

PBC Legislative Update



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Eighth Week of Session Update

State Issues

Budget

By: County Staff, Anfield Consulting, Moya Group, and Corcoran and Johnston

The House and Senate began this week with the budget conference process. It is expected to continue throughout the weekend and into the early part of next week where it will need to be finalized and on Member's desk by Tuesday night to ensure an on-time finish of session. Total funds expended in the House budget and Senate budget are approximately \$75 billion. Key initiatives to Palm Beach County are allocated in the House, Senate, and Conference budgets as follows:

Program	House	Senate	Conference
Education			
Palm Beach State College – Lox Campus	\$ 1,000,000	\$ 6,000,000	Unresolved
WestTech Adult Ed Glades Workforce	\$ 426,628	\$ 426,628	\$ 426,628
FAU – Max Planck	\$ 1,500,000		\$ 2,000,000
FAU – Jupiter Runway	\$ 500,000		\$ 500,000
FAU – AMI	\$ 1,500,000	\$ 1,000,000	\$ 1,000,000
Health and Human Resources			
Mental Health and Substance Abuse Program	\$ 250,000	\$ 200,000	\$ 200,000
Ruth Rales Jewish Services – Meal Service	\$ 250,000	\$ 0	Unresolved
200 add'l Palm Beach County PACE slots	\$ 1,573,161	\$ 3,014,837	Unresolved
ChildNet – Palm Beach County	\$ 0	\$ 25,000	\$ 0
Place of Hope – Haven Campus	\$ 0	\$ 25,000	\$ 12,500
Sickle Cell Research – Tampa Bay Area		\$ 50,000	
Criminal Justice			
PILT - South Bay Correctional	\$ 275,560	\$ 275,560	\$ 275,560
PILT - Sago Palms South Bay	\$ 142,900	\$ 142,900	\$ 142,900
4 th DCA Courthouse Construction	\$ 3,000,000	\$ 7,001,861	\$ 5,845,763
State Attorney – Insurance Fraud Pros.			\$ 139,437
SA, PD, Court Workload Funding			Unresolved
Natural Resources			
Florida Forever	\$ 70,000,000	\$ 40,000,000	\$57,500,000
Everglades EFA – Restoration Strategies Impl.	\$ 32,000,000	\$ 32,000,000	\$32,000,000
Everglades Restoration (Incl. IRL/Lake O)	\$ 53,000,000	\$ 82,075,000	\$82,075,000
Northern Everglades	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000
Springs Protection	\$ 50,000,000	\$ 30,000,000	\$20,000,000
Drinking Water State Revolving Loan Program	\$ 78,495,609	\$ 77,194,809	
Wastewater Revolving Loan Program	\$163,044,933	\$161,558,053	\$161,558,053
Small County Wastewater Treatment Grants	\$ 21,000,000	\$ 21,000,000	\$ 21,000,000
Total Maximum Daily Loads	\$ 9,385,000	\$ 9,385,000	\$ 9,385,000
DACS “Water Farming” Lake O. Basin	\$ 10,000,000	\$ 0	\$10,000,000
DACS BMP’s Implementation	\$ 5,400,000	\$ 5,400,000	\$ 5,400,000
DACS Hybrid Wetland Treatment Program	\$ 9,000,000	\$ 1,000,000	\$ 9,000,000
Non-point Source Management	\$ 17,000,000	\$ 17,000,000	\$17,000,000

Beach Restoration	\$ 25,538,732	\$ 47,075,469	\$41,312,062
Petroleum Tank Clean-up	\$100,000,000	\$125,000,000	\$110,000,000
Local Water Projects	\$ 36,000,000	\$ 73,920,684	\$73,920,684

Local Water Projects in Budget

Palm Beach Co. – Lake Region Infrastructure	\$ 800,000	\$ 1,000,000	Unresolved
Palm Beach Co. - Living Shores Project		\$ 650,000	Unresolved
Palm Beach Co. – Lake Worth Lagoon Initiative*		\$ 2,075,000	\$ 2,075,000
Palm Beach Co. – Lake Worth Lagoon Initiative	\$ 700,000	\$ 700,000	Unresolved

Riviera Beach Avenue “O” Stormwater	\$ 212,500	\$ 425,000	Unresolved
Riviera Beach West 6 th Street Imprv.	\$ 300,000	\$ 650,000	Unresolved
West 18 th – West 22 nd Street Stormwater	\$ 375,000		Unresolved
City of Belle Glade NW H Storm Water	\$ 250,000		Unresolved
Royal Palm Beach Stormwater Mgt.	\$ 250,000		Unresolved

