

Tab 1	SB 776 by Bradley ; (Compare to CS/H 1025) Public Records/Utility Agencies Information Technology Security					
646832	D	S	RCS	CU, Bradley	Delete everything after	02/02 04:47 PM

Tab 2	SB 1272 by Hukill ; Florida Renewable Energy Production Credit					
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
COMMUNICATIONS, ENERGY, AND PUBLIC UTILITIES
Senator Grimsley, Chair
Senator Hukill, Vice Chair

MEETING DATE: Tuesday, February 2, 2016
TIME: 4:00—6:00 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Grimsley, Chair; Senator Hukill, Vice Chair; Senators Abruzzo, Bradley, Dean, Evers, Garcia, Gibson, Hutson, and Sachs

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 776 Bradley (Compare CS/H 1025)	Public Records/Utility Agencies Information Technology Security; Creating a public records exemption for certain information relating to the information technology security of utility agencies subject to certain provisions; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. CU 02/02/2016 Fav/CS GO RC	Fav/CS Yeas 7 Nays 0
2	SB 1272 Hukill	Florida Renewable Energy Production Credit; Deleting the time limit for the renewable energy production credit against the corporate income tax; revising the total amount of tax credits which may be granted to taxpayers per state fiscal year; revising the permissible use of certain unallocated credit amounts, etc. CU 02/02/2016 Favorable FT AP	Favorable Yeas 7 Nays 0

Other Related Meeting Documents

SUMMARY OF AMENDMENTS
TO
SB 776

<p>Amendment # 1 By Senator Bradley Barcode 646832 Delete everything</p>	<p>The amendment addresses issues raised by the First Amendment Foundation and in the bill analysis by:</p> <ul style="list-style-type: none">• deleting the exemption for security firm identity information;• deleting the undefined term “utility agency” and providing a definition of the term “utility”; and• rewriting throughout the bill for purposes of clarity.
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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Communications, Energy, and Public Utilities

BILL: CS/SB 776

INTRODUCER: Communications, Energy, and Public Utilities Committee and Senator Bradley

SUBJECT: Public Records/Utility Agencies Information Technology Security

DATE: February 2, 2016 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sorchych-Hoffman/ Wiehle	Caldwell	CU	Fav/CS
2.	_____	_____	GO	_____
3.	_____	_____	RC	_____

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 776 creates a public records exemption for certain information relating to the information technology security of utility agencies subject to ch. 119, F.S., which, if disclosed, could result in the identification of vulnerabilities that could result in a security breach or otherwise negatively impact public health and safety, the economic well-being of the state, and national security.

The bill contains a statement of public necessity as required by the Florida Constitution.

This is a new public records exemption, so a two-thirds vote by each chamber will be necessary for passage.

II. Present Situation:

Public Records Law

The Florida Constitution provides that the public has the right to access any record made or received in relation to the official business of any public body, officer, or employee of the state, or of persons acting on their behalf.¹ The records of all three branches of state government are specifically included.²

¹ FLA. CONST., art. I, s. 24(a).

² *Id.*

The Florida Statutes also provide conditions under which public access must be provided to government records. The Public Records Act³ guarantees the right to inspect and copy any state or local government public record⁴ at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁵

Only the Legislature may create an exemption to public records requirements.⁶ Such an exemption must be created by general law and must specifically state the public necessity justifying the exemption⁷ and must be no broader than necessary to accomplish the stated purpose of the law.⁸ A bill enacting an exemption may not contain other substantive provisions⁹ and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹⁰

The Open Government Sunset Review Act (“OGSR Act”) prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions.¹¹ It requires the automatic repeal of an exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹² The OGSR Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary to meet such public purpose.¹³

Present Security-Related Public Records Exemptions

Section 119.071(3), F.S., provides the existing public records exemptions for security-related information. It exempts records relating to:

³ Chapter 119, F.S.

⁴ Section 119.011(12), F.S., defines “public records” to mean “all documents, papers, letter, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(2), F.S., defines “agency” to mean “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.” The Public Records Act does not apply to legislative or judicial records (*see Locke v. Hawkes*, 595 So.2d 32 (Fla. 1992)).

⁵ Section 119.07(1)(a), F.S.

⁶ FLA. CONST., art. I, s. 24(c). There is a difference between records the Legislature designates as exempt from public records requirements and those the Legislature designates *confidential and* exempt. A record classified as exempt from public disclosure may be disclosed under certain circumstances (*see WFTV, Inc. v. The School Board of Seminole*, 874 So.2d 48 (Fla. 5th DCA 2004), review denied 892 So.2d 1015 (Fla. 2004); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 2004); and *Williams v. City of Minneola*, 575 So.2d 687 (Fla. 5th DCA 1991)). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released, by the custodian of public records, to anyone other than the persons or entities specifically designated in the statutory exemption (*see Attorney General Opinion 85-62*, August 1, 1985).

⁷ FLA. CONST., art. I, s. 24(c).

⁸ *Id.*

⁹ The bill may, however, contain multiple exemptions that relate to one subject.

¹⁰ FLA. CONST., art. I, s. 24(c).

¹¹ Section 119.15, F.S.

