from the Assistant Secretary of the Army for Civil Works and the Chief of Engineers for the U.S. Army Corps of Engineers (Corps) on implementation of the Water Resources Reform and Development Act of 2014 (WRRDA 2014).

**Army Corps of Engineers – Civil Works**

The Corps of Engineers constructs projects for the purposes of navigation, flood control, beach erosion control and shoreline protection, hydroelectric power, recreation, water supply, environmental protection, restoration and enhancement, and fish and wildlife mitigation.

The first step in a Corps water resources development project is a study of the feasibility of the project. If the Corps has previously conducted a study in the area of the proposed project, the new study can be authorized by a resolution of either the House of Representatives Committee on Transportation and Infrastructure or the Senate Committee on Environment and Public Works. If the area has not been previously studied by the Corps, then an Act of Congress is necessary to authorize the study. Historically, most studies have been authorized by Committee resolution.

The Corps prepares a feasibility report, the cost of which is shared 50 percent by the federal government and 50 percent by the non-federal interest, to determine if a project is economically justified, environmentally acceptable, and technically achievable.

After a full study is completed, the results and recommendations of the study are submitted to the Congress, usually in the form of a report of the Chief of Engineers. If the results and recommendations are favorable, the next step is authorization. Project authorizations are contained in Water Resources Development Acts (WRDAs), the most recent of which was enacted in 2014.

Currently the Corps maintains more than 25,000 miles of channels for commercial navigation, and operates and maintains 236 locks at 192 sites. Almost 140 locks are more than 50 years old. The Corps also maintains 926 coastal, Great Lakes, and inland harbors.

The Corps manages more than 700 dams nationwide and is responsible for almost 15,000 miles of levees through its flood damage reduction mission. Corps flood damage reduction projects prevent, on average, more than \$48.5 billion in flood damage annually. Every dollar invested in a Corps flood project prevents \$7.92 in damage.

The Corps of Engineers employs almost 23,000 people, including more than 280 military personnel. Corps projects provide annual net economic benefits of more than \$87 billion, and the total replacement value of Corps infrastructure assets equals approximately \$265 billion.

### **Water Resources Reform and Development Act of 2014**

Traditional WRDAs authorize the Corps to carry out projects used for navigation, flood damage reduction, aquatic ecosystem restoration, and other purposes. WRDAs are meant to be enacted every two years, but recently only two have been enacted into law (2007 and 2014).

WRRDA 2014 was enacted on June 10, 2014. It codified measures to accelerate the project delivery process, promoted fiscal responsibility, and called for increased federal support of transportation networks to promote competitiveness, prosperity, and economic growth. WRRDA 2014 also made reforms to increase transparency, accountability, and congressional oversight in reviewing and prioritizing future water resources development investment.

With the enactment of WRRDA, the Corps is required to issue just over 200 pieces of implementation guidance to carry out the law. In the one year since enactment, the Corps has issued less than 40 percent of the implementation guidance, much of which is to carry out nontechnical sections of the law. By comparison, one year after enactment of WRDA 1986, the Corps had issued approximately 50 percent of the implementation guidance. Many non-federal project sponsors could benefit from the reforms that WRRDA 2014 provides, but instead are having difficulty utilizing the provisions since implementation guidance has not been issued.

#### *Annual Report to Congress*

Section 7001 of WRRDA 2014 required the Secretary of the Army to request proposals from non-federal interests for new project authorizations, studies, and modifications to existing Army Corps of Engineers projects. Further, it required the Secretary to submit to the Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public



Works, and make publicly available, an Annual Report of those activities that are related to the missions of the Corps of Engineers and require specific authorization by law.

This section was included in WRRDA so that Congress could gain greater insight into the water resources challenges facing the nation and the Army Corps of Engineers. The Annual Report is intended to guide Congress and help set priorities for future water resources legislation. Congress intended that this report would be a collective effort of state and other non-federal project sponsor priorities without the concerns of feasibility and cost.

Implementation guidance has been issued for this section, and it tracked very closely with congressional intent until the first Annual Report was provided to the Committee on Transportation and Infrastructure in February 2015.

Rather than provide Congress an Annual Report based on the criteria required in WRRDA 2014, the Corps instead provided a list of projects that met Administration prioritization. According to WRRDA 2014, any project request that met the following criteria was to be included in the Annual Report:

1. Are related to the missions and authorities of the Corps of Engineers.
2. Require specific congressional authorization, including by an Act of Congress.
3. Have not been congressionally authorized.
4. Have not been included in any previous Annual Report.
5. If authorized, could be carried out by the Corps of Engineers.

However, in its first Annual Report, the Administration used a different set of criteria for evaluating project authorizations, studies, and modifications than those specifically outlined in section 7001(c)(1)(A) of WRRDA 2014.

For example, in the initial Annual Report, two of the nine pending feasibility reports were listed in the appendix for the stated reason that these reports had yet to clear administration review. Yet, the statutory criteria in section 7001(c)(1)(A) do not mention clearing administration review as a factor for listing a project authorization, study, or modification in the appendix. Similarly, other project authorizations, studies, or modifications are listed in the appendix for the stated reason that these requests are “not a primary mission” of the Corps. Again, the statutory criteria listed in section 7001(c)(1)(A) do not consider whether an authorization, study, or modification is a “primary mission” of the Corps as a factor for including that request in the appendix. The appendix is an added layer of transparency that contains projects that were not included in the Annual Report, but provides Congress with a more complete spectrum of the potential project studies, authorizations, and modifications.

The Annual Report is intended to reflect a broad spectrum of activities for Congress, not the Administration, to consider in authorizing future water resources projects. The *Federal Register* Notice for project submittals to the Corps for the next Annual Report was issued on May 26, 2015.

### *Accelerated Project Delivery Process*

Important reforms provided by WRRDA 2014 accelerate the project delivery process. WRRDA 2014 limits feasibility studies to three years and \$3 million in federal costs per study, and requires all three levels of the Corps (District, Division, and Headquarters) to concurrently review the feasibility study.

To help the Corps comply with the commonly referred to “3x3x3” process, WRRDA 2014 repealed the requirement that a reconnaissance study must be conducted prior to initiating a feasibility study. This creates an accelerated process which allows non-federal project sponsors and the Corps to go directly into the feasibility study phase at a 50 percent federal-50 percent non-federal cost share, shaving approximately one year off the feasibility study schedule. WRRDA 2014 also accelerates Corps studies and reviews by requiring the Corps to better coordinate with all federal, state, and local agencies involved in the environmental review process.

WRRDA 2014 provides the Corps with permanent authority to accept funds from non-federal interests to process permits within the regulatory program of the Corps of Engineers. Also included in this provision is a pilot program for public utility companies and natural gas companies to expedite the processing of permits within the regulatory program of the Corps.