* Funded in the Senate IRL / Everglades Package

C-51 Sediment Management	\$ 0	\$ 500,000	\$ 500,000
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Beach Funding (total)	\$ 35,548,652	\$ 47,075,469	\$41,312,062
Jupiter Carlin	\$ 1,625,000		
North Boca Raton	\$ 0	\$ 351,500	
Ocean Ridge	\$ 751,300		
Delray Beach	\$ 1,006,016		
Lake Worth Inlet	\$ 54,000		
South Lake Worth Inlet	\$ 536,250		
Boca Inlet	\$ 395,700		
Jupiter Island Beach Renourishment	\$ 41,109		

Palm Beach County Public Shooting Park	\$ 3,200,000	\$ 3,200,000	\$ 3,200,000
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Transportation and Economic Development

Glades Area Street Resurfacing	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Cultural and Museum Grants	\$ 10,125,000 (all)	\$ 6,814,505	\$4,091,633(15)
Cultural Facilities Grants **	\$ 9,394,337 (17)	\$ 6,831,584	\$6,106,584(17)
Library Grants	\$ 24,699,440	\$ 24,899,440	\$24,899,440
Library Cooperatives	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000

FRDAP***	\$ 12,941,820	\$ 2,479,820	\$ 2,479,820
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Transportation Disadvantaged	\$ 50,898,510	\$ 50,898,510	\$50,898,510
Transportation Disadvantaged – Medicaid	\$ 12,825,000	\$ 12,825,000	\$12,825,000
Affordable Housing Programs	\$ 44,650,000	\$ 67,660,000	\$67,660,000
State Housing Initiatives Partnership	\$ 44,650,000	\$ 158,470,000	\$110,000,000
Film and Television Credits		\$ 20,000,000	\$ 0
Quiet Zones		\$ 10,000,000	\$10,000,000
Scripps Florida	\$ 2,000,000	\$ 0	\$ 2,000,000

** Items listed 1-17 under Dept. of State will be funded:

- (#2) South Florida Science Museum \$500,000;
- (#16) Palm Beach Dramaworks \$500,000;
- (#17) Lake Worth Community Redevelopment Agency \$150,000.

*** From the House funds in Specific Appropriation 1714A, \$2,479,820 is provided for all of the Small Development projects, \$9,835,000 is provided for the first 52 Large Development projects, \$200,000 is provided for the Land Acquisition project, and \$400,000 is provided for all Trail projects in the Department of Environmental Protection’s 2014-2015 Florida Development Assistance Program Priority list, dated December 11, 2013. Funds in the Senate Specific Appropriation 1714A, are provided for the Fiscal Year 2014-2015 Priority List for Small Projects Fund - Development list.

Sober Homes

By: County Staff, Corcoran & Johnston and Ericks Consultants

HB 479 By Bill Hager would provide for voluntary certification through an outside entity under contract with the DCF. The bill would require level 2 background screening for administrators, staff and volunteers and directs that the information be placed on a registry. The certification program would also require the homes to have a code of ethics, a good neighbor policy and an eviction policy. Licensed substance abuse care providers must refer patients to only those sober homes that obtain certification.

This bill establishes programs for the voluntary certification of recovery residences. The bill defines "recovery residence" as a residential dwelling unit or other form of group housing that is offered or advertised through any form, including oral, written, electronic or printed means, by any person or entity to be a residence that provides a peer-supported, alcohol-free and drug free living environment.

The Senate bill, SB 582 by Sen. Jeff Clemens, would make registration with DCF mandatory and charge unlicensed operators with first-degree misdemeanors. The level 2 background screening would only apply to managers, directors, owners, operators and chief financial officers of sober homes.

Both bills include legislative intent to provide clean and safe environments to those recovering from addiction. The House bill passed 117-1 off the floor of the House of Representatives on Friday and is now in Messages in the Senate. The Senate bill was not considered in Appropriations this week. However, discussions with Members of the House and Senate this week have been encouraging in terms of being able to consider some version of the House bill on the floor of the Senate later next week.

Spring Training Baseball

By: County Staff and Corcoran & Johnston

SB 1216 by Sen. Jack Latvala would change the current distribution allocations for the State's Spring Training retention program that was approved last year. It is on 2nd Reading this week and is expected to come up for consideration sometime next week.

Under the bill, construction of a single team stadium would be eligible for \$20 million over 20 years and a two team stadium would be eligible for \$50 million over 25 years. Additionally, a provision would allow an existing stadium to utilize the dollars to expand to a two-team stadium.

