

# PBC Legislative Update



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## Ninth Week of Session Update

### State Issues That Passed

#### Bills, Bills, and More Bills

This session, 1,541 general and 78 local bills were filed. Of those, 229 general bills and 26 local bills passed both chambers. In addition, there was one concurrent resolution, one joint resolution, and six memorials that passed both chambers.

Last session, 1,592 general and 66 local bills were filed. Of those, 259 general bills and 24 local bills passed both chambers. In addition, there was one concurrent resolution, no joint resolutions, and two memorials that passed both chambers. The year before that, 245 general bills passed both chambers; the year before that, 253.

#### Budget

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

While focusing on investing new state revenues in the most efficient manner, the Republican-led Legislature agreed upon a \$77.1 billion budget with more than \$500 million in tax relief measures. Compared to the FY 2013-14 Budget, this represents a \$2.8 billion (3.7%) increase. The Legislature also placed an additional \$3.1 billion dollars in reserve.

HB 5001 provides:

- General Revenue: \$27.9 billion
- State Trust Funds: \$22.8 billion
- Federal Trust Funds: 26.4 billion

The Budget is summarized by committee as follows:

- 1) **Education Appropriations** - The overall Education budget totals \$20.7 billion, which is a \$360.4 million (1.78%) increase over the prior year.

\$14.5 billion General Revenue  
\$6.2 billion Trust Funds

- 2) **Health Appropriations** – \$31.9 billion which represents a 2.3% increase in total spending over the Fiscal Year 2013-14 Appropriation. It also includes a 1.18% reduction in state positions or 395 FTE

\$8.3 billion General Revenue  
\$23.6 billion Trust Funds

- 3) **Criminal and Civil Justice Appropriations** – \$4.64 billion. The budget includes funding for 44,884 FTE positions. There is a \$198.9 million (4.5%) increase in total spending compared to FY 2013-14 Appropriation.

\$3.85 billion General Revenue  
\$787.1 million Trust Funds

4) **Transportation and Economic Development Appropriations** – \$11.9 billion, a 9.5% increase over the current year budget.

\$ 206 million General Revenue  
\$11.7 billion Trust Funds

The Subcommittee on **Transportation, Tourism and Economic Development Appropriations** Conference Report provides for the following:

Department of Transportation - \$10.1 billion

- Transportation Work program - \$9.2 billion

Department of Economic Opportunity - \$1.1 billion

- FL Housing Finance Corporation \$167.6 M
  - SAIL \$67.6 M
  - SHIP \$100 M
- Community Development Block Grant Program - \$30 M
- Weatherization Grant Program - \$2 M
- Low Income Energy Assistance Grant Program - \$16 M
- Community Services and Energy Assistance - \$100 M
- Skills Assessment and Training/Ready to Work - \$4 M
- Regional Planning Councils - \$2.5 M
- Quick Response Training - \$12 M
- Fund Regional Workforce Boards - \$283.3 M
- Economic Development Incentives - \$71 M (\$16M based on reversion)
- Visit Florida - \$74 million
- Space Florida - \$19.4 million
- Small Cities Community Developmental Block Grants - \$30 million
- Low Income Home Energy Assistance Program grants - \$16.0 million
- State Small Business Credit Initiative Program - \$33.2 million

Department of State - \$162.5 million

- State Aid to Libraries Grants - \$27.4 million
- Cultural and Museum Grants - \$34.9 million
- Historic Preservation Grants - \$1.9 million
- Restoration of Historic Properties - \$14.3 million

Department of Highway Safety and Motor Vehicles - \$435.5 million

- Florida Highway Patrol to replace motor vehicles - \$3.2 million
- Florida Highway Patrol 28 new positions - \$3.5 million

Department of Military Affairs - \$100.1 million

- National Guard Community Tuition Assistance - \$3.1 million

5) **Agriculture & Natural Resources Appropriations** – \$3.5 billion. This represents an increase from the current year of 1.25% for DEP, 3.7% for DACS and 15.02% for FWCC.

