

Capital City Update

SHUTTS
&
BOWEN
LLP

March 2008

www.shutts.com

WELCOME

The Capital City Update is complimentary for clients, friends and colleagues of Shutts & Bowen LLP. It provides timely and practical information and should not be considered legal advice on a specific matter or transaction.

For assistance or more information, please **contact:**

Bobby Brantley
Shutts & Bowen LLP
(850) 521-0600
bbrantley@shutts.com

or

John H. Holley
Shutts & Bowen LLP
(850) 521-0600
jholley@shutts.com

It's that time of the year again! The Florida Legislature started its 2008 Legislative Session on March 4, which will last until May 2. We will be very busy with all of our clients' issues, and we are looking forward to another great Session.

It is our pleasure to bring to you the first installment of the Shutts & Bowen LLP Capital City Update. Our sincere hope is that this complimentary newsletter will serve as a wealth of useful information on the activities of the Tallahassee office of Shutts & Bowen, not only to keep our various offices informed of what is going on in Tallahassee, but also to showcase our current efforts so that the business of Shutts & Bowen can continue to flourish.



As a full-time governmental consultant in good standing with the executive and legislative branches of Florida, **Bobby Brantley** is able to draw on an abundance of experience, having served as the Secretary of the Florida Department of Commerce, the Secretary of the Florida Department of the Lottery, eight years as a Florida House Representative, and four years as Florida's Lieutenant Governor. In addition, during his time as Lt. Governor he served as the Governor's Legislative Liaison, and oversaw the legislative lobbying efforts of all of the executive agencies, as well as the Governor's legislative affairs office. With sixteen years of lobbying experience amongst a wealth of other distinguishing achievements, Bobby Brantley is a force to be reckoned with in the legislative arena.



Having served as the Chief of Staff and Deputy Secretary with the Florida Department of Management Services and as an attorney for the Florida Fish and Wildlife Conservation Commission, **John H. Holley** has built a strong resume based on an uncompromising commitment to honesty, professionalism, and a relentless work ethic. A professional in the legislative process, budget management and appropriations issues, John is able to successfully aid clients in successful contract bids, procurements, and legislative Proposals. His skills and abilities are invaluable to the success of our goals in Tallahassee.



Belinda Milton acts as our lead Governmental Relations Executive Assistant. She is one of Shutts' longest serving employees and our office administrator, having 24 years experience with Shutts & Bowen. In addition to providing support for John and Bobby, she handles the office calendar, client billing, general receptions, and acquisitions. Belinda is most accurately described as the glue that holds our office together.



A recent Florida State University graduate and current master's degree student in Applied Politics and Policy, **Will Kearney** joined Shutts & Bowen to lend his analytical, writing, and artistic skills to the law firm, as well as his boundless enthusiasm for all things political. He provides support at the Capitol, legislative update reports, manages bill tracking projects, and develops the Shutts & Bowen Capital City Update.



www.shutts.com
1.800.325.2892

USA - Ft. Lauderdale | Miami
Orlando | Tallahassee
Tampa | West Palm Beach
Europe - Amsterdam

The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications and experience.

WHAT TO EXPECT IN 2008

This year's Legislative Session will be a busy one for the Tallahassee office. Never before in Florida has there been so much interest, debate, and controversy in the state government, and we are working hard to ensure that our clients' interests are protected during these difficult times. There are powerful forces moving for change in the state, and the following areas of policy can expect to receive copious amounts of attention in the coming months:

● The Budget

What is black, white, and red all over? This time, it isn't a newspaper – it's the Florida budget. The Florida Legislature has been tasked to handle an **\$5 billion deficit**, and no clear consensus exists on how to bring it back into balance. Ideas proposed to fix the problem are:

1. Cut spending across the board
2. Tap new revenue sources
3. Reorganize and streamline government processes

There are myriad bills in the Legislature in relation to these three key points, and Shutts & Bowen is playing a pivotal role in protecting the interests of our clients as the Legislature attempts to iron out an amenable solution to all parties.

● Health Care

Even within the resounding budget shortfall issues, another issue remains prominent on the horizon of the 2008 Session – health care for Floridians. Governor Crist, in the wake of being handed 500,000 uninsured children in addition to a litany of other health care concerns, has said that health care is his #1 priority and has proposed substantive health care reforms in the guise of the **Cover Florida Health Access Act – Consumer Choice Benefit Insurance Plans**. As an advocacy group for various healthcare areas, we at Shutts & Bowen could not be more pleased to have our clients' issues at the forefront of the Governor's agenda. Governor Crist's health care initiatives, if passed, will be a colossal restructuring of the way that health care is performed in Florida.