The House companion, HB 7095 creates the Professional Sports Facility Incentive Program process to provide state funding for the public purpose of constructing, reconstructing, renovating, or improving a professional sports facility. The bill passed out 93-16 from the House floor. The bill would require all future stadium funding applicants to go through an economic-impact ranking process by the Department of Economic Opportunity. The projects then would have to get legislative support. The House bill is still similar to the Senate legislation; however, the House version does not include the Spring Training language favored by Palm Beach County.

Homelessness

By: County Staff

HB 979 creating a dedicated state revenue source for homelessness funding was read a second time on floor and is now on third reading.

The Senate bill, SB 1090, differs from the House bill in that it would apply the first 4% of revenue for the Local Government Housing Trust Fund for DCF to offer varying levels of "Challenge Grants" to Continuums of Care and local

governments of up to \$500,000. It is scheduled for the special order calendar on April 28th. Currently proviso language in the budget allocates \$4 million for Homeless funding out of the State Housing Trust Fund.

Affordable Housing

By: Corcoran & Johnston

This week the Legislature finalized several budget proposals for the 2014-15 budget including the trust fund for the State Housing Initiative Partnership (SHIP) program and the State Apartment Incentive Loan (SAIL) program. The Senate had initially proposed fully funding SHIP (158.5 million) and SAIL (67.7 million). On Monday, the Senate reduced its SHIP funding proposal by \$58.5 million and the House accepted the Senate's position. That means that SHIP will receive \$100 million and SAIL will receive \$67.7 million. This is fully funding SAIL and 75% funding SHIP.

Juvenile Detention Costs

By: Ericks Consultants and County Staff

SB 1532 and HB 5303 would have revised the share of juvenile detention costs between the counties and State to close to a 50/50 proportion of actual cost. The revision is in response to a court ruling on the methodology that favored a more generous cost split for counties. However, during the budget discussions this week, common ground could not be found regarding the issue of back payments and House and Senate negotiators reverted to the Governor's recommendation of a 57% Local to 43% State cost split.

Film and TV Incentives

By: Ericks Consultants and Corcoran & Johnston

The \$20 million for film incentive funding in FY 2014-15 in proviso language in the Senate budget was not agreed to on Sunday night. This sets up a difficult week in terms of continuing tax credits for the film and television program. One of the only available options in an amendment to HB 5601 to continue to the funding and program.

The Senate bill, SB 1734, that would extend the Entertainment Industry Financial Incentive Program an additional 4 years, appropriate an additional \$300 million (\$50 million per year) and revise eligibility to include higher percentages of Floridians hired on projects currently remains in the appropriations committee. Counties would be required to commit a cash-match of 10%. Its House companion has not been heard in its first of three committees of reference.

Florida Retirement System

By: Corcoran & Johnston and Ericks Consultants

State and local pensions pivoted to the Senate on Friday after the House approved a sweeping retirement bill over the objections of Democrats. The measure (HB 7181) passed on a 74-44 vote.

Under the House bill, the Florida Retirement System, which serves state and many local workers, would undergo a series of changes meant to encourage employees to choose a 401(k)-style investment plan instead of the traditional pension plan.

The House proposal would close off the defined benefit plan to all members of the elected officers and senior management class but leave the option open for other employees; increase the vesting period of the defined benefit plan from 8 to 10 years, while allowing for a one year vesting period in the defined contribution plan; and defaults new hires into the defined contribution plan

within 8 months if no choice is made between the two plans beforehand. Any employees hired or changes made prior to July 1, 2015 date would not be affected.

Meanwhile, local governments could ignore state rules on how to spend insurance-premium tax dollars to fund firefighter and police pensions so long as the unions for those workers agree.

The local pension change, the result of years of negotiations, is not controversial. But labor strongly opposed the proposed changes to the FRS, which include a longer vesting period and changing the default option for employees who don't select a plan. Those employees would default into the 401(k)-style plan.

Tax Cut Package

By: Ericks Consultants and Corcoran & Johnston

The **Senate Appropriations Committee** on Tuesday amended **HB 5601** to add tax cuts favored by the House, including tax breaks for bail bondsmen and uncollectable debt on credit cards issued by retailers.

The biggest switch was a move to redirect the sales tax on electricity or energy consumption to gross receipts tax on utilities. The maneuver is a way to provide more funds for the Public Education Capital Outlay fund, which provides money for construction and maintenance at schools and universities.

The original House version would have reduced the electricity sales tax by 3 percent and added it to the gross receipts tax on utilities, but the Senate amendment Tuesday is not as large of a switch.

The move brings the Senate closer to the House plan to cut up to \$105 million in taxes.

