

PBC Legislative Update



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Third Week of Session Update

State Issues

Budget

By: County Staff, Anfield Consulting, Moya Group,

This week, after receiving allocations from their presiding officers, the House and Senate subcommittees released the “Chairman’s” budget proposals for the upcoming fiscal year. There are some significant differences between the chambers with regard to the total funds dedicated. With respect to key initiatives to Palm Beach County, the House and Senate budgets are as follows:

Program	House	Senate
Education		
Palm Beach State College – Lox Campus	\$ 1,000,000	\$ 6,000,000
WestTech Adult Education Glades Workforce	\$ 426,628	\$ 426,628
ChildNet – Palm Beach County	\$ 0	\$ 25,000
Place of Hope – Haven Campus	\$ 0	\$ 25,000
Health and Human Resources		
Mental Health and Substance Abuse Program	\$ 250,000	\$ 200,000
Ruth Rales Jewish Family Services – Meal Service	\$ 250,000	\$ 0
200 additional Palm Beach County PACE slots	\$ 1,573,161	\$ 3,014,837
Criminal Justice		
PILT - South Bay Correctional	\$ 275,560	\$ 275,560
PILT - Sago Palms South Bay	\$ 142,900	\$ 142,900
Natural Resources		
Florida Forever	\$ 70,000,000	\$ 40,000,000
Everglades EFA – Restoration Strategies Impl.	\$ 32,000,000	\$ 32,000,000
Everglades Restoration (Incl. IRL)	\$ 53,000,000	\$ 82,075,000
Northern Everglades	\$ 3,000,000	\$ 3,000,000
Springs Protection	\$ 50,000,000	\$ 30,000,000
Drinking Water State Revolving Loan Program	\$ 78,495,609	\$ 77,194,809
Wastewater Revolving Loan Program	\$163,044,933	\$161,558,053
Small County Wastewater Treatment Grants	\$ 21,000,000	\$ 21,000,000
Total Maximum Daily Loads	\$ 9,385,000	\$ 9,385,000
DACS “Water Farming” Lake O. Basin	\$ 10,000,000	\$ 0
DACS BMP’s Implementation	\$ 5,400,000	\$ 5,400,000
DACS Hybrid Wetland Treatment Program	\$ 10,569,956	\$ 0
Non-point Source Management	\$ 17,000,000	\$ 17,000,000
Beach Restoration	\$ 25,538,732	\$ 47,075,469
Petroleum Tank Clean-up	\$100,000,000	\$125,000,000
Local Water Projects	<u>\$100,500,000</u>	<u>\$ 41,997,714</u>

Key Local Water Projects in *Senate* Budget

Palm Beach Co. – Lake Region Infrastructure Imprv.		\$ 1,000,000
Palm Beach Co. - Living Shores Projects		\$ 650,000
Palm Beach Co. – Lake Worth Lagoon Initiative *		\$ 2,075,000
Palm Beach Co. – Riviera Beach Avenue “O” Stomwater		\$ 425,000
Palm Beach Co. – Riviera Beach West 6 th Street Imprv.		\$ 650,000

* Funded in the Senate IRL / Everglades Package

C-51 Sediment Management	\$ 0	\$ 500,000
Beach Funding (total)	\$ 25,538,732	\$ 47,075,469
Jupiter Carlin	\$ 1,625,000	
North Boca Raton	\$ 0	
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

Transportation and Economic Development

Glades Area Street Resurfacing	\$ 1,000,000	\$ 1,000,000
Cultural and Museum Grants	\$ 10,125,000 (all projects)	\$ 6,814,505
Cultural Facilities Grants **	\$ 9,394,337 (1-17)	\$ 6,831,584
Library Grants	\$ 24,699,440	\$ 24,899,440
Library Cooperatives	\$ 1,500,000	\$ 1,500,000
FRDAP***	\$ 12,941,820	\$ 2,479,820
Transportation Disadvantaged	\$ 50,898,510	\$ 50,898,510
Transportation Disadvantaged – Medicaid	\$ 12,825,000	\$ 12,825,000
Affordable Housing Programs	\$ 44,650,000	\$ 67,660,000
State Housing Initiatives Partnership	\$ 44,650,000	\$ 158,470,000

** House – 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. Senate – Only Palm Beach Project currently funded is SF Science Museum.