Implementation guidance has been issued on some of these provisions, like the “3x3x3” process and the repeal of the requirement that the Corps carry out initial reconnaissance studies. Implementation guidance has yet to be issued for other project acceleration provisions.

### *Flexibility for Non-federal Interests*

WRRDA 2014 maximizes the ability of non-federal interests to contribute their own funds to move studies and projects forward. Under the law, non-federal interests have the opportunity to contract with the Corps to study, design, and construct water resources projects using their own funding.

WRRDA 2014 establishes a five-year pilot program for the acceptance and expenditure of funds contributed by non-federal interests to operate and maintain specific locks located on the nation’s inland waterways. WRRDA 2014 authorizes a non-federal sponsor to apply credit for in-kind contributions that are in excess of the non-federal share to other water resources development projects being carried out by the same non-federal sponsors.

Very few implementation guidance sections have been issued related to non-federal contributions, though the sections that have been issued generally follow congressional intent.

### *Harbor Maintenance Trust Fund*

WRRDA 2014 creates a targeted expenditure from the Harbor Maintenance Trust Fund (HMTF), increasing each year, so that by fiscal year 2025 and beyond, 100 percent of the funds collected for harbor maintenance purposes go towards required operation and maintenance

activities. At the same time, WRRDA 2014 addresses the needs of the nation's authorized harbors in a manner that benefits both the largest commercial harbors, as well as the smaller and emerging harbors. For fiscal years 2015 through 2024, the Secretary is directed to allocate 90 percent of such funds to meet the needs of high-use and moderate-use harbor projects, and to allocate 10 percent of such funds to meet the needs of emerging harbors.

The Corps has not issued any implementation guidance on the sections related to the Harbor Maintenance Trust Fund.

In addition, during the 113<sup>th</sup> Congress, a provision was included in the fiscal year 2015 Omnibus Appropriations that directs the Corps to forgo the allocation of harbor maintenance funds contained in section 2102 of WRRDA 2014. This Congress, the House of Representatives passed an amendment to the fiscal year 2016 Energy and Water Appropriations bill directing the Corps to follow the allocation of harbor maintenance funding, which was approved by voice vote.

#### *Water Infrastructure Public-Private Partnership Pilot Program and WIFIA*

WRRDA 2014 establishes a Water Infrastructure Finance and Innovation Act (WIFIA) to provide federal credit assistance for drinking water and wastewater activities through the Environmental Protection Agency's (EPA's) portfolio, and water resources infrastructure projects through the Corps' portfolio. This newly created program is modeled after the highly successful Transportation Infrastructure and Innovation Act (TIFIA) program for surface transportation. WIFIA aims to provide credit assistance in the form of loans or guarantees for eligible water projects.

WRRDA 2014 also strengthens the primary existing source of federal investment for wastewater infrastructure, the Clean Water State Revolving Fund (CWSRF), by expanding the types of projects eligible for CWSRF funding, by increasing the affordability of local financing from the Fund, and by providing communities with greater flexibility in the use of financial assistance to target local water quality needs.

While implementing this new program requires actions by both the Corps and EPA, the Corps has yet to issue implementation guidance on WIFIA. EPA is actively developing its implementation guidance on WIFIA. While EPA's guidance follows the intent of WRRDA 2014, there is no indication of when the Corps will release their guidance.

WRRDA 2014 authorizes the Corps to enter into agreements with non-federal interests, including private entities, to finance construction of at least 15 authorized water resources development projects utilizing the model of a public-private partnership. While the Corps is attempting to carry out public-private partnership activities, implementation guidance for public-private partnerships under WRRDA 2014 has yet to be issued.

### *Deauthorizations*

WRRDA 2014 also contains a provision to deauthorize \$18 billion of old, inactive projects. While implementation guidance for the deauthorization section has been issued, the Corps has yet to supply Congress with the required interim list of \$18 billion worth of potential projects that are proposed to be deauthorized.

DEPARTMENT OF THE ARMY

COMPLETE STATEMENT

OF

THE HONORABLE MS. JO-ELLEN DARCY  
ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

AND

LIEUTENANT GENERAL THOMAS BOSTICK  
CHIEF OF ENGINEERS

BEFORE

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE  
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

UNITED STATES HOUSE OF REPRESENTATIVES

ON

ONE YEAR ANNIVERSARY AFTER ENACTMENT: IMPLEMENTATION  
OF THE WATER RESOURCES REFORM AND DEVELOPMENT ACT OF  
2014

JUNE 10, 2015

Mr. Chairman and distinguished members of the Subcommittee, we are honored to testify before you on the implementation of the Water Resources Reform and Development Act (WRRDA) of 2014.

WRRDA 2014 provides new and revised authorities to the Secretary of the Army with regard to the Nation's water resources. The Assistant Secretary of the Army for Civil Works (ASA(CW)) is responsible for the overall supervision and development of guidance for these authorities, and their implementation, and the U.S. Army Corps of Engineers (Corps) is charged with implementing the specific studies and projects. WRRDA 2014 authorizes 34 projects for construction at a total cost of approximately \$25.7 billion, and authorizes the modification of eight projects at a total cost of approximately \$2.2 billion. In addition, WRRDA 2014 deauthorizes 18 specific projects and establishes a process for considering additional deauthorizations under which the Corps would produce a list of inactive projects and separable elements of projects with a Federal cost of at least \$18 billion.

WRRDA 2014 also contains many programmatic changes. Since some of these provisions have the potential to significantly affect the way the Corps and our stakeholders operate, we sought public input in developing implementation guidance. We held four listening sessions between August and September of 2014 with over 800 individuals participating in the sessions. We gained valuable information from these stakeholders regarding their views on the implementation of many of the WRRDA 2014 provisions. Additionally, we accepted written comments. In October 2014, the comments from the listening sessions and the written comments were compiled, organized by the section of the Act to which they relate, and distributed to the subject matter experts within the Corps for their use in drafting implementation guidance.

The purpose of implementation guidance is to provide a common understanding of how the law will be implemented and which policies will need to be amended to ensure consistent application of the law across the Corps. Implementation guidance is prepared in a thoughtful, deliberative manner to ensure that it is appropriately considered and coordinated, which takes time to complete. The guidance is thoroughly vetted within the Corps to include Counsel and then coordinated with the staff from the Office of the (ASA(CW)) and the Army Office of General Counsel. Where provisions directly affect work within the Divisions and Districts, we are developing guidance in consultation with the appropriate District, Division, and Headquarters Regional Integration Team.