A new Qualified Television Loan Program was also inserted into the package by **Sen. Aaron Bean** that would provide loans for television productions spending at least 80 percent of their production budget in Florida.

As a recap, the House package originally would provide:

- Four temporary "tax holiday" periods where sales of certain goods will be exempt from the sales tax. The sales tax holidays will be:
 - Three days in August on clothes and shoes priced at \$100 or less, school supplies priced at \$15 or less, and the first \$750 of price on computers and certain accessories,
 - Twelve days in June on certain hurricane preparedness supplies,
 - Three days in September on the first \$1,500 of sales price of certain energy and water efficient appliances, and
 - Seven days in September on physical fitness facility memberships.
- The addition of cement mixing drums to an existing temporary sales tax exemption for manufacturing machinery and equipment, which will expire in 2017.
- Permanent sales tax exemptions for child restraint systems and booster seats for use in motor vehicles, and for bicycle helmets marketed for use by youth.
- An increase in the exemption for corporate income tax from the first \$50,000 of income to the first \$75,000 of income for each corporate income taxpayer.
- Expansion, from \$178.8 million to \$227.55 million, of the credits available under the New Markets Tax Credit program, which directs

investment into low-income communities.

- A one-year, \$14 million extension of the sunset date of the Community Contributions Tax Credit program.
- Creation of a new qualified television revolving loan program, seeded with \$20 million in nonrecurring General Revenue, to assist television production companies in acquiring the financing they need to encourage the production of television programs in Florida.
- Modernization of the statutory definition of "prepaid calling arrangement" to clarify that certain prepaid mobile communications services are to be subject to state and local sales taxes instead of state and local communications services taxes.
- Redirection of sales tax collections on sales of electricity to the Gross Receipts Tax on utilities, thereby increasing revenues for public education capital outlay. The current 7% sales tax rate on electricity purchases by most businesses would be reduced to 4% and the gross receipts tax on electricity would be increased by like amount.
- Redirection of \$100 million in sales tax revenue annually to the State Transportation Trust Fund to be used for statewide strategic and regionally significant projects.

The Senate package would: reduce the State's portion of the CST; implement a 3-day sales tax holiday for back-to-school materials; and create an incentive program for a motorsports entertainment complex. The committee adopted amendments that shifted some of the tax cuts towards bail bondsmen and retailers, which upset some members of the committee who felt the cuts should be broad based and not targeted to specific businesses. The committee also adopted an amendment that would allow local governments to lower their Local Business Tax by a majority vote rather than conducting an equity study. The bill was Temporarily Postponed for further discussion.

Still remaining in the House bill is the section reducing sales tax paid on electrical purchases from 7% to 4% and increase the Gross Receipts Tax paid on electric utilities by the same amount with the intent to increase funding to PECO has received major opposition from the Florida League of Cities and Association of Counties who argue that it is not local government's responsibility to fund PECO and at such an impact. The fiscal impact to Palm Beach County would be \$1 million a year. House Appropriations Chair Seth McKeel committed that he would fix this provision before the bill returned to the floor.

Communications Services Tax (CST) Rate Reduction

By: Corcoran & Johnston

SB 266 by Senator Hukill was amended in the Appropriations Committee this week. The original CST rate reduction proposal introduced by the Senate would have impacted local governments with a negative \$31 million recurring fiscal impact. The concept included in the April 22, 2014 amended bill- amounting to a 0.52% decrease in the CST tax rate- reduces the recurring fiscal impact to negative \$8.3 million. The bill has not yet been placed on the Senate Special Order Calendar.

Fuel Terminals

By: Corcoran & Johnston and Ericks Consultants

HB 947 would prohibit local governments from changing the land use classification for land used for fuel terminals as well as require local governments to allow fuel terminals to be restored to their original capacities if damaged by natural catastrophes. The bill originally removed all authority of local governments to control the expansion of fuel terminals or consider them in local comprehensive plans. The current language is a compromise struck between fuel companies and local governments. The bill is on 2nd reading in the

House. Its Senate companion, SB 1070, passed unanimously in the full Senate this week.

School Sign Pilot Program

By: County Staff

Language is included in the FDOT legislative package (SB 1048/HB 1161) that extends the Palm Beach County/School Board Pilot Program until 2015. The House bill was read a second time and placed on 3rd reading. The Senate bill is on Special Order Calendar for April 30th.

The proposal emanates from Palm Beach County where each of the 30 high schools have business partnerships for the promotion of Project Graduation (drug/alcohol-free celebration) and other key school events. These schools raise funds through business partnerships for these activities and display sponsorship banners recognizing the sponsors around school fencing.