¹² Section 119.15(3), F.S.

¹³ Section 119.15(6)(b), F.S.

- A security system plan¹⁴ or portion thereof which is held by an agency and is for property owned by or leased to the state or any of its political subdivisions or for privately owned or leased;
- Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency; and
- Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, or hotel or motel development and which are held by an agency.

Applicability of Public Records Requirements to Utilities

The public records laws apply to any record made or received in connection with the official business of any public body, officer, or employee of the state, or of persons acting on their behalf. For the public records law to apply directly to a utility, the utility would have to be a governmental entity, a municipality. However, the public records laws could apply indirectly to the records of a nongovernmental if that utility were required to file the records with a governmental agency, so that the records would become records received in connection with the agency's official business. For example, the Public Service Commission (PSC) regulates some utilities that are not governmental entities and are not directly subject to the public records laws, but that have to make numerous filings with the PSC, which thus become subject to public records laws; to protect confidential information in these records, the PSC statutes provide for confidentiality. For example, s. 366.093, F.S., provides for PSC access to regulated electric utilities' records and for confidentiality of such records when held by the PSC. The statute provides that upon request of the regulated utility or other person, any records received by the commission which are shown and found by the commission to be proprietary confidential business information shall be exempt from public records law and shall be kept confidential. The section defines the term "proprietary confidential business information" to mean information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes security

¹⁴ The section defines the term "security system plan" to include all:

- Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security of the facility or revealing security systems;
- Threat assessments conducted by any agency or any private entity;
- Threat response plans;
- Emergency evacuation plans;
- Sheltering arrangements; or
- Manuals for security personnel, emergency equipment, or security training.

measures, systems, or procedures, and presumably includes the type of information covered by the bill.

III. Effect of Proposed Changes:

The bill creates a definition of the term “utility” for purposes of the public records statutes, defining the term to mean a person or entity that provides electricity, natural gas, telecommunications, water, chilled water, reuse water, or wastewater.

The bill exempts from public records law information which is held by a utility owned or operated by a unit of local government and is:

- Information related to the security of the technology, processes, or practices of a utility owned or operated by a unit of local government which are designed to protect the utility’s networks, computers, programs, and data from attack, damage, or unauthorized access, which information, if disclosed, would facilitate the alteration, disclosure, or destruction of such data or information technology resources.
- Information, whether in physical or virtual form, related to the security of existing or proposed information technology systems or industrial control technology systems of a utility owned or operated by a unit of local government, which, if disclosed, would facilitate unauthorized access to, and alteration or destruction of, such systems in a manner that would adversely impact the safe and reliable operation of the systems and the utility.

The exemption applies to these categories of information whether obtained before, on, or after the effective date of this exemption.

The exemption is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides legislative findings that, as utility system infrastructure becomes more connected and integrated through information and communications technology, the exposure to damage from attacks through such technology continues to grow. These attacks may result in the disruption of utility services and damage to utility systems. Maintaining safe and reliable utility systems is vital to protecting the public health and safety and ensuring the economic well-being of the state. Accordingly, many utilities have adopted technologies, processes, and practices designed to secure data, information technology systems, and industrial control technology systems. Disclosure of sensitive information related to these security measures could result in the identification of vulnerabilities that allow a security breach that damages utility systems and disrupts the safe and reliable operation of such systems, adversely impacting the public health and safety and the economic well-being of the state. Because of the interconnected nature of utility systems, a security breach may also impact national security concerns. As a result, the Legislature finds that the public and private harm in disclosing the information made exempt by this act outweighs any public benefit derived from disclosure of such information. The protection of information made exempt by this act will ensure that utilities have greater safeguards to protect against security threats and will bolster efforts to develop more resilient information technology systems and industrial control technology systems.

The bill also contains a legislative finding of public necessity that, based on the foregoing findings, the specified information must be exempt from public records law.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

The Florida Constitution provides that every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution.¹⁵ However, the Legislature may provide for the exemption of records from these requirements by general law passed by a two-thirds vote of each house, provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law.¹⁶ Such laws may contain only exemptions from these requirements and much relate to one subject.¹⁷

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminable.

C. Government Sector Impact:

Government entities will have to train their staff to exclude relevant information relating to the information technology security of utility agencies from public disclosure.

In response to public records requests, the public records custodians for the municipal utilities will have to determine which information qualifies under this exemption.

¹⁵ FLA. CONST., art. I, s. 24(c).

¹⁶ *Id.*

¹⁷ *Id.*

VI. Technical Deficiencies:

None.

VII. Related Issues:

Proponents of the bill indicated that the types of information sought to be protected include:

- Information technology security reports, diagrams, PowerPoints, flowcharts, and correspondence that detail the security strategy, protective measures, and implementation plans and results, whether created by the utility or by a third party tasked with reviewing and stress-testing systems and procedures.
- Information technology software lists that detail the software used to defend security networks, provide card access to restricted areas, and provide remote access to critical systems.
- Critical Infrastructure Protection (CIP) Reports sent to the Florida Regional Coordinating Council (FRCC).
- CIP Audits, responses, recommendations, and action plans sent to FRCC.
- Correspondence related to the CIP plans with FRCC.
- Physical and virtual security plans, reports, diagrams, PowerPoints, flowcharts, and correspondence relating to defending the information technology infrastructure and other infrastructure (i.e., power plants, water plants, substations, power dispatching centers, grid operations centers, network operations centers, and data centers).