We have continued to maintain a strong focus on implementation guidance to national policy provisions and to those project and program provisions where funds have been appropriated. We recently established a team of senior field staff to help develop guidance for those provisions for which guidance has not yet been completed. All completed guidance is posted on the Corps website at [http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/LegislativeLinks/wrrda2014/wrrda2014\\_impguide.aspx](http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/LegislativeLinks/wrrda2014/wrrda2014_impguide.aspx).



We will focus our testimony on the major categories of the national policy provisions contained within the Act and the key provisions in those categories. These categories include Deauthorizations and Backlog Prevention, Project Development/Delivery, Sponsor Led Studies and Construction, Work-In-Kind Credits, Expediting the Evaluation and Processing of Permits, Alternative Financing, Levee Safety, Navigation, and Water Supply and Reservoir Management.

## **DEAUTHORIZATIONS & BACKLOG PREVENTION**

Section 6001 of WRRDA 2014 authorizes a process for the deauthorization of water resources development projects that were authorized prior to WRDA 2007 and have (a) not begun construction, or (b) if they have begun construction, have not received any Federal or non-Federal funding in the past six years. It requires the ASA(CW) to submit to Congress, and make publicly available, a list of authorized construction projects or separable elements that fit these criteria by September 2015. The Corps is currently developing this list.

Section 6003 terminates the authorization for any project or separable element of a project authorized for construction by WRRDA 2014 unless construction has been initiated within seven years of enactment.

Implementation guidance for these provisions has been completed.

## **PROJECT DEVELOPMENT/DELIVERY**

Under this Administration, the Army has taken steps to improve and streamline the Corps Planning process. Section 1001 is patterned after an ongoing effort under which the Corps is to complete most feasibility studies within three years and for not more than \$3 million total cost per study. This “3x3x3” rule has enabled the Corps to focus planning and management on a risk-based approach to its decision-making, with vertical team alignment through the Office of the ASA(CW). The Secretary may approve a study extension that will cost more than \$3 million and/or take more than three years to complete if it is determined that the study is too complex to complete within the three year timeframe or within \$3 million. If an extension is approved, an updated feasibility study schedule and cost estimate will be prepared and notice will be provided to the non-Federal project sponsor and Congress. Implementation guidance for this provision has been completed.

Section 1002 repeals the requirement that the Corps conduct a reconnaissance study prior to initiating a feasibility study. The preliminary analyses that were previously conducted during the reconnaissance phase of a study are now done in the early stages of the feasibility study including the establishment of a detailed project schedule. The elimination of the reconnaissance phase allows the non-Federal sponsor and the Corps to proceed directly to the feasibility study, but could also result in added costs where the

Corps previously would have recommended, based on a reconnaissance report, to not proceed to the feasibility phase. Implementation guidance for this provision has been completed.

Section 1005 is intended to accelerate Corps studies by requiring early coordination between the Corps, as the lead agency, and other Federal agencies with relevant jurisdiction in the environmental review process. This section also creates opportunities for non-Federal sponsors to assume greater responsibilities in protecting public health, safety, and the environment by becoming a joint lead agency with the Corps and by preparing environmental compliance documents. It is designed to streamline the process for complying with the requirements of the National Environmental Policy Act (NEPA) concurrently with the requirements of other Federal laws and policies and applies to feasibility studies initiated after the enactment of WRRDA 2014 that have an Environmental Impact Statement (EIS). It promotes early and proactive engagement of other Federal, state, and local agencies, and communication and interaction throughout project development. Currently, the Corps is engaging with other agencies and evaluating the complexities of this provision.

Section 7001 requires that the Secretary of the Army annually submit to Congress a report that identifies completed feasibility reports, proposed feasibility studies, and proposed modifications to authorized water resources projects or feasibility studies. Section 7001 also requires a notice to be published annually in the Federal Register requesting proposals from non-Federal interests. The annual report reflects information provided by non-Federal interests in response to that notice.

The Secretary must certify whether the proposals submitted by non-Federal interests in response to the notice meet the five criteria of Section 7001:

- The proposal is related to the missions and authorities of the Corps;
- The proposal requires specific congressional authorization, including by an Act of Congress;
- The proposal has not been congressionally authorized;
- The proposal has not been included in any previous annual report; and
- If authorized, the proposal could be carried out by the Corps.

In the first annual report submitted on January 30, 2015 under this provision, we gained experience in interpreting the requirements of the section, including the criteria, and in applying them in a consistent manner to all proposals submitted. For example, not all of the submissions had uniform cost and benefit information, which required the Corps to use its best judgment when describing the expected benefits of each proposed study or modification. The Corps interpreted the criteria of being “related to the missions and authorities of the Corps of Engineers” to mean that the project fit within one of the Corps three primary mission areas (commercial navigation, aquatic ecosystem restoration, and flood and storm damage reduction). Non-Federal proposals relating to water supply, hydropower, and recreation were considered for inclusion in the report where they were proposed in conjunction with one or more of these three primary mission areas.

The request for proposals for the 2016 Annual Report, published in the Federal Register on May 26, 2015, reflects the following changes from the Federal Register Notice published last year: (1) the Corps interpretation of the criteria for inclusion has been broadened so that the 2016 Annual Report will be more inclusive of proposals to be considered in the Report, and (2) the notice provides additional clarification regarding each of the criteria for inclusion in the 2016 Annual Report.

Implementation guidance for this provision has been completed, but may be revised as we gain more experience with this report.

### **SPONSOR LED STUDIES AND CONSTRUCTION**

Section 1014 provides non-Federal interests the opportunity to study, design, and construct water resources projects using their own funding, in accordance with all Federal laws and regulations applicable to studies and construction. The non-Federal sponsor may seek future credit or reimbursement for any non-Federal funds expended in excess of the non-Federal cost share of the project subject to the review and approval of the ASA(CW). Implementation guidance for this provision is under development.

Section 1043 authorizes the Secretary of the Army to establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to provide full project management control of feasibility studies and the construction of projects for flood risk management, hurricane and storm damage reduction, aquatic ecosystem restoration, and coastal harbor and channel and inland harbor navigation. Implementation guidance for this provision is under development.

### **WORK-IN-KIND CREDITS**

Section 1018 amends Section 221(a)(4) of the Flood Control Act of 1970 to provide that work accomplished by a non-Federal interest prior to the completion of a feasibility study is potentially eligible for credit if the non-Federal interest executes an in-kind MOU prior to undertaking the work. This provision requires the Secretary to update existing or issue new guidance or regulations for carrying out this section. Further, it requires that these guidelines or regulations be published in the Federal Register and that the Secretary provide the public with an opportunity to comment on them. A proposed update to the relevant existing guidance (Engineering Regulation 1165-2-208) is under development.

Section 1019 amends Section 7007 of WRDA 2007 to clarify certain items that are eligible for work-in-kind credit. This provision relates specifically to projects or studies in the coastal Louisiana ecosystem. It requires that a process to carry out this provision must be established in coordination with the relevant State of Louisiana agencies.