*** 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.

General Government

Scripps Florida	\$ 2,000,000	\$ 0
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Judicial Funding

4 th DCA Courthouse Construction	\$ 3,000,000 (Maint.)	\$ 7,001,861
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Two priority projects the county continues to advocate for are Quiet Zones in the FEC corridor at \$7.4 million and Street Lighting in High Crime Areas. Both issues are currently unfunded in both the House and Senate budgets.

Next week (4th week) both chambers will consider and amend these proposals in the full appropriations committees prior to floor action the following (5th) week. Once each chamber approves their versions of the State budget they will be in a posture to commence budget conference (reconcile the difference) as soon as the presiding officers agree on allocations within each area of the budget. This is not anticipated to happen until week 6 at the earliest.

Affordable Housing

By: The Moya Group

The House transportation and economic development budget proposal released Tuesday would sweep \$136.8 million in affordable housing trust fund money into general revenue funds.

The total amount of revenues projected for the trust fund is projected to be \$226.1 million for the FY 2014-15. The **House Transportation and Economic Development Appropriations Subcommittee** proposal would provide \$44.65 million for the **State Housing Initiatives Partnership**, which provides grants to local governments for affordable housing projects, and \$44.65 million for the **State Apartment Incentive Loan** program, a similar program providing low-interest loans for such projects.

Rep. Ed Hooper, R-Clearwater, chairman of the committee, said the proposal follows **Gov. Rick Scott's** budget recommendation and added that though about \$200 million was swept from the trust fund last year, a similar amount from a foreclosure fraud settlement with large banks was put toward the affordable housing programs.

Although proposals from the House and Senate are nearly identical on large portions of the transportation and economic development portions of the budget – both fully fund the transportation work program with at least \$8.8 billion – the discrepancy in the two chambers' affordable housing funding is a major sticking point.

The Senate plan keeps all of the projected affordable housing trust fund revenues for affordable housing projects – about \$158.5 million for SHIP and \$67.7 million for SAIL and other programs.

The affordable housing trust fund was implemented in 1992 when the construction and real estate industries asked for document stamps used in real estate transactions to be taxed and for the revenues to go into low-income housing programs.

Currently, if the House proposed Budget passes Palm Beach County would receive **\$2,415,367 million**. If the Senate proposed Budget passes Palm Beach County would receive **\$11,298,440 million**.

Local Discretionary Surtax For Homelessness

By: Ericks Consultants

SB 786 which would allow the majority of voters within a county to authorize a sales surtax of up to one half of one percent to be used for homelessness services and facilities passed through its second of four Senate committees of reference. Its House companion has not yet been heard in any of its three committees of reference.

Transportation Bill Rural City Legislation

By: County Staff

SB 218 by Denise Grimsley, if passed, the bill 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. The bill will be up on Wednesday, March 26 in Transportation Committee.

Growth Management

By: Corcoran and Johnston

On Friday, in the House Economic Affairs Committee meeting, Representative Boyd presented HB189, regarding Growth Management. The bill revises the

prohibition on initiative and referendum processes for local comprehensive plan amendments or map amendments by removing a provision that allows such processes that affect more than 5 parcels of land under certain conditions. The bill prohibits such processes unless they are expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. This bill primarily impacts the town of Longboat Key. There was no debate and the bill passed unanimously.

Medical Examiners

By: Corcoran and Johnston and County Staff

Representative Spano's HB 301 remained temporarily postponed in the House Local & Federal Affairs Committee. The bill would preempt local medical examiners from charging a fee for state mandated autopsies and cremations. The Senate companion by Sen. Lee will be back on the Health Policy agenda Tuesday, March 25th.

Gaming

By: Corcoran and Johnston and Ericks Consultants

The House Committee on Gaming considered two bills HB 1383 relating to Gaming and PCB SCOG 14-01 relating to Voter Control of Gambling Expansion.

HB 1383 creates the Gaming Control Commission and Department of Gaming Control to provide for oversight of pari-mutuel facilities, slot machines, card rooms, and gaming. The bill also transfers responsibilities and resources for regulation of such facilities and enforcement of prohibitions against gambling to the commission and department and creates the Joint Legislative Gaming Control Nominating Committee.