VIII. Statutes Affected:

This bill substantially amends section 119.0713, F.S.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Communications, Energy, and Public Utilities on February 6, 2016:

The committee substitute addresses issues raised by the First Amendment Foundation and in the bill analysis by:

- deleting the exemption for security firm identity information;
- deleting the undefined term “utility agency” and providing a definition of the term “utility”; and
- rewriting throughout the bill for purposes of clarity.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2016	.	
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	.	

The Committee on Communications, Energy, and Public Utilities
(Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (15) is added to section 119.011,
Florida Statutes, to read:

119.011 Definitions.—As used in this chapter, the term:
(15) "Utility" means a person or entity that provides
electricity, natural gas, telecommunications, water, chilled
water, reuse water, or wastewater.



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11 Section 2. Subsection (5) is added to section 119.0713,
12 Florida Statutes, to read:

13 119.0713 Local government agency exemptions from inspection
14 or copying of public records.—

15 (5) (a) The following information held by a utility owned or
16 operated by a unit of local government is exempt from s.
17 119.07(1) and s. 24(a), Art. I of the State Constitution:

18 1. Information related to the security of the technology,
19 processes, or practices of a utility owned or operated by a unit
20 of local government that are designed to protect the utility's
21 networks, computers, programs, and data from attack, damage, or
22 unauthorized access, which information, if disclosed, would
23 facilitate the alteration, disclosure, or destruction of such
24 data or information technology resources.

25 2. Information, whether in physical or virtual form,
26 related to the security of existing or proposed information
27 technology systems or industrial control technology systems of a
28 utility owned or operated by a unit of local government, which,
29 if disclosed, would facilitate unauthorized access to, and
30 alteration or destruction of, such systems in a manner that
31 would adversely impact the safe and reliable operation of the
32 systems and the utility.

33 (b) This exemption applies to such information obtained
34 before, on, or after the effective date of this exemption.

35 (c) This subsection is subject to the Open Government
36 Sunset Review Act in accordance with s. 119.15 and shall stand
37 repealed on October 2, 2021, unless reviewed and saved from
38 repeal through reenactment by the Legislature.

39 Section 3. (1) The Legislature finds that, as utility



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40 system infrastructure becomes more connected and integrated
41 through information and communications technology, the exposure
42 to damage from attacks through such technology continues to
43 grow. These attacks may result in the disruption of utility
44 services and damage to utility systems. Maintaining safe and
45 reliable utility systems is vital to protecting the public
46 health and safety and ensuring the economic well-being of the
47 state. Accordingly, many utilities have adopted technologies,
48 processes, and practices designed to secure data, information
49 technology systems, and industrial control technology systems.
50 Disclosure of sensitive information related to these security
51 measures could result in the identification of vulnerabilities
52 that allow a security breach that damages utility systems and
53 disrupts the safe and reliable operation of such systems,
54 adversely impacting the public health and safety and the
55 economic well-being of the state. Because of the interconnected
56 nature of utility systems, a security breach may also impact
57 national security concerns. As a result, the Legislature finds
58 that the public and private harm in disclosing the information
59 made exempt by this act outweighs any public benefit derived
60 from disclosure of such information. The protection of
61 information made exempt by this act will ensure that utilities
62 have greater safeguards to protect against security threats and
63 will bolster efforts to develop more resilient information
64 technology systems and industrial control technology systems.

65 (2) The Legislature finds that it is a public necessity
66 that the following information relating to a utility owned or
67 operated by a unit of local government be exempt from s.
68 119.07(1), Florida Statutes, and s. 24(a), Article I of the



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69 State Constitution:

70 (a) Information related to the security of the technology,
71 processes, or practices of a utility owned or operated by a unit
72 of local government which are designed to protect the utility's
73 networks, computers, programs, and data from attack, damage, or
74 unauthorized access, which information, if disclosed, would
75 facilitate the alteration, disclosure, or destruction of such
76 data or information technology resources.

77 (b) Information, whether in physical or virtual form,
78 related to the security of existing or proposed information
79 technology systems or industrial control technology systems of a
80 utility owned or operated by a unit of local government, which,
81 if disclosed, would facilitate unauthorized access to, and
82 alteration or destruction of, such systems in a manner that
83 would adversely impact the safe and reliable operation of the
84 systems and the utility.

85 Section 4. This act shall take effect upon becoming a law.

86

87 ===== T I T L E A M E N D M E N T =====

88 And the title is amended as follows:

89 Delete everything before the enacting clause
90 and insert:

91 A bill to be entitled

92 An act relating to public records; amending s.

93 119.011, F.S.; defining the term "utility"; amending

94 s. 119.0713, F.S.; providing an exemption from public

95 records requirements for information related to the

96 security of information technology systems or

97 industrial control technology systems of a utility



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98 owned or operated by a unit of local government;
99 providing for retroactive application; providing for
100 future legislative review and repeal of the exemption;
101 providing a statement of public necessity; providing
102 an effective date.