Implementation guidance for this provision has been completed, in coordination with the State of Louisiana.

Section 1020 authorizes a non-federal sponsor to apply credit for in-kind contributions that are in excess of the non-federal share to other water resources development projects being carried out by the same non-federal sponsor, subject to certain conditions including preparation of a comprehensive plan approved by the ASA(CW). Implementation guidance for this provision is under development.

## **EXPEDITING THE EVALUATION AND PROCESSING OF PERMITS**

Section 1006 provides permanent authority for the Corps to accept and expend funds from non-Federal public entities, and allows public utility companies and natural gas companies to participate in the program for a period of seven years. This provision directs the Secretary to ensure that the use of the authority does not adversely affect the permit processing time for other applicants within the same Corps district and ensures adequate oversight of agreements signed under this authority. Section 1006 requires the ASA(CW) to prepare an annual report on the implementation of this section, including information on each Corps district that accepts funds under this section. The report for fiscal year 2014 was transmitted to Congress on May 4, 2015.

Section 1007 requires the Secretary to establish a process for reviewing requests under Section 14 of the Rivers and Harbors Appropriation Act of 1899, as amended and codified in 33 USC 408 (commonly referred to as Section 408). These requests involve permanent or temporary alterations by others of any completed Civil Works project. The law requires the establishment of timelines for the reviews of these requests. Implementation guidance for this provision is under development.

## **ALTERNATIVE FINANCING**

Section 1015 clarifies that non-Federal interests may contribute funds toward construction of authorized water resources projects. Implementation guidance for this section was issued on February 11, 2015. Section 1023 allows the ASA(CW) to accept funds from a non-Federal interest for any authorized water resources development project that meets or exceeds their 902 cost limit per Section 902 of WRDA 1986, as long as the Federal cost share does not increase. The ASA(CW) is required to notify Congress in accordance with the existing authority when a non-Federal sponsor is approved to contribute funds. Implementation guidance for this provision has been completed.

Section 5014 authorizes the ASA(CW) to enter into agreements with non-Federal interests, including private entities, to manage the financing, design or construction (or any combination thereof) of at least 15 authorized water resources development projects. Under this pilot program, the ASA(CW) is to evaluate the technical, financial,

and organizational benefits of allowing a non-Federal pilot applicant to carry out and manage the design or construction (or both) of one or more such projects. The Corps is investigating possibilities and constraints of using this authority to pursue different types of partnerships with non-Federal sponsors, including public-private partnerships.

Title V, Subtitle C, the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA), authorizes the Secretary of the Army and the Administrator of the Environmental Protection Agency (EPA) to provide financial assistance in order to carry out pilot projects, and to set regulations as they determine appropriate to carry out the subtitle. The Corps is investigating potential demand for a program under this title as well as administrative requirements. The Corps has also been coordinating with the EPA on program requirements and the agencies are pursuing an interagency Memorandum of Agreement (MOA) to formalize collaboration.

## **LEEVE SAFETY**

Section 3016 authorizes the Corps to share the lessons and practices of its Levee Safety Program and work with all Federal, state, local and private levee interests in establishment of a National levee initiative. This could include: (1) build capacity and programs in states and with Tribes to oversee and regulate levees in their areas, (2) incentivize voluntary participation via Federal funding as new National guidelines are accepted, (3) implement risk as the common language of the National initiative for investments, policies, and communication, (4) recognize that shared responsibility extends to the whole floodplain, and (5) continue working closely with the Federal Emergency Management Agency (FEMA) and other stakeholders in an open and collaborative manner. An implementation plan has been developed for this provision.

Section 3013 requires the ASA(CW) to carry out a comprehensive review of the Corps guidelines related to vegetation management for levee systems. This review includes soliciting stakeholder recommendations and revising guidelines as needed. Implementation guidance is under development.

Section 3014 provides the Corps the ability to cost-share the evaluation of levees for the purposes of FEMA's National Flood Insurance Program. Implementation guidance for this provision will be incorporated into the Corps policy for performing these levee evaluations. Revisions of this policy are under development.

## **NAVIGATION**

Section 2002 calls for a long-term capital investment strategy for the inland waterways. Under section 2005, the ASA(CW) would organize a stakeholder roundtable to assess and review issues associated with the financial management of the inland waterways. Section 2006 reduces the share of the remaining construction cost of the Olmsted Locks and Dam project that is paid by the users of the inland waterways from

50 percent to 15 percent, and provides that the General Fund would assume this cost. The Upper St. Anthony Falls Lock is on schedule to close by June 10, 2015, in accordance with Section 2010.

Section 2102 revises the authority for funding operation and maintenance of coastal and inland harbors and channels from the Harbor Maintenance Trust Fund, including provisions for emerging harbors, Great Lakes projects, and donor and energy ports.

## **WATER SUPPLY AND RESERVOIR MANAGEMENT**

Subsection (a) of Section 1046 requires the ASA(CW) to provide a report assessing the management practices, priorities, and authorized purposes at Corps reservoirs in arid regions to determine the effects on water supply during periods of drought. For example, in response to recent drought conditions in some parts of the country, the Corps has been looking at existing drought contingency plans and evaluating whether additional studies or updates may be needed.

Subsection (b) directs the ASA(CW) to notify non-federal water supply storage sponsors at Corps multipurpose reservoir projects of the anticipated operations and maintenance activities and estimated costs of those activities for the next fiscal year and the subsequent four fiscal years. Implementation guidance for this provision is under development.

Subsection (c) provides that the ASA(CW) shall not charge a fee for surplus water under a contract entered into pursuant to Section 6 of the Flood Control Act of 1944 if the contract is for surplus water stored in the Upper Missouri Mainstem Reservoirs. By its terms, subsection (c) also provides that this restriction does not affect the authority of the ASA(CW), under 10 U.S.C. § 2695, to accept funds or to cover administrative expenses relating to certain real property transactions, and does not affect the application of Section 6 to surplus water stored outside of the Upper Missouri Mainstem Reservoirs. Implementation guidance for this provision is under development.

Subsection (d) authorizes a non-federal interest to submit a plan to the ASA(CW) for review prior to any effort to convert future use storage obligations to present use storage. Implementation guidance for this provision is under development.

Mr. Chairman, implementation of this legislation has been and remains a priority for the U.S. Army Corps of Engineers. This concludes our testimony and we would be happy to answer any questions you or other members of the Committee may have. Thank you.



**APHIS**

(The Animal and Plant Health Inspection Service)

A federal rule to increase fees for inspections of cargo and cruise passengers may be implemented in July.