During debate on the bill, Representative Waldman spoke about senior arcades and how they should be addressed by the committee and allowed in the state of Florida. Representative Waldman also addressed resort destination casinos and their positive impact on the economy of South Florida. Representatives Moskowitz, Gaetz and Young all voiced their support of the bill, but explained a desire to get rid of the greyhound racing industry. The bill was passed unanimously.

The Committee then considered PCB SCOG 14-01, relating to Voter Control of Gambling Expansion. This Proposed Constitutional Amendment gives the decision to expand gambling by petition vote to the citizens of Florida.

During the debate portion of the bill, Representative Waldman explained that gambling should continue to be discussed in the Florida Legislature because of how important it is to the state of Florida. The bill passed favorable from committee by a vote of 15 -6. Those voting against the PCB were Representatives Cruz, Fullwood, Gibbons, Moskowitz, Richardson, and Waldman.

HB 1383, which differs from the Senate version in that it does not contain provisions related to destination casinos.

Vacation Rentals

By: Corcoran and Johnston & Ericks Consultants

The House Local & Federal Affairs Committee approved HB 307 that would allow local governments to regulate vacation rentals. However, the committee adopted an amendment that would prohibit local governments from banning vacation rentals or regulating frequency of renting them out or length of stay of renters.

This legislation pertains to the 2011 bill that passed (HB 883) that preempted to the state the power to regulate vacation rentals and prevented local governments from enacting any law, ordinance, or regulation that restricted or prohibited the use of vacation rentals based on classification, use, or occupancy. 883 exempted

any local law, ordinance, or regulation enacted on or before June 1, 2011, from this preemption. This bill deletes the provision that prohibits local laws, ordinances, or regulations from restricting the use of vacation rentals, prohibiting vacation rentals, or regulating vacation rentals based solely on their classification, use, or occupancy. An amendment was presented by Representative Hutson, which prevents local governments from making modifications to the duration of short-term rentals.

Eric Poole of the Florida Association of Counties echoed similar sentiments and added that this bill addresses property rights. He did, however, have concerns with the amendment. The League of Cities also expressed concerns with the amendment but supports the bill overall. Two areas of concern as it pertains to this bill are if a vacation rental is classified as a commercial activity and should local governments be able to use zoning to regulate commercial activity.

The amendment was adopted favorably and the bill was passed favorably by a unanimous vote.

The bill now has one more committee left before going before the full House. The full Senate adopted a similar bill (SB 356) but not identical amendment onto the Senate bill before final passage. The Senate version would allow for setting a minimum length of stay for up to 7 days but no greater.

Motor Vehicle Fee Reductions

By: Ericks Consultants and County Staff

A top priority of both the Governor's office and the Legislature now awaits the Governor's signature. This week, the Legislature passed SB 156 that would reduce fees paid on motor vehicle registrations, including those for motorcycles and mobile homes. When signed into law, the bill will reduce state revenue by an estimated \$400 million and save individuals an average of \$18-\$25 per vehicle.

This is significant because in the scope of the Governor's and Legislature's proposed tax reduction package, the bill would account for \$400 million of the proposed \$500 million total. The remaining \$100 million in cuts could come from a variety of sources but most likely would minimize some of the potential funding source reductions to local governments originally discussed in the legislature.

Florida Retirement System

By: Corcoran and Johnston

On Thursday, in the Senate Governmental Oversight and Accountability Committee meeting, Senator Ring presented SPB 7108, regarding the Florida Retirement System, which authorizes renewed membership in the retirement system for retirees who are reemployed in a position eligible for the Elected Officers' Class under certain circumstances and for retirees of the Senior Management Service Optional Annuity Program who are reemployed on or after a specified date, and requires that certain retirees who are employed on or after a specified date be renewed members in the investment plan.

The State Board of Administration and the Florida Education Association support the bill. The Florida PBA opposes the bill and will continue to do so until the Senator addresses retirees who retired early.

There was no debate and the bill passed unanimously.

Child Safety Devices

By: Ericks Consultants

SB 518 would require children ages 4-6 to sit in a separate car seat or booster seat when riding in a car. Violations of the bill would include three points assessed to driving records and a \$60 dollar fine. The bill was amended to exempt children

being transported in a medical emergency and those who have a medical condition that would prevent them from sitting such a seat. The bill also exempts individuals who are not immediate members of the child's family who are transporting the child gratuitously.