By Senator Bradley

7-00683A-16

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 119.0713, F.S.; creating a public records exemption
4 for certain information relating to the information
5 technology security of utility agencies subject to ch.
6 119, F.S.; providing for future legislative review and
7 repeal of the exemption; providing a statement of
8 public necessity; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (5) is added to section 119.0713,
13 Florida Statutes, to read:

14 119.0713 Local government agency exemptions from inspection
15 or copying of public records.—

16 (5) (a) The following, relating to a utility agency that is
17 subject to this chapter, is exempt from s. 119.07(1) and s.
18 24(a), Art. I of the State Constitution:

19 1. Information relating to the security of the utility
20 agency's technologies, processes, and practices designed to
21 protect networks, computers, programs, and data from attack,
22 damage, or unauthorized access which, if disclosed, could
23 facilitate the alteration, disclosure, or destruction of data or
24 information technology resources.

25 2. Security information, whether physical or virtual,
26 relating to the utility agency's existing or proposed
27 information technology systems or industrial control systems
28 which, if disclosed, could affect security, economic security,
29 public health or safety, or any combination thereof.

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30 3. Information that would disclose the identity of security
31 firms used by the utility agency to secure and store data or
32 provide information technology services.

33 (b) This subsection is subject to the Open Government
34 Sunset Review Act in accordance with s. 119.15, and shall stand
35 repealed on October 2, 2021, unless reviewed and saved from
36 repeal through reenactment by the Legislature.

37 Section 2. (1) The Legislature finds that it is a public
38 necessity that the following information, relating to a utility
39 agency subject to chapter 119, Florida Statutes, be exempt from
40 public records requirements:

41 (a) Information relating to the security of the utility
42 agency's technologies, processes, and practices designed to
43 protect networks, computers, programs, and data from attack,
44 damage, or unauthorized access which, if disclosed, could
45 facilitate the alteration, disclosure, or destruction of data or
46 information technology resources.

47 (b) Security information, whether in physical or virtual
48 form, relating to the utility agency's existing or proposed
49 information technology systems or industrial control systems
50 which, if disclosed, could affect security, economic security,
51 public health or safety, or any combination thereof.

52 (c) Information that would disclose the identity of
53 security firms used by a utility agency to secure and store data
54 or provide information technology services.

55 (2) The cybersecurity of utility agencies has grown in
56 importance as utilities have moved toward a more connected and
57 integrated infrastructure. As more utility systems become
58 interconnected with each other and with other sectors of the

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59 economy, the risk of cyberattacks continues to grow. Critical
60 infrastructure for energy and utilities is vital to personal
61 safety, economic growth, and national security. The release of
62 sensitive information relating to the administration of a
63 utility agency's information technology security measures could
64 result in the identification of vulnerabilities that could
65 result in a security breach or otherwise negatively impact
66 personal safety, economic growth, and national security. As a
67 result, the Legislature finds that the public and private harm
68 in disclosing the information made exempt by this act outweighs
69 any public benefit derived from disclosure of such information.
70 The protection of the information made exempt by this act will
71 ensure that utility agencies have greater safeguards to protect
72 against security threats and will bolster efforts to develop
73 more resilient information technology systems.

74 Section 3. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Communications, Energy, and Public Utilities

BILL: SB 1272

INTRODUCER: Senator Hukill

SUBJECT: Florida Renewable Energy Production Credit

DATE: January 22, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	Favorable
2.			FT	
3.			AP	

I. Summary:

SB 1272 makes the Florida renewable energy production credit statute permanent and increases the annual cap on the total value of credits from the current \$10 million to \$15 million per year. It also deletes a provision that any unused credit funding in a fiscal year is to be used to fund renewable energy technologies investment tax credits against the corporate income tax as that credit expires December 31, 2016, and replaces it with a provision to carry forward the excess funds.

The bill takes effect July 1, 2016.

II. Present Situation:

Chapter 220, F.S., provides for corporate income tax. Section 220.193, F.S., provides for a credit against the corporate income tax for Florida renewable energy production. The purpose of the credit is to encourage the development and expansion of facilities that produce renewable energy in Florida. The credit is allowed annually based on the taxpayer's¹ production and sale² of

¹ The section defines the term "taxpayer" to include a general partnership, limited partnership, limited liability company, trust, or other artificial entity in which a corporation, as defined in s. 220.03(1)(e), F.S., owns an interest and is taxed as a partnership or is disregarded as a separate entity from the corporation under this chapter.

² The section defines the term "sale" or "sold" to include the use of electricity by the producer of such electricity which decreases the amount of electricity that the producer would otherwise have to purchase.

electricity from a new³ or expanded⁴ Florida renewable energy facility.⁵ For a new facility, the credit is based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit is based on the increases in the facility's electrical production that are achieved after May 1, 2012.