\$505.7 million General Revenue  
\$3.0 billion Trust Funds

The **ANR Appropriations Committee** Conference Report provides for the following:

Department of Environmental Protection

- Florida Forever - \$57.5 million
- Springs Protection - \$25 million
- Everglades Restoration - \$135 million
  - \$ 32M - Restoration Strategies Regional Water Quality Plan
  - \$ 40M - C-44 Reservoir and Associated Treatment Areas
  - \$ 18M - C-43 Caloosahatchee River Basin Storage Reservoir
  - \$ 5M - Kissimmee River Restoration Project
  - \$ 5M - C-111 South Dade Project
  - \$ 2M - Picayune Strand Restoration
  - \$ 3M - Northern Everglades and Estuaries protection (DACs)
  - \$ 30M - Tamiami Trail Bridge Project (in the FDOT Work Plan)
- Indian River Lagoon and Lake Okeechobee Basin - \$22.8 million
  - \$ 10M - Sediment & Muck Removal in Northern and Central Lagoon

- \$ 3M - Dispersed Water Management in the Northern Everglades
- \$ 4M - Water Quality Monitoring devices in the Caloosahatchee River and Estuary, St. Lucie River, and Indian River Lagoon
- \$ 2.8M - South Florida Water Management District operational support for excessive Lake Okeechobee Water Discharges
- \$ 2M - Lake Worth Lagoon Restoration
- \$ 1M - Northern Estuaries Resource Recovery pilot program to reestablish oyster populations in the St. Lucie and Caloosahatchee Estuaries
- Beach Restoration - \$45.1 million
- Local Water Projects - \$74 million
- Wastewater Revolving Loan Program - \$77.2 million
- Drinking Water Construction Loan Programs - \$161.6 million
- Small Community Wastewater Grants - \$21 million
- Underground Storage Tanks Cleanup - \$110 million
- Dry Cleaning Solvent Cleanup - \$6.5 million

Department of Agriculture and Consumer Services

- Northern Everglades BMP's & Water Quality projects - \$23.6 million
- Agricultural Non-point Source Control BMP's - \$7.1 million
- BMP's in Springs Watershed Areas - \$5 million
- Florida Agriculture promotion campaign - \$5.3 million
- Farm Share and Food Banks - \$2.5 million

Fish & Wildlife Conservation Commission

- Lake Restoration - \$6.4 million
- Artificial reef Construction - \$11.8 million
- Land management & Invasive Plant Control – \$5 million

**Key priority initiatives to Palm Beach County are allocated in the budget as indicated below:**

<b>Program</b>	<b>Final Budget Report</b>
<b>Education</b>	
Palm Beach State College – Lox Campus	\$ 6,000,000
WestTech Adult Ed Glades Workforce	\$ 426,628
FAU – Max Planck Scientific Partnership	\$ 2,000,000
FAU – Jupiter Bioscience Gateway	\$ 500,000
FAU – AMI Experimental Education	\$ 1,500,000
<b>Health and Human Resources</b>	
Mental Health and Substance Abuse Program	\$ 200,000
Ruth Rales Jewish Services – Meal Service	\$ 250,000
200 addtl Palm Beach County PACE slots	\$ 1,573,161
Place of Hope – Haven Campus	\$ 2,700,000
Sickle Cell Research – Tampa Bay Area	\$ 100,000
Statewide Homelessness Funding	\$ 4,000,000
<b>Criminal Justice</b>	
PILT - South Bay Correctional	\$ 275,560
PILT - Sago Palms South Bay	\$ 142,900
4 <sup>th</sup> DCA Courthouse Construction	\$ 7,145,763
State Attorney – Insurance Fraud Pros.	\$ 139,437
SA, PD, Court Workload Funding Statewide	\$ 10,900,000
Article V Funding - 1.5% required increase suspended for FY14/15	
<b>Natural Resources</b>	
Florida Forever	\$ 57,500,000
Everglades EFA – Restoration Strategies Impl.	\$ 32,000,000
Everglades Restoration ( IRL/Lake O)	\$ 82,075,000
Northern Everglades	\$ 3,000,000
Springs Protection	\$ 25,000,000
Drinking Water State Revolving Loan Program	\$ 78,495,609
Wastewater Revolving Loan Program	\$161,558,053
Small County Wastewater Treatment Grants	\$ 21,000,000