Ethics Package

By: Ericks Consultants

SB 846 by Senator Jack Latvala was on the Special Order Calendar this week. The bill would ban local officials from being paid to lobby the Legislature on behalf of any entity other than his or her political subdivision. Those officers would include constitutional officers, including property appraisers, supervisors of elections, and county commissioners. The bill would also require special districts to create registries of individuals that lobby them and require local officers to undergo ethics training. The bill is on third reading in the full Senate; however, its House companion has not yet been heard in any committees.

Residency of Candidates

By: Ericks Consultants

HB 571 would define residency requirements for public officials. According to the State Constitution, public officials must reside in the districts that they represent. The bill would clarify that residency requirements are met by public officials by maintaining their "domicile," of which they may only have one, in the district they represent and allows for a host of factors to be considered for determining if this requirement is or is not met to the law's satisfaction. The proposal would also preempt any local ordinances that address residency requirements. However, the bill exempts members of the Legislature.

Tax Reduction and Economic Development

By: Corcoran and Johnston

The House Finance and Tax Subcommittee workshopped a draft tax reduction and economic development package. Components of the proposal that impact municipalities include a reduction on the sales tax on commercial electricity from seven to four percent, four separate sales tax holidays (back-to-school, hurricane preparedness, energy efficient appliances and physical fitness facility membership) and changing the definition to prepaid calling arrangements to broaden the exemptions from state and local communication services tax. The total impact to local governments (cities and counties) of the proposal is a onetime nonrecurring impact of \$11.2 million and an ongoing negative fiscal impact of \$32.6 million.

Red Light Cameras

By: Corcoran and Johnston

On Thursday, the Senate Transportation committee temporarily postponed SB 144, relating to Traffic Infraction Detectors, which would repeal the state's red-light camera law. The bill came up with only 10 minutes left in the committee meeting, and a number of speakers from across the state had lined up to speak on both sides of the issue.

Chairman Jeff Brandes decided to delay the vote on the proposal, which he is sponsoring. The bill is on the Committee's agenda for March 26th. Senator Brandes' red light proposal and the House version (HB 4009) have yet to be voted on by any committees this Session.

Sober Homes

By: Ericks Consultants and County Staff

This week, both House and Senate committees passed legislation that would provide some type of oversight for "sober homes" through the Department of Children and Families (DCF). The original version of HB 479 by Rep. Bill Hager was substituted with a (PCS) by the House Healthy Families Subcommittee based upon some constitutional concerns that could be challenged in court. HB 479 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. The legislation passed its first committee of reference by a unanimous 12-0 vote.

The Senate bill, SB582 by Sen. Jeff Clemens, passed the Senate Community Affairs Committee also by a unanimous vote and 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. Supporters of the bills include the Florida League of Cities, the Florida Association of Counties, Florida Justice Alliance, and over 400 elected officials across the state. Broward and Palm Beach Counties also supported the bills in this week's House and Senate Committees. The Senate bill is now ready to be heard in the Senate Appropriations Committee, while the House bill has two committee stops left.

Ad Valorem Taxes and Non-Ad Valorem Assessment Against Subdivision Property

By: Corcoran and Johnston

On Thursday, in the House Finance & Tax Committee, Representative Pat Rooney, Jr. presented HB 901, regarding Ad Valorem Taxes and Non-Ad Valorem Assessments Against Subdivision Property. The bill amends Florida Statute 193.0235 to state that notwithstanding any other provision of law, if a common element is in a different county, municipality, special district, or water management district than the subdivision it benefits, the common element shall be assessed separately, and any applicable ad valorem tax or non-ad valorem assessment shall be assessed against the common element. The bill also specifies that the property appraiser may not prorate the value of such a common element.

Representative Waldman commented that the bill is not so simple for Broward County and asked how this would be monitored. Rooney responded that he was fine with discussing changes to the bill for unintended consequences. Waldman said that everything sounded okay except for the proration part of the bill. Representatives Moraitis and Berman were also concerned with the proration piece of the bill.

In debate, Representative Moraitis said that he hoped to have some further clarification for the bill. Representative Berman echoed this, but said she would support the bill today. Representative Waldman said that he thought this should be a local bill and is too broad as it stands today. He will not support the bill. Representatives Stark and Richardson agreed with Waldman.