The credit is \$0.01 for each kilowatt-hour of electricity produced and sold by the taxpayer to an unrelated party during a given tax year. It may be claimed for electricity produced and sold on or after January 1, 2013. Beginning in 2014 and continuing until 2017, each taxpayer claiming a credit under this section must apply to the Department of Agriculture and Consumer Services (DACS) by the date established by DACS for an allocation of available credits for that year. The application form must be adopted by DACS by rule in consultation with the commission.⁶ The application form must, at a minimum, require a sworn affidavit from each taxpayer certifying the increase in production and sales that form the basis of the application and certifying that all information contained in the application is true and correct.

Credits may be earned between January 1, 2013, and June 30, 2016. The combined total amount of tax credits which may be granted for all taxpayers is limited to \$5 million in state fiscal year 2012-2013 and \$10 million per state fiscal year in state fiscal years 2013-2014 through 2016-2017. If the annual tax credit authorization amount is not exhausted by allocations of credits within that particular state fiscal year, any authorized but unallocated credit amounts may be used to grant credits that were earned pursuant to s. 220.192, F.S.,⁷ but unallocated due to a lack of authorized funds.

If the amount of credits applied for each year exceeds the amount authorized, DACS must allocate credits to qualified applicants based on the following priority.

- First priority is given to applicants who place a new facility in operation after May 1, 2012, up to a maximum of \$250,000 per applicant. If an applicant has remaining credits, they will be paid at the third priority level. If the claims for credits at this level of priority exceed the state fiscal year cap, credits are allocated among these applicants on a prorated basis based

³ The section defines the term "new facility" to mean a Florida renewable energy facility that is operationally placed in service after May 1, 2006. The term includes a Florida renewable energy facility that has had an expansion operationally placed in service after May 1, 2006, and whose cost exceeded 50 percent of the assessed value of the facility immediately before the expansion.

⁴ The section defines the term "expanded facility" to mean a Florida renewable energy facility that increases its electrical production and sale by more than 5 percent above the facility's electrical production and sale during the 2011 calendar year.

⁵ The section defines the term "Florida renewable energy facility" to mean a facility in the state that produces electricity for sale from renewable energy, as defined in s. 377.803, F.S. The cross-referenced section defines "renewable energy" to mean electrical, mechanical, or thermal energy produced from a method that uses one or more of the following fuels or energy sources: hydrogen, biomass, as defined in s. 366.91, F.S., solar energy, geothermal energy, wind energy, ocean energy, waste heat, or hydroelectric power.

⁶ "Commission" means the Public Service Commission.

⁷ Section 220.192, F.S., provides a credit against corporate income tax, for tax years beginning on or after January 1, 2013, in an amount equal to the eligible costs, defined as 75 percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2012, and June 30, 2016, not to exceed \$1 million per state fiscal year for each taxpayer and up to a limit of \$10 million per state fiscal year for all taxpayers, in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel in the state, including the costs of constructing, installing, and equipping such technologies in the state. Gasoline fueling station pump retrofits for biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel distribution qualify as an eligible cost under this section. These credits may be used in tax years beginning January 1, 2013, and ending December 31, 2016.

upon each applicant's qualified production and sales as a percentage of total production and sales for all applicants in this category for the fiscal year.

- Second priority is given to applicants who do not qualify for the first level priority but who claim a credit of \$50,000 or less. If the claims for credits at this level push the total over the annual cap, second priority credits are allocated on a prorated basis based upon each applicant's qualified production and sales as a percentage of total qualified production and sales for all applicants in this category for the fiscal year.
- Third priority is given to applicants who do not qualify for either first or second level priority and to an applicant who did qualify for first level priority but has remaining unallocated credits. If there are insufficient credits left to meet these claims, the credits are to be prorated based upon each applicant's unallocated claims for qualified production and sales as a percentage of total unallocated claims for qualified production and sales of all applicants in this category, up to a maximum of \$1 million per taxpayer per state fiscal year. If, after application of this \$1 million cap, there is excess capacity under the state fiscal year cap in any state fiscal year, that remaining capacity is to be used to allocate additional credits with priority given in the order set forth for third level priority claims and without regard to the \$1 million per taxpayer cap.

If the credit granted to a taxpayer is not fully used in 1 year because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year, after applying the other credits and unused credit carryovers.

DACS must determine the eligibility of the applicant for the credits sought and certify the determination to the applicant and the Department of Revenue (DOR). DACS also is responsible for ensuring that the corporate income tax credits granted in each fiscal year do not exceed the limits provided for in this section. DACS must determine and publish on its website on a regular basis the amount of available tax credits remaining in each fiscal year.

III. Effect of Proposed Changes:

Currently, the annual cap on the total value of credits is \$10 million. The bill increases this cap to \$15 million per year.

When the Florida renewable energy production credit was created in 2006,⁸ it was applicable to credits earned between January 1, 2007 and June 30, 2010. In 2012, the credit was revived for another four-year period, applying to credits earned between January 1, 2013 and June 30, 2016.⁹ The bill deletes all references to time-period limitations, making the credit permanent, unless revised by a future Legislature.

As noted above, the statute currently provides that if the annual tax credit authorization amount is not used within a particular state fiscal year, any authorized but unallocated credit amounts may be used to grant credits that were earned pursuant to s. 220.192, F.S., but unallocated due to

⁸ Section 13, Chapter 2006-230, Laws of Florida.