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## APHIS Final Rule May Be Implemented in July

A federal rule to increase fees for inspections of cargo and cruise passengers may be implemented as soon as July over the objections of AAPA, American Trucking Associations, the Cruise Line Industry Association, the National Pest Management Association and others, including Members of Congress.

Earlier this week, the Office of Management and Budget (OMB) released a [Unified Agenda](#) that reported tentative publication dates of May 2015 for the Animal and Plant Health Inspection Service's (APHIS) User Fees for Agricultural Quarantine and Inspection Services (AQI) final rule, with implementation 60 days later in July.

Congresswoman Frederica Wilson (D-FL) introduced [H.R. 1091, Fair and Transparent Stakeholder Involvement \(FATI\) Fee Act](#) to prohibit implementation of APHIS' proposed AQI fee increase until APHIS negotiated a more workable proposal with all impacted stakeholders. Rep. Wilson's staff will be reaching out to OMB this week on the status of the final rule.

While the Unified Agenda provides a release date of July, there is no hard deadline and the OMB administrator may continue to extend the time for a final rule.

AAPA has urged OMB to redraft the proposed rule and will continue to report on the status of the final rule.

*Staff Contact:* [John Young](#)



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## **Miscellaneous**

# **Trade Promotion Authority (TPA)**



Port Canaveral

April 28, 2015

Port Citrus

Congressman Bill Posey  
U.S. House of Representatives  
120 Cannon House Office Building  
Washington, DC 20515

Port Everglades

Dear Congressman Posey,

Port of Fernandina

The Florida Ports Council is a non-profit corporation that serves as the professional association for Florida's 15 public seaports and their management. Port Canaveral is one of our member seaports in your district and as a part of our entire network of seaports across the state, make up one of our state's greatest economic assets.

Port of Fort Pierce

Port of Jacksonville

During the past four years, the state of Florida, in combination with local port entities, has invested more than \$1 billion to improve Florida's seaports and their capacity to create jobs and drive our growing economy. These investments have led to the addition of over 150,000 trade-related jobs in four years, but there is potential for so much more with pro-growth trade policies like Trade Promotion Authority (TPA).

Port of Key West

Port Manatee

An unprecedented level of state support has helped strengthen our ports and prepared them for vast new business opportunities. In addition to the state's \$850 million investment, a multi-billion dollar capital campaign has addressed critical port infrastructure needs and now our ports are more competitive than ever in today's global marketplace. Trade around the world will increase steadily over the next decade, but the United States will lose out if we do not take action on trade policies that increase our access to new markets. Florida's seaports and our economy are uniquely positioned to benefit significantly from expanded international trade through TPA legislation.

PortMiami

Port of Palm Beach

Port Panama City

Florida's system of seaports currently supports more than 680,000 jobs and generates \$96 billion in economic activity, but we are on a mission to keep growing, adding new jobs, attracting new business and increasing Florida's international trade. However, we need your support to do so. Florida's ports are powerfully committed to supporting our state's consumers and businesses, and we ask for your commitment to Florida's ports by supporting TPA legislation.

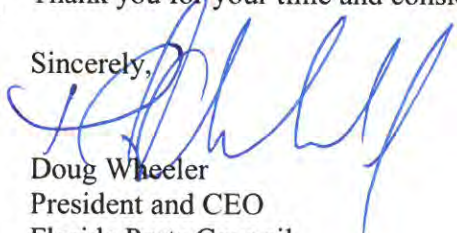
Port of Pensacola

Port of St. Petersburg

Thank you for your time and consideration.

Port of Port St. Joe

Sincerely,

A blue ink signature of Doug Wheeler, written in a cursive style.  
Doug Wheeler  
President and CEO  
Florida Ports Council

Port Tampa Bay

**HR 1308 - Economy in Motion**  
**Congressman Lowenthal**





## **MEMORANDUM**

DATE: May 28, 2015

TO: Florida CAGTC Members  
Jim Boxold, Secretary FDOT  
Paul Anderson, President/CEO Port Tampa Bay  
Juan Kuryla, Director PortMiami

FROM: Michael Rubin, Vice President Governmental Affairs

SUBJECT: **H.R. 1308 OVERVIEW FOR CAGTC MEMBER INPUT**

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The Coalition for America's Gateways and Trade Corridors (CAGTC) has been working with Congressman Lowenthal (D-California) to develop legislation creating a federal fund for freight projects. H.R. 1308 (Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act) is being filed this year for the second time by Congressman Lowenthal, and he has asked for the support of freight groups and partners on his legislation.

The bill basically provides a new ground transportation tax/user fee on all freight movements in the U.S. This new fee is estimated to generate \$8 billion annually, which would be in a “firewalled” freight trust fund. The Congressman has stated that he wants to ensure that these revenues are allocated solely for freight projects – 50% of the funds to all eligible states based on a modal formula, and 50% of the funds to a competitive grant program with projects selected by the U.S. Secretary of Transportation.

The following is an overview of the bill, and of current concerns the Florida Ports Council has identified:

1. State Formula Apportionment.

States are eligible for a base formula distribution of funds (either 40% or 60%) based on number of ports; number of rail track-miles; number of cargo-handling airports; number of interstate system miles; tonnage of freight moved in each state; and value of freight moved in each state. The base formula numbers look very beneficial to Florida.

2. Tier I – 40% Eligibility.

States are eligible to receive 40% of their formula distribution if they have an approved state freight plan, and spend the funds on priority projects that will also contribute to the reduction of greenhouse gases and local air pollution.

3. Tier II – 60% Eligibility.

States are eligible to receive 60% of their formula distribution if they have met the 40% eligibility and have developed two additional analyses/plans – (1) a multistate analysis of freight needs with at least one other state; and (2) a regional freight investment plan with one other state or “relevant entity” in Canada or Mexico that focuses on the end-to-end investment needs of critical multistate freight corridors.

4. National Freight Infrastructure Competitive Grant Program.

At this time, the bill does not specifically delineate a 50-50 split of funds for the formula based tiers above and the competitive grant program, although Lowenthal has repeatedly applied that split during his description of the bill. Currently, the language provides that “any remaining funds not distributed to the states under the formula” can be used by the Secretary of Transportation for this competitive grant program. The eligible projects language is very broad and includes capital projects, equipment, roads, rails, landside infrastructure, and intermodal connectors. The maximum federal share for most projects is 80 percent of the costs. Projects that mitigate diesel emissions from construction activities are eligible for an additional five percent.

Grant criteria include: benefits vs costs; use of innovative technology and strategies; use of construction vehicles that meet emission standards; effective reduction of greenhouse gases and pollution; likely effect on increasing exports; consistency with a (yet to be developed) national freight strategic plan; ability to leverage other funds; and extent to which no other federal funds are available for the project.