The bill was reported favorably, with Representatives Richardson, Stark, and Waldman voting against it.

Local Bills - West Palm Beach Pension

By: Corcoran and Johnston

In the House Local & Federal Affairs Committee, two local bills concerning West Palm Beach were addressed.

HB 931, by Representative Kerner, addresses the West Palm Beach Firefighters Pension Fund, which was created by the Florida Legislature in 1947. The City of West Palm Beach and the International Association of 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. Representative Kerner stated the pension fund is well funded (\$134 million) and that this bill increases the contribution level of individual members. There was no debate and the bill passed favorably by a unanimous vote.

HB 1145, also by Representative Kerner, addresses the West Palm Beach Police Pension Fund, which was created by the Florida Legislature in 1947. The bill provides for the use of ch. 185, F.S., 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. No debate, questions, or public testimony was held and the bill passed favorably with a unanimous vote.

Palm Beach Local Bill: Wellington Medical Arts District

By: Ericks Consultants

A Palm Beach County Local bill, SB 1143 that would correct glitches in a past local bill related to the dependent special medical arts district in Wellington passed through its first of two committees.

County Employees

By: Ericks Consultants

SB 106 that would clarify that counties have the authority to determine the benefits of its own employees is close to final passage. The full Senate passed the bill this week, sending it to the House for passage. Meanwhile, the identical House bill is also before the full House.

Gasoline Stations

By: Ericks Consultants

Senate and House bills that would preempt local ordinances for assistance for disabled individuals at self-service gas stations continued to move through the committee process. HB 185 would require a decal of a specific size and color with a phone number for assistance to be displayed on gas station pumps with the intent to increase accessibility in counties that do not require decals. The bill also requires DACS to enforce and implement the law rather than the county, which raises many concerns. The Florida Association of Counties and Florida League of Cities support the bill despite the preemption. The Senate bill passed its first of three committees in Senate Commerce & Tourism, while the House bill passed its final of three committees and is now ready for the House floor.

Fuel Terminals

By: Ericks Consultants

HB 947 that would prohibit local governments from regulating new fuel terminals or the expansion of existing fuel terminals in its local comprehensive plan passed its first of four committees of reference. The committee adopted identical language as the Senate version, which would allow for aesthetic regulation by local governments, such as screens and landscaping. The bill's next committee stop is Local and Federal Affairs, which will hopefully give stronger consideration to local level decisions. Its Senate companion will be heard in its final of two committees next week.

Hazardous Walking Conditions

By: Ericks Consultants

The Senate Education Committee approved SB 1382 that would make several changes to statutes that address hazardous walking conditions for school students. The bill would: create a new category of "crossings over road," where there are six or more lanes or a posted speed of 50 mph; require the superintendent to seek action from the appropriate local government entity rather than the school board; and require the local government to correct the condition within three years, although it may be increased to five. If the local government cannot correct the issue within the designated period of time, it must provide notice and the reason for the failure in writing to the DOE and the superintendent. It also must then reimburse the school board for transportation costs should State funds not be available. The bill would also prevent a hazardous walking condition from being used as evidence in a negligence lawsuit against a local government. The League of Cities testified in committee that it is understanding of the intent of the bill and working with sponsors to correct some of its concerns. The bill has two more committee stops before going before the full Senate. Its House companion has not yet been heard in its first of three committees of reference.

Preferences in Award of State Contracts

By: Ericks Consultants

Bills in both the House and Senate that would preempt local preferences in award of government contracts when using state dollars moved through committees this week. The intent of the bills is to save the State money by protecting against local government bids with local preferences that can sometimes artificially inflate prices. The bills were each amended to establish a threshold of 20% of state funds used in the project in order for the preemption to kick in. The League of Cities was grateful for the threshold, but did not feel it was high enough. They expressed support for a 51% threshold instead. Members of the committees also encouraged the sponsors to continue to increase the percentage. The House bill has three more committees of reference before going before the full House, while the Senate bill, SB 612 has two more committees before going before the full Senate.