Total Maximum Daily Loads	\$ 9,385,000
DACS "Water Farming" Lake O. Basin	\$ 10,000,000
DACS BMP's Implementation	\$ 5,400,000
DACS Hybrid Wetland Treatment Program	\$ 9,000,000
Non-point Source Management	\$ 17,000,000
Beach Restoration	\$ 45,112,062
Petroleum Tank Clean-up	\$ 110,000,000
Local Water Projects	\$ 88,505,684

Local Water Projects in Budget

Palm Beach Co. – Lake Region Infrastructure	\$ 1,000,000
Palm Beach Co. – Lake Worth Lagoon Initiative	\$ 2,075,000
Palm Beach Co. – Loxahatchee River Initiative	\$ 2,076,718

Riviera Beach Avenue "O" Stormwater	\$ 425,000
Riviera Beach West 6 <sup>th</sup> Street Imprv.	\$ 500,000
West 18 <sup>th</sup> – West 22 <sup>nd</sup> Street Stormwater	\$ 375,000
City of Belle Glade NW H Storm Water	\$ 250,000
Royal Palm Beach Stormwater Mgt.	\$ 250,000

C-51 Sediment Management	\$ 500,000
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Beach Funding (total statewide)	\$ 45,112,062
Jupiter Carlin	\$ 1,625,000
North Boca Raton	\$ 351,500
Ocean Ridge	\$ 751,300
Delray Beach	\$ 1,006,016
Lake Worth Inlet	\$ 54,000

Palm Beach County Public Shooting Park	\$ 3,200,000
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Lantana AG Holley Recreation Field Relocation	\$ 1,000,000
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**Transportation and Economic Development**

Glades Area Street Resurfacing	\$ 1,000,000
City of West Palm Beach – Broadway Redev.	\$ 400,000
Small City RACEC Transportation Fund*	\$ 9,000,000

Cultural and Museum Grants**	\$ 25,380,552 (funds the entire list)
Cultural Facilities Grants ***	\$ 10,781,584 (funds the entire list)
Fine Arts Endowment****	\$ 6,960,000 (funds the entire list)
Library Grants	\$ 28,810,429
Library Cooperatives	\$ 2,000,000
FRDAP*****	\$ 2,479,820
Addison Mizner Memorial Fountain – Boca	\$ 350,000

Transportation Disadvantaged	\$ 50,898,510
Transportation Disadvantaged – Medicaid	\$ 12,825,000
Affordable Housing Programs	\$ 67,660,000
State Housing Initiatives Partnership	\$ 100,000,000
Homeless Challenge Grants	\$ 4,000,000
Quiet Zones	\$ 10,000,000
Scripps Florida	\$ 3,000,000

\* Funds in this line item will be available for road funding in the Cities of Belle Glade, South Bay and Pahokee through a competitive grant application process

\*\* Palm Beach County Items funded under the Cultural and Museum Grants include:

The Henry Morrison Flagler Museum	\$ 150,000
The Lake Worth Playhouse, Inc.	\$ 75,000
Creative City Collaborative of Delray Beach, Inc.	\$ 25,000
Young Singers of the Palm Beaches, Inc.	\$ 59,422
Delray Beach Center for the Arts, Inc.	\$ 150,000
The Morikami, Inc.	\$ 150,000
Palm Beach Dramaworks, Inc.	\$ 150,000

Norton Museum of Art, Inc.	\$150,000
Maltz Jupiter Theatre, Inc.	\$150,000
Raymond F. Kravis Center	\$150,000
Boca Raton Museum of Art, Inc.	\$150,000
Loxahatchee River Historical Society, Inc.	\$ 84,485
School of the Arts Foundation, Inc.	\$150,000
The Boca Raton Historical Society, Inc.	\$150,000
Boca Ballet Theatre Company	\$ 88,600
Lynn University, Inc. Discipline-Based Music	\$ 25,000
Palm Beach Opera Inc.	\$150,000
Palm Beach State College Discipline-Based Presenter	\$150,000
Aequalis Inc.	\$ 22,161
Cultural Council of Palm Beach County, Inc.	\$150,000
The Zoological Society of the Palm Beaches, Inc.	\$150,000
Florida Classical Ballet Theatre, Inc.	\$ 28,700
The Children's Museum, Inc.	\$ 20,250
Sunfest of Palm Beach County, Inc.	\$150,000
Lighthouse ArtCenter, Inc.	\$ 88,000