5. Ground Transportation Freight Tax.

The bill imposes a tax equal to one percent of the amount paid for “ground transportation of property.” The bill requires the tax to be paid by entities paying for such transportation services, or related entities responsible for procuring the transportation of such property. The bill is silent on how the tax would be collected and what entity might be responsible for the collection and disbursement of such taxes to the federal government. The bill sponsors cite a Price Waterhouse analysis that concludes this tax would result in \$8 billion in federal revenues annually.

Taxable ground transportation is defined as transportation by “freight rail” or “truck trailer and semitrailer chassis and bodies ... with a weight of more than 26,000 pounds.”

6. Issues/Concerns. The following is a list of potential concerns. We note however, that this legislation is currently the only legislation seeking to provide a dedicated fund for freight projects. We have conveyed to both federal partners and Congressman Lowenthal's office that we are very supportive of his efforts to create a freight fund, and are appreciative to have a "seat at the table" on these discussions.

While we support the concept, we do have the following fundamental concerns with the current legislation – especially since it creates a new tax/fee on an activity that has not been subject to federal taxation:

- a. What is actually being taxed? The bill sponsors use the airline transportation tax as an example. The taxation of airline freight is relatively limited and has a definitive point of contact/operation. In the case of freight movement – both internal U.S. movements; and the movement of exports and imports in the U.S. – there may be multiple transportation/logistics companies and movements involved. We have not seen the Price Waterhouse study, and it is unclear what movements are used. This could potentially include drayage and other short haul movements to both warehouses and intermodal transfer facilities. In addition, the impact on this tax on the movement of agriculture in the U.S. could be substantial. Lots of questions on what will be taxed.
- b. What entity is responsible for collecting the tax? Anyone familiar with Florida's efforts to receive and audit tax collections by state businesses can understand the difficulties and strain by those entities seeking to both comply with state law and serve as a collector of state taxes. The bill sponsors point to the airline freight tax as an example of the collection of a similar tax. However, that tax has only one entity/tax collector involved in the transportation – an airline business. There may be multiple entities involved in the movement of freight in the U.S., not to mention the issue of freight forwarders, agents, independent truckers, etc., that also may be involved in the ground transportation. Any way to simplify the point of collection and the process must be considered.
- c. State formulaic and competitive grant process must be based on a level playing field. We are concerned that some of the language in the bill – prioritization for plans with entities in Canada and Mexico – do not provide similar prioritization for priority freight planning and projects in other areas of the U.S. States such as Florida that are involved in end-to-end movements to U.S. territories and countries in the Caribbean and South America. These trade movements are vital to the southern U.S., and if international trade movements are included in this legislation we recommend that these areas also be prioritized.

- d. Additional funds for projects that mitigate greenhouse gas emissions. The bill currently provides additional funding, and also may include additional regulations, for mitigation of greenhouse gases and other pollution. While we agree in general that this is a topic worth addressing, East Coast states do not necessarily have the same issues as other states with respect to greenhouse gases. We are concerned about the prioritization of freight funds in favor of greenhouse gas mitigation, when the nation's more basic freight infrastructure needs continue to be critically underfunded.

Please note that these comments are just for your internal review and are not being provided to Congressman Lowenthal or CAGTC staff. If you have any additional questions please email or call.

**Follow the Florida Ports Council to get the latest news on seaport issues:**



**PORT PERFORMANCE FREIGHT  
STATISTICS PROGRAM  
S. 1298 – Sen. Thune**

114TH CONGRESS  
1ST SESSION

# S. 1298

To provide nationally consistent measures of performance of the Nation's ports, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 12, 2015

Mr. THUNE (for himself, Mrs. FISCHER, Mr. GARDNER, and Mr. ALEXANDER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To provide nationally consistent measures of performance of the Nation's ports, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. PORT PERFORMANCE FREIGHT STATISTICS**

#### 4 **PROGRAM.**

5 (a) IN GENERAL.—Chapter 63 of title 49, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

#### 8 **“§ 6314. Port performance freight statistics program**

9 “(a) IN GENERAL.—The Director shall establish, on  
10 behalf of the Secretary, a port performance statistics pro-



1 gram to provide nationally consistent measures of per-  
2 formance of the Nation's top 25 ports by tonnage, top 25  
3 ports by 20-foot equivalent unit, and top 25 ports by dry  
4 bulk.

5 “(b) ANNUAL REPORTS.—

6 “(1) PORT CAPACITY AND THROUGHPUT.—Not  
7 later than January 15 of each year, the Director  
8 shall submit an annual report to Congress that in-  
9 cludes statistics on capacity and throughput at these  
10 ports.

11 “(2) PORT PERFORMANCE INDICATORS.—The  
12 Director shall require each United States port au-  
13 thority referred to in subsection (a) that receives  
14 Federal assistance or is subject to Federal regula-  
15 tion to submit an annual report to the Bureau of  
16 Transportation Statistics that includes statistics on  
17 capacity and throughput, including—

18 “(A) the volume of inbound and outbound  
19 cargo to include containers, break bulk, vehi-  
20 cles, and dry and liquid bulk;

21 “(B) the average number of lifts per hour  
22 of containers by crane;

23 “(C) the average vessel unload rate;

24 “(D) the average vessel load rate;

25 “(E) the average vessel turn time;

- 1 “(F) port transit time;
- 2 “(G) the average cargo dwell time;
- 3 “(H) the average container dwell time;
- 4 “(I) port storage capacity and utilization;
- 5 “(J) the average wait time for trucks in-
- 6 side a port complex;
- 7 “(K) the average truck time at ports; and
- 8 “(L) the average rail delay at ports.

9 “(c) RECOMMENDATIONS.—The Director shall obtain  
 10 recommendations for specifications for port performance  
 11 measures, to identify standard data elements for meas-  
 12 uring port performance, from—

- 13 “(1) operating administrations of the Depart-  
 14 ment of Transportation;
- 15 “(2) the Coast Guard;
- 16 “(3) the Maritime Administration;
- 17 “(4) the Marine Transportation System Na-  
 18 tional Advisory Council;
- 19 “(5) the Army Corps of Engineers;
- 20 “(6) the Saint Lawrence Seaway Development  
 21 Corporation; and
- 22 “(7) the Advisory Committee on Supply Chain  
 23 Competitiveness.

24 “(d) ACCESS TO DATA.—The Director shall ensure  
 25 that the statistics compiled under this section are readily

1 accessible to the public, consistent with applicable security  
2 constraints and confidentiality interests.”.

3 (b) PROHIBITION ON CERTAIN DISCLOSURES.—Sec-  
4 tion 6307(b)(1) of title 49, United States Code, is amend-  
5 ed by inserting “or section 6314(b)” after “section  
6 6302(b)(3)(B)” each place it appears.