Because Palm Beach County has schools located in 26 municipalities plus the unincorporated County area, there are widely varying municipal and local codes. The County Commission, for one, supports the display of school sponsorship banners, but is concerned that amending their own code for one exception could leave them open for other entities wanting an exception. In 2008, the County Commission and School Board suggested the creation of a pilot program to standardize the display and location of these school recognitions.

The current pilot program expires on June 30, 2014; this legislation renews the authority for Palm Beach County through FY2015. This renewal also provides authority for DOT to require removal of any banner recognitions that could jeopardize federal funding.

Red Light Cameras

By: Corcoran & Johnston and Ericks Consultants

HB 7005, by the Transportation & Highway Safety Subcommittee continues to remain clean from all provisions that would have made changes to the red light camera traffic enforcement program. A section prohibiting cities from charging for parking within the state right-of-way (parking meters) was also deleted. HB 7005 passed the House Economic Affairs Committee and is now ready for consideration by the full House of Representatives.

An earlier version of HB 7005, would have provided that red light cameras could only issue notice of violations rather than uniform traffic citations, that seventy percent of the revenue collected must go to traffic safety capital improvements, that engineering countermeasures for intersection safety must be considered prior to installing new cameras, and provides that violations do not occur while making right or left hand turns while there is no pedestrian or vehicles in the way.

SB 144 remains temporarily postponed in committee and contains provisions relating to signal intervals and a uniform speed limit for making legal right on red turns. The House bill was heard on second reading this week and was placed on third reading.

Transportation - Rural Cities

By: Anfield

SB 218 by Sen. Grimsley would allow the cities of Belle Glade, South Bay and Pahokee to compete for state funds to help meet some of the needs of their road infrastructure.

On Wednesday, CS3/SB 218 was passed by the Senate and is now in House messages. CS/HB 345 is currently on Second Reading in the House. It is expected to be heard next week.

During Conference negotiations, funding of \$9 million for the small county road program was agreed to by House and Senate negotiators.

Agricultural Gleaning

By: Ericks Consultants and County Staff

HB 1135 by Rep. Kevin Rader that would protect farmers from liability when gratuitously allowing people to harvest produce on their lands is currently on 2nd reading in the House. Its Senate companion, SB 1138 by Rep. Greg Evers, was passed unanimously on 3rd reading this week and subsequently brought back for reconsideration. While the bill has not been controversial since it was amended with language suggested by the Trial Attorneys Association, it appears the bill may have difficulty passing unless other broader, unrelated legislative issues are resolved before the end of session.

Local Bills

By: County Staff

Five local bills passed out of the House on Friday by a vote of 118-1. They are now in Messages in the Senate and have been placed on the local bill calendar to be heard by the full Senate on Tuesday, April 29th.

Loxahatchee Groves Water Control District – Easements to the Public

HB 1335 by Rep. Mark Pafford formalizes existing easements that are based on a 1918 agreement between the Loxahatchee Groves Water Control District (District) and the Southern States Land & Timber Company. These perpetual easements are for access roads and drainage and flood control canals on either side of the 30 miles of canals throughout District. This bill is necessary to formalize the existing public uses and benefits.

In 2011, the width of four main roads in the District went through an identical process through a local bill approved by this legislature. The language in this local bill formalizes the easements in the same manner as the 2011 legislation for the remaining roads in the District. The bill provides that to the extent that the roads have been actually constructed and maintained or repaired continuously and without interruption by the District for 7 years, the easement right would be dedicated to the public.

Loxahatchee Groves Water Control District - Trails

HB 1337 by Rep. Mark Pafford authorizes for Loxahatchee Groves Maintenance Easements for recreational trail purposes by the public. This bill formalizes existing easements that are based on a 1918 agreement between the Loxahatchee Groves Water Control District and the Southern States Land & Timber Company. The bill allows the District to issue permits to the Town of Loxahatchee Groves, which has contemporaneous boundaries, to complete constructing and maintain these trails. It also provides that to the extent that the maintenance roads adjacent to the canals have been actually constructed and maintained or repaired continuously and without interruption by the District for 7 years, the easement right would be dedicated to the public and used for horse trails.

Wellington Medical Arts District

HB 1143 by Rep. Pafford would correct glitches in a local bill that passed in 2012 relating to the dependent special Medical Arts District in Wellington. Due to the errors, the boundaries failed to include the Medical Center and southern portions of the Medical Arts District, erroneously included portions of suburbs to the north of the Medical Arts District, and created a gap in the boundary line in Acme Improvement District's north border.