Billboards

By: Ericks Consultants

One of multiple bills moving through the process that addresses sign permitting, revenue from leases for communications facilities, and public information systems passed through its first of two committees this week. The bill would have extended the same local control that is currently enjoyed for billboards to "public information systems," which offer PSAs rather than commercial advertisements, after local control was surreptitiously stripped from the signs two years ago. However, a controversial amendment barely passed that reverted the language back to current law as a compromise to move the bill forward in the House. The Senate bill, SB 1161, has one more committee left before going before the full Senate. Its House companion, HB 1048, will be heard next week in its first of three committees where identical amendments will be considered.

Communications Services Tax

By: Ericks Consultants

The Senate proposal, SB 266, to reduce the state portion of the CST passed its second of three committees after being amended to decrease the reduction from 2% to .58%. The bill has a \$9.1 million recurring impact on local governments collectively statewide. The bill has no House equivalent.

E-911

By: Ericks Consultants

The House Regulatory Affairs Committee approved HB 175 that would provide for the implementation of collecting taxes on pre-paid wireless plans as funding for the E-911 system, a moratorium on collecting the tax was lifted last year. The committee adopted an amendment that brought down the originally proposed 46 cents to 40 cents, which local government stakeholders agreed to as revenue neutral. The bill also moves the implementation date to 2015. The bill is now ready for the full House. Its Senate companion is in its final of three committees of reference and has not yet been amended to reflect the extra reduction.

Vessel Safety

By: Ericks Consultants

The House Agriculture and Natural Resources Subcommittee approved HB 1363 that would enable local governments to more quickly and efficiently remove derelict vessels that pose navigational hazards or obstructions. The bill would authorize local authorities to remove the vessel, require vessel owners to pay the cost of the removal, and provide liability protection for any damages caused during removal. The House bill has two more committee stops before going before the full House. The Senate bill also has two more committee stops before going before the full Senate. It was passed in its first committee last week.

Agricultural Gleaning

By: Ericks Consultants

The Senate Committee on Agriculture approved SB 1138 that would protect farmers from civil liability if they allow people to come onto to their land gratuitously to gather crops for food in order to enable farmers to share what would otherwise be wasted produce without fear of lawsuits. The bill had strong support from the Florida Farm Bureau, Florida Association of Food Banks, AIF, and Florida Fruit and Vegetable Association. The top agricultural producer in the State, Palm Beach County, also spoke in support of the bill, which could help alleviate food deficiencies that exist in the county despite the amount of produce grown. The Florida Justice Association spoke against an adopted amendment that exempted farmers from notifying invitees of all known dangers before qualifying for the exemption. The bill has one more committee stop before going before the full Senate. Its House companion will be heard next week in its second of three committees of reference.

Nonresidential Farm Buildings (SB 1342 & HB 1147)

By: Infield Consulting

Background: Under current statute, non-residential farm buildings (i.e. signs, fences, storage wings, silos, barns, etc.) are exempt from all county/municipal codes and fees, except for those code provisions that pertain to flood management regulation.

Proposed Changes: This bill would exempt nonresidential farm building not just from codes and fees but also from local county and municipal assessments, except

those relating to floodplain management regulations.

Update: On Monday, the (S) Committee on Agriculture took up **SB 1342** and adopted a **single amendment**. The amendment clarifies that the exemption also applies to assessments levied by dependent special districts. Local government advocates voiced their opposition to this bill. **CS/SB 1342** will next be heard in (S) Community Affairs. The House companion, **HB 1147**, is currently in the (H) Agriculture & Natural Resources Subcommittee.

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

By: Anfield Consulting

Background: In 2012, the Legislature passed HB 599, directing FDOT to develop the Freight Mobility & Trade Plan. The main object of the Plan was to identify areas of the state's intermodal logistics and freight networks whose improvement might boost the state's overall ability to move freight and maintain its competitiveness as a port state. These areas are defined in statute as "intermodal logistics centers," generally a facility or group of facilities serving as a point of intermodal transfer of freight. They can include roads, rail facilities, warehouses, or any other facility tied to the logistical aspect of moving freight to and from the state's seaports. These facilities are eligible for the funds under the state's Intermodal Logistics Center Infrastructure Program, for which \$5 million is annually allocated. There are other development aid programs for which these transport facilities are eligible; however, they are not currently considered priority items for funding through these programs.