7 (c) COPIES OF REPORTS.—Section 6307(b)(2)(A) of  
8 title 49, United States Code, is amended by inserting “or  
9 section 6314(b)” after “section 6302(b)(3)(B)”.

10 (d) TECHNICAL AND CONFORMING AMENDMENT.—  
11 The table of sections for chapter 63 of title 49, United  
12 States Code, is amended by adding at the end the fol-  
13 lowing:

“6314. Port performance freight statistics program.”.

14 **SEC. 2. MONTHLY REPORTS ON PERFORMANCE AT UNITED**  
15 **STATES PORTS.**

16 (a) IN GENERAL.—Not later than 1 year before the  
17 expiration date of a maritime labor agreement for a  
18 United States port, 3 months before the expiration date  
19 of the maritime labor agreement, and monthly thereafter,  
20 the Secretary of Transportation, in consultation with the  
21 Secretary of Commerce and the Secretary of Labor, shall  
22 submit a report to the Committee on Commerce, Science,  
23 and Transportation of the Senate and the Committee on  
24 Transportation and Infrastructure of the House of Rep-  
25 resentatives that includes port performance indicators at

1 the affected port. If multiple ports are affected by the ex-  
2 piration of the maritime labor agreement, the Secretary  
3 of Transportation shall submit a report for each affected  
4 port.

5 (b) CONTENTS.—Each report required under sub-  
6 section (a) shall include, for the affected port during the  
7 previous month—

8 (1) the performance indicators listed under sec-  
9 tion 6314(b)(2) of title 49, United States Code;

10 (2) the number and type of vessels awaiting  
11 berthing, including average wait time;

12 (3) the number of cancelled vessel calls;

13 (4) an estimate of the economic impact associ-  
14 ated with any delays both at the port and across the  
15 national economy; and

16 (5) an estimate of the amount of time required  
17 to clear any congestion.

18 (c) EFFECTIVE PERIOD.—The Secretary of Trans-  
19 portation, in consultation with the Secretary of Commerce  
20 and the Secretary of Labor, shall submit a report required  
21 under subsection (a) for an affected port until the date  
22 that a new maritime labor agreement for the port is  
23 agreed to by all of the parties to that maritime labor  
24 agreement.

1       (d) DEFINITION OF MARITIME LABOR AGREE-  
2 MENT.—In this section, the term “maritime labor agree-  
3 ment” has the meaning given such term in section 40102  
4 of title 46, United States Code.

○

**TAB 7**  
**OTHER ISSUES**



## **FTP/SIS Update**



**Florida Transportation Plan/Strategic Intermodal System Plan Update  
Steering Committee  
Meeting #3**

**May 29, 2015  
Hilton Cocoa Beach Oceanfront Hotel  
1550 North Atlantic Avenue  
Cocoa Beach, Florida 32931**

**Objectives**

- Review input from advisory groups
- Receive background presentations on SIS Policy Plan and transportation funding in Florida
- Review potential FTP framework
- Review objectives of the SIS Policy Plan
- Discuss ideas for presentation at June 2015 regional workshops
- Obtain public input

**Agenda**

- 8:00 Registration**
- 8:30 Welcome and Review of Today's Agenda** Rich Biter, Chair  
Shelley Lauten, Facilitator
- 8:45 Approval of Meeting #2 Summary** Rich Biter, Vice Chair
- 8:50 Work Plan Update** Dana Reiding, FDOT
- 9:05 Advisory Group Reports**
- Infrastructure and Growth Leadership The Hon. Matthew Surrency, Chair
  - Quality of Life and Quality Places Ken Bryan, Chair
  - Innovation and Economic Development John Walsh, Vice Chair
- 10:15 Break**
- 10:30 Proposed FTP Vision and Policy Framework:  
Presentation and Discussion** John Kaliski, Cambridge Systematics  
Shelley Lauten, Facilitator
- 11:45 Lunch**
-

1:00	Transportation Funding Overview	Jim Wood, FDOT Dan Cashin, FDOT
1:40	Additional Discussion of FTP Policy Framework and Implementation Issues	Shelley Lauten, Facilitator
2:40	<i>Break</i>	
2:55	Strategic Intermodal System Overview	Brian Watts, FDOT
3:15	SIS Advisory Group Interim Report	Ken Wright, Chair
3:30	Discussion of Key Issues for SIS Policy Plan Update	Shelley Lauten, Facilitator
3:55	Public Comment	
4:10	Review of Next Steps and Action Items including Regional Workshops	Dana Reiding, FDOT
4:25	Closing Remarks	Rich Biter, Vice Chair
4:30	Adjourn	

## Florida Transportation Plan / Strategic Intermodal System Policy Plan Steering Committee Members

Florida Department of Transportation	Richard Biter (Chair)	Assistant Secretary for Intermodal Systems Development
Metropolitan Planning Organization (MPO) Advisory Council	The Honorable Susan Haynie (Vice Chair)	Governing Board Chair Mayor, City of Boca Raton
AARP Florida	Laura Cantwell	Associate State Director
CareerSource Florida	Andra Cornelius	Senior VP, Programs and Partnerships
Connect Florida/Leadership Florida	Daniel Espino	Associate, Weiss Serota Helfman Cole Bierman & Polk
Enterprise Florida	Cori Henderson	Business Development Director
Federal Highway Administration	James Christian	Division Administrator
Florida Airports Council	Michael Stewart	President Director, External Affairs Jacksonville Aviation Authority
Florida Association of Counties	The Honorable Doug Smith	Past President Commissioner, Martin County
Florida Chamber of Commerce	Alice Ancona	Director of International Programs
Florida Commission for the Transportation Disadvantaged	Steven Holmes	Executive Director
Florida Council of 100	Susan Pareigis	President
Florida Defense Alliance	Rocky McPherson	Executive Director
Florida Department of Economic Opportunity	Karl Blischke	Director of Strategic Business Development
	Bill Killingsworth	Director Of Community Development
Florida Department of Environmental Protection	Christopher Stahl	Environmental Consultant, Office of Intergovernmental Programs
Florida Department of Highway Safety and Motor Vehicles	Lt. Col. Troy Thompson	Florida Highway Patrol Deputy Director, Commercial Vehicle Enforcement
Florida Department of Transportation	Paul Steinman	Secretary, District 7
Florida League of Cities	The Honorable Matthew Surrency	First Vice President Mayor, City of Hawthorne
Florida Ports Council	John Walsh	Chief Executive Officer, Port Canaveral