⁹ Section 7, Chapter 2012-117, Laws of Florida.

a lack of authorized funds. That section provides a corporate income tax credit for specified types of expenditures for renewable fuel technologies. The section also provides that the credits may be earned in tax years beginning January 1, 2013, and ending December 31, 2016, after which the credit expires. This credit is not being renewed. Accordingly the bill changes the s. 220.193, F.S., provision on use of any unused renewable energy production credit money in any particular fiscal year, providing that the unused money is to be carried forward.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The bill creates an additional \$5 million in Florida renewable energy production credits against the corporate income tax. It also makes the authorization for the credits permanent.

B. Private Sector Impact:

The bill makes the Florida renewable energy production credit against the corporate income tax statute permanent, and increases the annual cap on the credit from \$10 million to \$15 million, which will benefit those corporations that produce renewable energy.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

The Department of Revenue states that “it is unclear how the effective date should be applied to the corporate income tax (i.e., tax years ending on or after July 1, 2016, tax years beginning on or after July 1, 2016, or some other application).” They suggest that the effective date provision read: “This act shall take effect July 1, 2016, and shall apply to tax years ending on or after December 31, 2016.”

VII. Related Issues:

Since its original enactment, the statute has provided: “The purpose of this section is to encourage the development and expansion of facilities that produce renewable energy in Florida.” To accomplish this, the credits were available only for “the taxpayer’s production and sale of electricity from a new or expanded Florida renewable energy facility,” with a new facility being one “operationally placed in service after May 1, 2006” and an expanded facility being one “that increases its electrical production and sale by more than 5 percent above the facility’s electrical production and sale during the 2005 calendar year.”

While the bill retains this stated purpose in the statute, it is uncertain how far the bill will go in accomplishing it. According to a report supporting the extension of the renewable energy production credit:

During the most recent state tax year, 15 renewable energy resources generated 1,385,000 megawatt hours (MWh). They would have qualified for up to \$13.8 million in EPCs [energy production credits] but for the cap. ... As can be seen, among the 15 entities are firms operating in competitive industries (i.e., agriculture, fertilizer, forest products). Other recipients include electric utilities, landfill management and food recycling firms.”¹⁰

Even extending the cap to \$15 million, it appears that existing production facilities will produce enough renewable energy to earn the full amount of credits available. Thus the bill’s effect as an incentive for new or expanded facilities is uncertain. This seems to be acknowledged in the report, which states: “Thus, the EPC [energy production credit] will help retain industries that have invested in renewable resources.”¹¹

VIII. Statutes Affected:

This bill substantially amends section 220.193 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

¹⁰ J. Pollock Incorporated, The Policy Reasons for Renewing the Energy Production Credit, September __, 2015, page 2, copy on file in committee office.

¹¹ *Id.*

By Senator Hukill

8-01182A-16

20161272__

1 A bill to be entitled
 2 An act relating to the Florida renewable energy
 3 production credit; amending s. 220.193, F.S.; deleting
 4 the time limit for the renewable energy production
 5 credit against the corporate income tax; revising the
 6 total amount of tax credits which may be granted to
 7 taxpayers per state fiscal year; revising the
 8 permissible use of certain unallocated credit amounts;
 9 deleting an obsolete provision relating to
 10 applicability; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraphs (b) and (g) of subsection (3) and
 15 subsection (8) of section 220.193, Florida Statutes, are amended
 16 to read:

17 220.193 Florida renewable energy production credit.—

18 (3) An annual credit against the tax imposed by this
 19 section shall be allowed to a taxpayer, based on the taxpayer's
 20 production and sale of electricity from a new or expanded
 21 Florida renewable energy facility. For a new facility, the
 22 credit shall be based on the taxpayer's sale of the facility's
 23 entire electrical production. For an expanded facility, the
 24 credit shall be based on the increases in the facility's
 25 electrical production that are achieved after May 1, 2012.

26 (b) The credit may be claimed for electricity produced and
 27 sold on or after January 1, 2013. ~~Beginning in 2014 and~~
 28 ~~continuing until 2017,~~ Each taxpayer claiming a credit under
 29 this section must apply to the Department of Agriculture and
 30 Consumer Services by the date established by the Department of
 31 Agriculture and Consumer Services for an allocation of available
 32 credits for that year. The application form shall be adopted by

8-01182A-16

20161272__

33 rule of the Department of Agriculture and Consumer Services in
34 consultation with the commission. The application form shall, at
35 a minimum, require a sworn affidavit from each taxpayer
36 certifying the increase in production and sales that form the
37 basis of the application and certifying that all information
38 contained in the application is true and correct.