The bill corrects the boundaries for Acme contained in ch. 2012-256, L.O.F., but including the Medical Center and southern portions of the Medical Arts District, excluding the suburbs to the north of the Medical Arts District, and closing the boundary line gap. The bill also expands the boundaries to include five acres of land located along the northern edge of the Medical Arts District.

West Palm Beach Pension – Firefighters and Police

HB 931, by Rep. Dave Kerner, addresses the West Palm Beach Firefighters Pension Fund. The City of West Palm Beach and the Firefighters Local 727 have agreed in collective bargaining to these benefit and funding changes. According to the Economic Impact Statement, it is estimated that the City of West Palm Beach's costs for the fund will be reduced by \$1,647,968 in Fiscal Year 2014-2015.

This bill provides for the use of ch. 175, F.S., premium tax funds to lower the actual employee contribution rate in Fiscal Year 2013-14 from 25 percent to 13.1 percent, and to lower the required employee contribution rate to 13.1 percent, effective October 1, 2014.

HB 1145, also by Rep. Kerner, addresses the West Palm Beach Police Pension Fund. The bill provides for the use of ch. 185, F.S., premium tax funds to lower the actual employee contribution rate in Fiscal Year 2013-2014 from 20 percent to 11 percent, and requires the city to provide funding if the tax funds are not enough to lower the actual rate to 11 percent. The bill clarifies that contributions from ch. 185, F.S., tax funds are not employee contributions for contribution refund purposes. These changes are necessary to reflect a collective bargaining agreement between the City of West Palm Beach and the Palm Beach County Police Benevolent Association.

Local Ethics Code

By: Ericks Consultants

The Senate Appropriations committee approved SB 1474 by Abruzzo during week eight a bill that would allow local ethics codes to go beyond the State ethics code and provides that individual accused of ethics violations have a right to a public hearing.

However, the day after the hearing Sen. Joseph Abruzzo, D-Royal Palm Beach, and Rep. Lake Ray, R-Jacksonville, held a news conference to discuss their plans to withdraw both of their bills from further consideration and instead plan a local government ethics workshop in Palm Beach County to discuss additional reforms that could be adopted to increase the efficiencies of local ethics commissions.

Residency of Candidates

On Friday, the Senate unanimously approved HB 602 that would require a candidate or public officer, who is required to reside in a specific geographic area, to have only one domicile at a time. The bill provides factors that may be considered when determining a residency such as addresses where homestead exemptions are claimed and proof of payment for utilities and also provides exemptions for active duty military members and for the Legislators themselves. The bill has one committee left before going in front of the full Senate and its House companion bill has two committees left before going in front of the full House.

Ethics Package

SB 846, an Ethics package that would ban local government officials from being registered to lobby the Legislature on behalf of any entity other than his or her political subdivision was amended in a House committee to remove that provision. All constitutional officers, including property appraisers, supervisors

of elections, county commissioners, and municipal officers- with the exception of small cities- were included in the ban. The bill would also require special districts to create registries of individuals who lobby them and require local officers to undergo ethics training for municipalities that do not already have ethics training requirements. The Senate passed the bill 38-0 and it is currently on second reading in the House as amended.

E-Cigarettes

The Florida House on Wednesday unanimously passed a bill (SB 224) that would ban the sales of electronic cigarettes to minors. Supporters of the bill contend that use of the trendy tubes, which deliver nicotine, can lead to young people smoking tobacco. Wednesday's vote came after a lengthy debate Tuesday about earlier House proposals that would have prevented cities and counties from approving new regulations on the sales of tobacco products and electronic cigarettes. Those proposals were eliminated in amendment by Rep. Bill Hager before the bill was approved Wednesday. The Senate also has passed the bill, but a House amendment approved Tuesday will require the measure to go back to the Senate for another vote.

Gaming

By: Ericks Consultants and Corcoran & Johnston

This week, word has started to spread that Governor Rick Scott and the Seminole Tribe of Florida may be close to reaching a new deal that could force legislators to once again consider the future of gambling in the state. There have not been any details released.

The Legislature was considering a comprehensive gambling bill that could have resulted in competition for the tribe by allowing new resort casinos in South Florida. But Speaker Weatherford said he wanted the Governor to renegotiate the compact with the tribe before proceeding any further. He also said he wanted the issue to be placed before voters.

