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## **2009 FGWA Legislative Report**

The 2009 legislative session will be one which I and many other people participating in the process will not soon forget. From the beginning, this session has been consumed by the financial hit of a declining economy and continued loss of state revenues. This was clearly reflected early in the process when the Governor proposed in his budget that funds in the Inland Protection Trust Fund (IPTF) be swept and put into general revenue, and the program bonded for the 2009-2010 fiscal year.

Failing to reach consensus on the state budget, the only constitutional requirement of the legislature, the Session was extended for one week while leadership in both Houses worked out compromises on the Gaming Compact, increasing tobacco tax and use of federal stimulus dollars. Unfortunately funding for the IPTF was cut more than \$60 million dollars from the current year's budget and will leave the program and ultimately those companies working in underground storage tank remediation, in economic dire straits.

The good news, both the FGWA proposed legislation establishing statutory criteria to qualify to take the water well contractor licensing exam, administrative fees per occurrence for unlicensed activity (SB 2080) and workers compensation reform (HB 903) passed on the last day of session. Funding for the IPTF, licensing criteria and workers compensation reform were the top three priorities for FGWA going into the session and we were very successful on two of the three priorities. Originally filed by Sen. Carey Baker (SB 2530) and Rep. Debbie Boyd (HB 593) FGWA legislators of the year, the licensing language was amended onto an omnibus regulatory streamlining bill SB 2080, which passed both Houses and now awaits signature by the Governor to become law.

The workers compensation reform bill effectively reversed a very bad decision in 2008 (Murray v. Mariners health) by the Florida Supreme Court, which declared an ambiguity with regard to attorney's fees provisions, resulting in the Office of Insurance regulation issuing its first rate increase in years, approving a 6.4 percent rate hike. HB 903 reverses that decision and reinstates the legislative reforms adopted by the legislature in 2003, where Florida's rates were reduced six consecutive times.

Overall for FGWA and our priority issues, I would rate our success in the 2009 legislative session as very good. Hopefully next year we will be able to convince legislators to completely restore funding to the IPTF. Over the next several months I highly encourage you to meet and talk with your legislators about FGWA and the industry. Our continued success in Tallahassee depends on it!