39 ~~(g) Notwithstanding any other provision of this section,~~
40 ~~credits for the production and sale of electricity from a new or~~
41 ~~expanded Florida renewable energy facility may be earned between~~
42 ~~January 1, 2013, and June 30, 2016.~~ The combined total amount of
43 tax credits which may be granted for all taxpayers under this
44 section is limited to \$15 million per state fiscal year ~~\$5~~
45 ~~million in state fiscal year 2012-2013 and \$10 million per state~~
46 ~~fiscal year in state fiscal years 2013-2014 through 2016-2017.~~
47 If the annual tax credit authorization amount is not exhausted
48 by allocations of credits within that particular state fiscal
49 year, any authorized but unallocated credit amounts may be
50 carried forward ~~used to grant credits that were earned pursuant~~
51 ~~to s. 220.192 but unallocated due to a lack of authorized funds.~~

52 ~~(8) This section shall take effect upon becoming law and~~
53 ~~shall apply to tax years beginning on and after January 1, 2013.~~

54 Section 2. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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

SENATOR CHARLES S. DEAN, SR.
5th District

January 26, 2016

The Honorable Denise Grimsley
306 Senate Office Building
404 South Monroe St.
Tallahassee, FL 32399-1100

Dear Chair Grimsley,

The purpose of this letter is to seek your permission to be excused from the scheduled committee meeting on Communications, Energy, and Public Utilities on February 2, 2016. Due to prior commitments, I will not be able to attend.

Should you have any questions concerning this matter, please do not hesitate to contact me personally.

Sincerely,

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

Charles S. Dean
State Senator District 5

CC: Diana Caldwell, Staff Director

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

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

The Florida Senate
State Senator René García
38th District

Please reply to:

□ **District Office:**

1490 West 68 Street
Suite # 201
Hialeah, FL. 33014
Phone# (305) 364-3100

February 2, 2016

The Honorable Denise Grimsley
Chair, Committee on Communications, Energy and Public Utilities
337 Knott Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Grimsley:

Please excuse my absence from the Committee on Communications, Energy and Public Utilities on February 2, as I had an urgent matter to attend to during the time the committee was scheduled.

Sincerely,



State Senator René García
District 38
RG:AD

CC: Diana Caldwell, Kim Bonn



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Subcommittee on Criminal and
Civil Justice
Children, Families, and Elder Affairs
Commerce and Tourism
Communications, Energy, and Public Utilities
Community Affairs
Environmental Preservation and Conservation

SENATOR TRAVIS HUTSON

6th District

February 2, 2016

The Honorable Denise Grimsley, Chairwoman
Committee on Communications, Energy, & Public Utilities
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Grimsley,

I respectfully request to be excused from the Communications, Energy, & Public Utilities Committee meeting at 4:00 pm on February 2, 2016 due to an illness.

Thank you in advance for this request. If you have any questions, please do not hesitate to contact me or my staff.

Respectfully,

A handwritten signature in black ink that reads "Travis Hutson".

Travis Hutson

REPLY TO:

- 4875 Palm Coast Parkway, NW, Suite 5, Palm Coast, Florida 32137 (386) 446-7610 FAX: (888) 263-3475
- 312 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16

Meeting Date

SB 776

Bill Number (if applicable)

646832

Topic Public Records / Utility Agencies Info Tech Security Amendment Barcode (if applicable)

Name Suzanne E. Goss

Job Title Government Relations Specialist

Address 21 W. Church St
Street

Phone 904 665-8331

Jacksonville FL 32202
City State Zip

Email gossse@jea.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing JEA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16

Meeting Date

776

Bill Number (if applicable)

646832

Amendment Barcode (if applicable)

Topic PUBLIC RECORDS/UTIL AGENCY INFORMATION TECH SECURITY

Name KEVIN NOONAN

Job Title DIRECTOR, LEGISLATIVE AFFAIRS

Address 100 W. ANDERSON ST

Street

Phone 407 466 1287

ORLANDO FL 32801

City

State

Zip

Email KNOWNAN@FLS.COM

Speaking: [X] For [] Against [] Information

Waive Speaking: [X] In Support [] Against

(The Chair will read this information into the record.)

Representing ORLANDO UTILITIES COMMISSION

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16

Meeting Date

776

Bill Number (if applicable)

646832

Amendment Barcode (if applicable)

Topic ~~Municipal~~ Municipal utilities

Name JOSEPH R. SALZBERG

Job Title

Address 3015 Bronough

Phone

Street

TLH

City

FL

State

32301

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FL MUNICIPAL ELECTRIC ASSOC.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2 / 2 / 2016

Meeting Date

Topic

BRIAN PITTS

Name

Job Title TRUSTEE

Address

1119 NEWTON AVENUE SOUTH

Street

SAINT PETERSBURG

City

FLORIDA

State

33705

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking:

For

Against

Information

Representing

JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

TAB 1

7-2-16

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

776

Meeting Date

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Dale Calhoun

Job Title _____

Address 201 S Monroe St Unit A

Phone 850 681 0496

Street

Tallahassee FL 32301

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Natural Gas Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2 / 2 / 2016

Meeting Date

Topic _____

Bill Number 1272

(if applicable)

Name BRIAN PITTS

Amendment Barcode _____

(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVNUE SOUTH

Phone 727-897-9291

Street

SAINT PETERSBURG FLORIDA 33705

E-mail JUSTICE2JESUS@YAHOO.COM

City

State

Zip

Speaking: For Against Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

1272
Bill Number (if applicable)

Topic Renewable Energy Tax Credit

Amendment Barcode (if applicable) _____

Name Sean Stafford

Job Title _____

Address 115 E Park Ave
Street

Phone 727-8000

32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Crystal

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/2016

Meeting Date

SB 1272

Bill Number (if applicable)