A last-ditch effort to allow track owners to eliminate greyhound racing fell short Tuesday in the Senate Appropriations Committee. The panel signed off on a measure that would require tracks to report greyhound injuries and deaths to the state. Sen. Eleanor Sobel, hoped to expand her injury-reporting measure (SB 742) to allow dog tracks to discontinue greyhound racing if they want to, an issue known as "decoupling" that Senate President Don Gaetz, supports. But Sen. Jack Latvala, R-Clearwater, blocked the amendment with a procedural maneuver, objecting that Sobel's amendment went far beyond the scope of the original bill.

Wage Theft

By: Ericks Consultants and Corcoran & Johnston

SB 926, the Senate proposal to apply a uniform wage theft model across the counties, The bill expands the authority of county courts to process wage theft claims while instructing local governments to establish administrative procedures to help resolve claims outside of court. The bill would preempt any new local models but would grandfather in ordinances and resolutions adopted prior to January 1, 2014. It was temporarily postponed twice on second reading this week on the floor of the Senate. Its House companion that is still based upon the Palm Beach County model has two more committees of reference before going to the full House and is temporarily postponed in Local Affairs.

Medical Examiners

By: Corcoran and Johnston and County Staff

A Department of Health bill, HB 819, includes a \$50 cap on fees that can be charged by Medical Examiners. Miami-Dade currently charges a fee of \$63 and

Broward County who charges \$54 are the only two local governments charging over \$50.

HB 301 by Rep. Ross Spano regarding Medical Examiners would have prohibited Medical Examiners from charging a fee to perform a cause of death determination in cases of cremation and burial at sea, while still requiring Medical Examiners to perform the cause of death analysis in such cases. HB 301 now appears to be dead, having stalled in the Local & Federal Affairs Committee chaired by Rep. Eddy Gonzalez. The Senate companion bill, SB 584 by Sen. Tom Lee never cleared a Senate committee and remains temporarily postponed in Health Policy.

The Medical Examiner amendment adopted to HB 819 may be subject to a rule challenge when it reaches the Senate under Senate Rules that prohibit bills temporarily postponed in committee from being heard on the floor. The House bill was unanimously approved on the floor earlier in the week.

Hazardous Walking Conditions

By: Ericks Consultants

SB 1382 and HB 1121, were each amended several weeks ago to remove timeline provisions that would have imposed a fiscal impact on local governments for the repair of certain hazardous walking conditions on sidewalks near schools. HB 1121 was unanimously approved in the House and is currently in Senate Messages.

Prescription Drug Monitoring

By: Corcoran & Johnston and Ericks Consultants

SB 862 would require law enforcement to enter into a user agreement to keep information confidential in order to access the PDMP rather than a court order or subpoena. The bill also would provide a recurring funding source for the PDMP though appropriating a portion of pharmacy fees.

HB 7113 includes a similar proposal requiring physicians to check with the prescription drug database before providing controlled substances to new patients. That bill cleared the House 74-42 earlier this week and is currently in Senate Messages.

Freight Logistics Zones (CS/SB 136 & HB 3)

By: Anfield Consulting

Bills in the House and Senate allow counties to designate an area as a "freight logistics zone," which would house projects eligible for certain state incentives related to strategic intermodal transport.

On Tuesday, **CS/CS/HB 3** was rolled to third reading in the House without amendment. It was subsequently passed the next day. **CS/CS/HB 3** is now in Senate Messages. **CS/SB 136** is currently in (S) Appropriations, its last committee of reference.

Yellow Dot Program

By: County Staff

SB 262 by Sen. Joseph Abruzzo passed the full Senate unanimously. The House companion bill, HB 17 by Rep. Irv Slosberg, passed its final committee this week and is currently on 2nd reading.

The legislation authorizes counties to create a "Yellow Dot" critical motorist program for the purpose of assisting emergency medical responders in the event a motorist accident or medical emergency. Participants in the program receive a

yellow dot decal to place on their vehicle's rear window, which alerts emergency services personnel to look for a corresponding yellow folder in the glove box that includes emergency contact and medical information.

County Bills With No Action This Week:

Public Records

By: Ericks Consultants and County Staff

HB 1151 would make the following changes:

1. Requires local governments to provide appropriate training on public records requirements to each employee;
2. Limits the cost of clerical or supervisory assistance charges that may be assessed for a public records request to the lowest paid personnel capable of performing the work and excludes employer-paid benefits;
3. Provides that contracts between agencies and contractors must require the contractor to notify the public agency's custodian of public records before denying a request for records held by the contractor, and to notify the public agency if the contractor is served with a civil action to enforce public records requirements;
4. Clarifies that a public records request need not be made in writing unless required by law;
5. Provides that the award of reasonable costs of enforcement available to a party who prevails against an agency to enforce public records requirements includes attorney fees incurred in litigating entitlement to and quantification of attorney fees for the underlying civil action.