● Environmental Policy

“Going green” is the latest topic of discussion amongst governmental circles. Governor Crist has placed green energy and economic development as one of his top priorities, and there are a number of influential bills (most notably the expansion of the Farm to Fuel Initiative, SB 310, and the creation of an “Energy Efficient” sales-tax holiday in early October) circulating the Legislature that underscore this point. Under the leadership of Charlie Crist, Florida is aiming to surge to the top of the list of ecofriendly states.



www.shutts.com
1.800.325.2892

USA - Ft. Lauderdale | Miami
Orlando | Tallahassee
Tampa | West Palm Beach
Europe - Amsterdam

Capital City Update

SHUTTS
&
BOWEN
LLP

March 2008

www.shutts.com

SOME OF OUR LEGISLATIVE CLIENTS AND ISSUES

The Tallahassee office, working with **David McCrea** in the Miami office, is hoping to amend Florida Statutes and help a firm client with a troublesome misapplication of law. Due to a legislative language oversight in the drafting of s. 537.002, F.S., which was meant to protect individual consumers from exorbitantly high interest rates for short-term payday loans & title loans, there has been an unintended consequence from the application of this statute. We are currently assisting our client by providing the Legislature with a revised version of s. 537.002, F.S. (represented by HB 477 and SB 874) which reflects the intent of the Legislature that it would apply only to individual consumers, and protects commercial lenders from being exposed to unnecessary litigation which would ultimately prove fatal to this business enterprise in Florida.

We are also working with the **Florida Dental Lab Association** to help professionalize the dental laboratory industry. The FDLA believes it is important to patients that they have a right to be informed about their own dental care. FDLA desires that dental laboratories certify the materials, authenticity, and the point of origin of dental products (crowns, bridges etc.) in Florida. FDLA believes that many dental products represent a health risk due to high levels of toxic materials. Off-shoring of dental products in high risk countries, such as China, has dramatically increased and the regulations have not kept up. Shutts & Bowen is working to ensure that the FDLA's concerns are well represented when the Governor's Health Care Package is presented to the Legislature.

Penn National Gaming has purchased the Sanford-Orlando Kennel Club greyhound park in Longwood, Florida. Currently, we have been asked to monitor the extensive amount of activity that the Florida Legislature is debating in the areas of pari-mutuel gambling and casino style gaming. We have spent a lot of time and resources researching the issues and working with the client to keep them fully informed. Currently, there are 26 bills filed that relate to gambling issues in Florida and with the current revenue shortfalls that may only increase. The Governor and Legislature are looking for new revenue sources and an expansion of current gaming options might be a possible source.

We utilize our access to the State Capitol to its fullest extent as we represent the interests of **Leon County, Seminole County and the City of Sanford, Florida**. The amount of legislation relating to county and municipal operations is extensive, requiring thorough bill tracking and vigilance on our part to ensure that every bill that goes through the Legislature represents the best interests of our county and municipal clientele. In addition to better bill tracking and advocacy, we also assist our county and municipal clientele gain better access to appropriated funds for public works in our represented districts.



www.shutts.com
1.800.325.2892

USA - Ft. Lauderdale | Miami
Orlando | Tallahassee
Tampa | West Palm Beach
Europe - Amsterdam

The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications and experience.

SOME OF OUR OTHER CLIENTS AND ISSUES

In addition to our legislative clients, we also represent a number of other clients which require a broad spectrum of legal and government knowledge about the Executive branch of government. We have a tremendous background in the Executive branch practices and know the State of Florida's way of doing business. Our goal is to help our clients navigate the labyrinthine maze of processes and regulations within all branches of government.

Ameresco

Ameresco is an energy savings company designed to help corporations and governments minimize their energy consumption and find alternative energy sources. We assist Ameresco to help them with inclusion on major state energy contracts. Furthermore, we are partnering with **Alex Heckler** in the Miami and Ft. Lauderdale office of Shutts & Bowen to provide governmental consulting services for Ameresco with opportunities in South Florida.

Cushman & Wakefield

The State of Florida utilizes tenant broker services to help them assess and acquire leased office space throughout the State. Cushman & Wakefield is an international real estate management and brokerage firm. We provided consultation services to Cushman & Wakefield, guiding them through the long and tedious State procurement process for tenant brokerage and consulting services. We are currently helping to garner state contracts, and assist them in their goal to be the premier representative for state lease negotiations.

Omnicare

We are partnering with **David Gemunder** in the Tampa office of Shutts & Bowen to provide governmental consulting services to Omnicare. Omnicare is a large pharmaceutical provider for many clients. They have ongoing needs throughout all areas of state government and we provide a variety of support and consultation services to meet those needs. We look forward to continuing our relationship with them.



www.shutts.com
1.800.325.2892

USA - Ft. Lauderdale | Miami
Orlando | Tallahassee
Tampa | West Palm Beach
Europe - Amsterdam