Florida Public Transportation Association	Karen Diegl	Board Chair President & Chief Executive Officer, Senior Resource Association/GoLine
Florida Railroad Association	Bob O'Malley	Resident Vice President, Florida CSX
Florida Regional Councils Association	Patricia Steed	Executive Director, Central Florida Regional Planning Council
Florida Transportation Builders Association	Robert Burleson	President
Florida Transportation Commission	Kenneth Wright	Partner, Shutts & Bowen LLP
Florida Trucking Association	Tisha Keller	Vice President
Floridians for Better Transportation	Matthew Ubben	President
Metropolitan Planning Organization (MPO) Advisory Council	The Honorable James Wood	Governing Board Vice Chair Council Member, City of Destin
Rails to Trails Conservancy - Florida	Ken Bryan	State Director
Small County Coalition of Florida	The Honorable Karson Turner	Chair Commissioner, Hendry County
Space Florida	Mark Bontrager	Vice President, Spaceport Operations
The Nature Conservancy- Florida Chapter	Janet Bowman	Director of Legislative and Policy Strategies
Transportation and Expressway Authority Membership (TEAM) Florida	Jim Ely	Director and International Bridge, Tunnel, and Turnpike Representative
Urban Land Institute - Florida Chapter	Samuel Poole, Esq.	Partner, Berger Singerman
Visit Florida	William Seccombe	President & Chief Executive Officer
1000 Friends of Florida	Charles Pattison	Policy Director

Please direct questions and comments to Dana Reiding:

Dana Reiding  
Florida Department of Transportation  
850-414-4911  
dana.reiding@dot.state.fl.us

## Doug Wheeler

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**From:** Reiding, Dana <Dana.Reiding@dot.state.fl.us>  
**Sent:** Monday, June 08, 2015 12:49 PM  
**Subject:** FTP-SIS Steering Committee - Upcoming Dates

Steering Committee members,

Thank you for a great 3<sup>rd</sup> meeting! I appreciate your commitment to helping us update the Florida Transportation Plan and the SIS Policy Plan. As requested and to keep you informed of upcoming meetings, I am listing key dates and times below for meeting/events for our update process.

### Steering Committee

- 4th Steering Committee meeting – July 21 (1:00 pm - 5:30 pm) and July 22 (8:30 am - 2:00 pm), St. Augustine
- 5th Steering Committee meeting – **September 17-18 (Time TBD), Ft. Myers** (revised dates)
- 6th Steering Committee meeting – October 23 (Time TBD), Tallahassee

### SIS Advisory Group

- SIS Advisory Group Meeting #3 - June 8 (2:30 pm - 5:00 pm), web conference
- SIS Advisory Group Meeting #4 - July 13 (9:00 am - 4:00 pm), Tallahassee
- SIS Advisory Group Meeting #5 - Date/Time TBD, web conference
- SIS Advisory Group Meeting #6 - Date/Time TBD, web conference

### Public Partner Outreach

- Regional Workshops - 1st round ([Workshop flyer](#), [workshop registration](#))
  - Lake City - June 22 (1:30 pm - 4:30 pm)
  - Ft. Myers - June 23 (1:30 pm - 4:30 pm)
  - Ft. Lauderdale - June 24 (1:30 pm - 4:30 pm)
  - The Villages - June 25 (1:30 pm - 4:30 pm)
- Statewide Transportation Policy Open House – August 25, Orlando ([Open House Information](#))
- Regional Workshops - 2nd round
  - Panama City – August 11 (1:30 pm - 4:30 pm)
  - Vero Beach - August 26 (1:30 pm - 4:30 pm)
  - Miami - September 1 (1:30 pm - 4:30 pm)
  - Tampa Bay - September 2 (1:30 pm - 4:30 pm)

Please let me know if you have any questions about the dates, times, or locations.

Dana Reiding  
Office of Policy Planning  
Florida Department of Transportation  
850-414-4719



# Join the conversation...



## Florida Transportation Plan Strategic Intermodal System Policy Plan

### Regional Workshops

At the December 2014 Transportation Summit and the Regional Forums held earlier this year, we heard from you about long-term transportation needs in Florida. Now, we need your ideas on state, regional, and local transportation policy that will support these long-term needs.

Please take advantage of this opportunity to share your thoughts about Florida's transportation system.

Hosted by



**Monday, June 22, 2015**

**Lake City**

FDOT District Two Office - Madison Conference Room  
1109 South Marion Avenue  
Lake City, Florida 32025  
1:30 PM - 4:30 PM

**Tuesday, June 23, 2015**

**Ft. Myers**

Lee Tran  
3401 Metro Parkway  
Ft. Myers, Florida 33916  
1:30 PM - 4:30 PM

**Wednesday, June 24, 2015**

**Ft. Lauderdale**

FDOT District Four Office  
3400 W. Commercial Blvd.  
Ft. Lauderdale, Florida 33309  
1:30 PM - 4:30 PM

**Thursday, June 25, 2015**

**The Villages**

The Villages Sumter County Service Center  
7375 Powell Road  
Wildwood, Florida 34785  
1:30 PM - 4:30 PM

For more information and to register:

[www.FloridaTransportationPlan.com](http://www.FloridaTransportationPlan.com)



Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the American with Disabilities Act or persons who require translation services (free of charge) should contact Paula San Gregorio at Toll Free 1-866-374-3368, extension 4800 or 850-414-4811 at least seven days prior to the meeting.

# Join the conversation...



## Florida Transportation Plan Strategic Intermodal System Policy Plan

**Tuesday, August 11, 2015**  
**Panama City**

Gulf Coast State College  
Student Union East Conference Room  
5230 West U.S. 98  
Panama City, FL 32401  
1:30 PM - 4:30 PM

**Wednesday, August 26, 2015**  
**Vero Beach**

Indian River State College - Mueller Campus  
Richardson Center  
6155 College Lane  
Vero Beach, FL 32966  
1:30 PM - 4:30 PM

**Tuesday, September 1, 2015**  
**Miami**

FDOT District 6 Auditorium  
1000 N.W. 111 Avenue  
Miami, Florida 33172  
1:30 PM - 4:30 PM

**Wednesday, September 2, 2015**  
**Tampa**

FDOT District 7 Auditorium  
11201 N. Malcolm McKinley Drive  
Tampa, Florida 33612  
1:30 PM - 4:30 PM

### Regional Workshops

Florida's transportation system supports the nation's 4<sup>th</sup> largest economy and 3<sup>rd</sup> largest population, provides 540,000 jobs, and directly affects our daily lives.

In previous workshops, we have asked 'where do we want to go?'

It's now time to talk about how we get there.

Please join us to share your thoughts about Florida's long-range transportation policy, goals, and objectives.

Hosted by



For more information and to register:

[www.FloridaTransportationPlan.com](http://www.FloridaTransportationPlan.com)



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**TAB 8**  
**ADJOURNMENT**

# **GUEST SPEAKER BIOS**