Proposed Changes: This bill would authorize a county or a group of contiguous counties to designate certain areas within their jurisdiction as Freight Logistics Zones. This would allow projects within the zone that are consistent with the DOT's Freight Mobility & Trade Plan to receive priority funding from the various applicable economic development programs listed under Parts I, III, and IV of Ch. 288. In designating a zone, the counties would have to submit a strategic action plan to FDOT, which must include:

- A map depicting the geographic area or areas to be included within the designation.
- Identification of existing or planned freight facilities or logistics clusters located within the proposed FLZ.
- Identification of existing transportation infrastructure, such as roads, rail, airports, and seaports, within or in close proximity to the proposed FLZ;
- Identification of existing workforce availability within or in close proximity to the proposed FLZ.
- Identification of any local, state, or federal workforce training capabilities available for a business seeking to locate or expand within the proposed FLZ.
- Identification of any local, state, or federal plans, including transportation, seaport, or airport plans, concerning the movement of freight within or in close proximity to the proposed FLZ;
- Identification of financial or other local government incentives to encourage new development, expansion of existing development, or redevelopment within the proposed FLZ.
- Documentation that the plan is consistent with applicable local government comprehensive plans and adopted long-range transportation plans of a metropolitan planning organization, where applicable.

The bill would also set criteria for evaluating which projects may receive priority funding.

Update: On Monday, the (S) Committee on Commerce & Tourism passed **CS/SB 136** without amendment. It will next be taken up in the (S) Appropriations Subcommittee on Transportation, Tourism, and Economic Developments. Its companion measure, **HB 3**, is currently in the (H) Transportation & Economic Development Appropriations Subcommittee.



Palm Beach County

Board of County

Commissioners

Priscilla A. Taylor, Mayor

Paulette Burdick, Vice Mayor

Hal R. Valeche

Shelley Vana

Steven L. Abrams

Mary Lou Berger

Jess R. Santamaria

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Up Next Week:

Freight Logistic Zones: <http://flsenate.gov/Session/Bill/2014/0003/BillText/c1/PDF>
House Transportation Package: <http://flsenate.gov/Session/Bill/2014/7005/BillText/Filed/PDF>
Red Light Cameras: <http://flsenate.gov/Session/Bill/2014/0144/BillText/Filed/PDF>
Fuel Terminals: <http://flsenate.gov/Session/Bill/2014/1070/BillText/c1/PDF>
Homelessness Challenge Grants: <http://flsenate.gov/Session/Bill/2014/1090/BillText/Filed/PDF>
Uber: <http://flsenate.gov/Session/Bill/2014/1389/BillText/Filed/PDF>
CST: <http://flsenate.gov/Session/Bill/2014/0898/BillText/c1/PDF>
Wage Theft: <http://flsenate.gov/Session/Bill/2014/0926/BillText/Filed/PDF>
Brownfields: <http://flsenate.gov/Session/Bill/2014/0586/BillText/c1/PDF>
Candidate Residency: <http://flsenate.gov/Session/Bill/2014/0602/BillText/c1/PDF>
Ethics: <http://flsenate.gov/Session/Bill/2014/0846/BillText/e1/PDF>
Hazardous Walking: <http://flsenate.gov/Session/Bill/2014/1121/BillText/Filed/PDF>
Governmental Accountability: <http://flsenate.gov/Session/Bill/2014/1327/BillText/Filed/PDF>

Federal Issues

Flood Insurance Bill Signed Into Law

By: OIA Staff

This week, President Obama signed into law the Homeowner Flood Insurance Affordability Act, legislation to fix the National Flood Insurance Program to protect homeowners from unaffordable insurance rate hikes.

The Homeowner Flood Insurance Affordability Act provides relief from unaffordable flood insurance premium hikes for middle class homeowners in Florida by limiting annual increases to 15 percent on average and introduces a hard 18 percent cap for each individual policyholder. Additionally, the legislation contains a provision to reinstate the flood insurance program's grandfathering provision so that homes in compliance with previous FEMA flood maps will not be hit with large increases when new maps are implemented. The bill also includes mapping protections, requiring FEMA to work with communities so that accurate data and mapping models are being used, and mandates that FEMA complete its affordability study.

Upcoming 2014 Legislative Session Dates

March 27, 2014	Florida Association of Counties 2014 Legislative Day
May 2, 2014	Legislative Session Scheduled to Conclude