Topic Florida Renewable Energy ~~For~~ Production Credit

Amendment Barcode (if applicable)

Name Melissa Fause

Job Title Policy Analyst

Address 200 W. College Ave, Ste. 109

Phone mfause@alphq.org

Street

Tallahassee

City

FL

State

32301

Zip

Email 850-408-1218

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16
Meeting Date

SB 1272
Bill Number (if applicable)

Topic Florida Renewable Energy Production Credit Amendment Barcode (if applicable)

Name Jonathan Rees

Job Title Deputy Director, Legislative Affairs

Address 400 S. Monroe St.

Street

Tallahassee

City

FL

State

32399

Zip

Phone (850) 617-7700

Email Jonathan.Rees@freshfromflorida.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Agriculture and Consumer Services

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16
Meeting Date

SB 1272
Bill Number (if applicable)

Topic Florida Renewable Energy Product Tax

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior Vice President

Address 516 W Adams

Phone 224-7173

Street

Tallahassee

City

FL

State

32301

Zip

Email bbevis@airline

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 2

Meeting Date

SB 1272

Bill Number (if applicable)

Topic COMMS., ENERGY, & UTILITIES

Amendment Barcode (if applicable)

Name CHRISTOPHER EMMANUEL

Job Title POLICY DIRECTOR

Address 136 S. BRONOUGH

Phone 850.933.1223

Street

ILH

City

FL

State

32301

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA CHAMBER OF COMMERCE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16

Meeting Date

1272

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jim SPART

Job Title _____

Address 310 W. College Ave

Phone 850-228-1296

Street

FLH

City

FL

State

32301

Zip

Email Jim@magnoliastrategiesllc.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA FORESTRY ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-2-16

Meeting Date

SB 1272

Bill Number (if applicable)

Topic Renewable Energy Production Program

Amendment Barcode (if applicable)

Name Lee Killinger

Job Title Director, Public Policy and Govt. Affairs

Address 215 South Monroe Street
Street

Phone 850-556-4464

Tallahassee FL 32301
City State Zip

Email lee.killinger@mosaikco.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing MOSAIC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/2/16

Meeting Date

SB 1272

Bill Number (if applicable)

Topic SB 1272 Florida Renewable Energy Credit

Amendment Barcode (if applicable)

Name Jan Henderson

Job Title Managing Partner

Address 4951 NW 170th Street

Phone 352-463-6613

Street

Trenton FL

City

State

32693

Zip

Email JHenderson@alliance

dairies.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Alliance Dairies

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-2-16

Meeting Date

SB 1272

Bill Number (if applicable)

Topic SB 1272 FL RENEWABLE ENERGY CREDIT

Amendment Barcode (if applicable)

Name RAY HODGE

Job Title DIR. OF GOVERNMENT RELATIONS

Address 19039 121st Rd.

Phone (407) 257-6782

Street

Mt PLEASANT, FL 32060

City

State

Zip

Email southeastmilk@rayhodge.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Southeast Milk

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: SB 301
Caption: Senate Communications, Energy, and Public Utilities Committee

Case No.:

Type:
Judge:

Started: 2/2/2016 4:01:38 PM
Ends: 2/2/2016 4:14:32 PM **Length:** 00:12:55

4:01:45 PM Meeting called to order
4:01:50 PM Roll call
4:02:08 PM Quorum present
4:02:13 PM Tab 1 SB 776
4:02:25 PM Senator Bradley recognized to present SB 776
4:03:31 PM Senator Bradley presents strike-all amendment 646832
4:04:33 PM Joseph Salzverg waives in support
4:04:38 PM Kevin Noonan waives in support
4:04:44 PM Suzanne Goss waives in support
4:04:58 PM Amendment 646832 adopted
4:05:14 PM Dale Calhoun waives in support
4:05:31 PM Brian Pitts with Justice-2-Jesus recognized to speak
4:08:16 PM Senator Bradley recognized to close on SB 776
4:09:07 PM Roll call on CS/SB 776
4:09:18 PM CS/SB 776 reported favorably
4:09:37 PM Tab 2 SB 1272 FL Renewable Energy Production Credit presented by Senator Hukill
4:11:08 PM Ray Hodge waives in support
4:11:14 PM Jan Henderson waives in support
4:11:20 PM Lee Killinger waives in support
4:11:24 PM Jim Spratt waives in support
4:11:31 PM Christopher Emmanuel waives in support
4:11:37 PM Brewster Bevis wavier in support
4:11:42 PM Jonathan Rees waives in support
4:11:49 PM Melissa Faust waives in opposition
4:11:56 PM Sean Stafford waives in support
4:12:05 PM Brian Pitts with Justice-2-Jesus recognized to speak
4:13:37 PM Senator Hukill waives close on bill
4:13:41 PM Roll call on SB 1272
4:13:51 PM SB 1272 reported favorably
4:14:05 PM Senator Gibson recognized
4:14:26 PM Meeting adjourned