The bill has two more committees before going to the full House and has been scored as having a negative though indeterminate fiscal impact on local governments. The Senate Bill, SB 1648, is one of the top priorities of the Senate President and passed the Senate over a month ago.

County and Municipal Parks

By: Ericks Consultants

HB 677 would require county and municipal parks to offer discounted admission to military service members, veterans and spouses and parents of deceased law enforcement, military service members, and firefighters. The bill is in its final of three committees. Its Senate companion, SB 378, is also in its final of three committees.

Nonresidential Farm Buildings

By: Corcoran & Johnston

SB 1342, regarding Nonresidential Farm Buildings, exempts nonresidential farm buildings, farm fences, and farm signs from county or municipal assessments, including assessments by a dependent special district, except those arising from floodplain management regulations. The bill is currently in Appropriations. HB 1147 has not been heard in its first committee of reference yet.

Limousine Preemption

By: Ericks Consultants and Corcoran & Johnston

SB 1618 prevents special districts in Hillsborough County from regulating the wait time, minimum fare, and number of licenses for limousine drivers using digital applications to connect customers to drivers. The bill would still require the drivers who use the digital service to follow the same local level regulations for financial and insurance responsibility as other similar services. Opponents of

the bill's original language are still mobilized against the current bill as it could be a foothold for preemptive policies in years to come. The bill has one more committee stop before going to the full Senate. Its House companion, HB 1389 by Rep. Grant that barely passed its final committee last week, is on 2nd reading in the House. While the bill did not come up for a vote this week, it is expected the legislation may come up this week with the possibility that it could be expended to include the preemption for all local governments.

Vacation Rentals

By: Ericks Consultants

HB 307 would allow local governments to regulate vacation rentals with the exception of setting minimum length of stay periods or banning property owners from utilizing their property as a vacation rental. The House bill is currently on 2nd reading. The Senate passed its companion on March 26th and has sent their bill to the House for consideration.

Local Preferences in Award of State Contracts

By: Ericks Consultants

Bills in both the House and Senate to preempt local preferences in award of government contracts when using state dollars are intended to save the state money by protecting against local government bids with local preferences that the state feels artificially inflate prices.

The Senate bill preempts local preference ordinances on competitive solicitations for projects that use at least 51% of state funds to fund the project. The original bill would have required the preemption to kick in if any state funds were used.

The Senate bill has one more committee of reference before going to the full Senate. The House companion has three committees of reference left.

Government Accountability

By: Corcoran & Johnston and Ericks Consultants

HB 1327 would require local governments as well as other governmental entities to establish, maintain, and document internal controls to combat abuse, fraud and waste; ensure that administrative duties are being conducted according to the law and best practices; encourage economic efficiency; ensure reliability of financial reports; and safeguard assets. The bill does not set forth any preemptive standards and allows the details of the internal control system and documentation to be determined by the local government itself. The bill is currently on 2nd reading in the House. Its Senate companion, SB 1628, still has three of four committees of reference left.

Environmental Permitting

By: Ericks Consultants

The Senate companion to this year's environmental permitting package was temporarily postponed in Senate Community Affairs. SB 1464 still has two more committees of reference before going to the full Senate. Its House companion has one more committee of reference before going to the full House.

HB 703 would do a number of things including:

- Specify the authority of counties to enforce wetlands, springs protection & storm water ordinances, regulation, & rules
- Revise procedures for adopting a comprehensive plan and plan amendments.
- Prohibit local governments from rescinding certain land use approvals
- Exempts certain land lessees from permit fees



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- Authorize durations & multiple commencement dates for certain consumptive use permits
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- Provide that proof of insurance meets mitigation bank permit requirements
- Exempts certain facilities, structures, & improvements from additional local government authorizations & permits
- Requires certain criteria to be incorporated into regional water supply plans
- And establishes solid waste landfill closure account within the Solid Waste Management Trust Fund

Texting While Driving

By: County Staff

HB 1253 by Rep. Slosberg, is on 2nd reading in the House. SB 1078 by Sen. Darren Soto passed only one of four committees of reference.

The legislation would make it a 2nd degree felony for a person who is texting while driving and causes the death of a human being or fetus. The offense becomes a 1st degree felony if at the time of the accident, the person knew or should have known, that the accident occurred and the person failed to give information and render aid.

Upcoming 2014 Legislative Session Dates (The only ones that really matter at this point)

May 2, 2014 Legislative Session Scheduled to Conclude ☺

May 3-4, 2014 Todd will be at Sunfest