\*\*\* Palm Beach County items funded under the Dept. of State Cultural Facilities Program include:

South Florida Science Museum	\$500,000
Palm Beach Dramaworks	\$500,000
Lake Worth CRA	\$150,000

\*\*\*\* Palm Beach County Items funded in the Fine Arts Endowment include:

Boca Raton Museum of Art	\$240,000
Old School Square	\$240,000
Raymond F. Kravis Center for the Perf. Arts	\$240,000
Boca Raton Historical Society	\$240,000
Norton Museum of Art	\$240,000

\*\*\*\*\* Funds provided for the Small Development Park Projects include the following Palm Beach County items:

Lake Clarke Shores Community Park	\$ 50,000
City of Lake Worth Northwest Park	\$ 50,000
Town of Hypoluxo Overlook Park	\$ 50,000
Town of Hypoluxo Town Hall Park	\$ 50,000

### **Spring Training Baseball**

*By: County Staff and Corcoran & Johnston*

SB 1216 by Sen. Jack Latvala changes the current distribution allocations for the State's Spring Training retention program that was approved last year. It was passed by both the House and Senate during the last week of session.

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.

Additionally, 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. One of Palm Beach County's top policy priorities requested the changes to the Spring Training allocations.

**Homelessness**

*By: County Staff*

The legislature passed **CS/CS/HB 979** (Peters) which allocated \$4 million for homelessness issues. The bill originally created a dedicated funding source for homelessness issues, but was amended during the committee process to only allocate money for FY 2014-2015. This money will be used by the Department of Children and Families for "Challenge Grants" to provide support, training and technical assistance to designated continuums of care.

Additional proviso language was included in the budget allocating \$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 legislature funded SHIP at \$100 million and SAIL at \$67.7 million. This is fully funding SAIL and 75% funding SHIP.

For Palm Beach County, that translates into the following funding allocations:

Palm Beach County	\$ 4,683,057
Boca Raton	\$ 392,971
Boynton Beach	\$ 320,403
Delray Beach	\$ 282,275
West Palm Beach	\$ 471,073
Palm Beach County Total	\$ 6,149,779

**Tax Cut Package**

*By: Ericks Consultants and Corcoran & Johnston*

**HB 5601** (House Finance and Tax Subcommittee) is the comprehensive tax package for this year. The bill includes language clarifying the authority to adjust the local business tax as well as authorizing a state wide sales tax holiday for school supplies, hurricane preparedness supplies, youth bike helmets, medicinal pet food, certain energy efficient products, and college meal plans. The bill also includes a Public Education Capital Outlay (PECO) tax swap that reduces the sales tax rate and increases the gross receipts tax rate on commercial electricity. The bill also addresses community contribution tax credits. HB 5601 has a \$105 million fiscal impact to the state and will cost local governments \$13.5 million in nonrecurring and \$16.5 million in recurring revenue. Not included in the tax package is a reduction in the communications services tax or financial incentives for television and film industry projects.

The following is a very brief overview of issues that have a fiscal impact on local governments (City and County) that are included in the package.

Concept	Local Government Statewide Impact	
	Non-Recurring (1 Year)	Recurring (Ongoing)
<b>Sales Tax Holidays</b>		
3 – Day Back to School Sales Tax Holiday	(\$7,300,000)	
12 – Day Hurricane Preparedness Sales Tax Holiday	(\$820,000)	
3 – Day Energy Efficient Appliances Sales Tax Holiday	(\$300,000)	

	<p><b>Sales Tax Exemption on Car Seats</b> The legislation will add a permanent exemption for sales of child restraint systems and booster seats for use in motor vehicles.</p>		<p>(\$500,000)</p>
	<p><b>Sales Tax Exemption on Youth Bicycle Helmets</b> The bill adds a permanent exemption from the sales tax for bicycle helmets marketed for use by youth.</p>		<p>--</p>
	<p><b>Sales Tax Exemption on Cement Mixers</b> The legislation will add cement mixer drums that are affixed to mixer trucks, as well as the parts and labor necessary to affix those drums to trucks, to the sales tax exemption for manufacturing machinery and equipment that will sunset on April 20, 2017.</p>	<p>(\$400,000)</p>	
	<p><b>Sales Tax Exemption on Therapeutic Pet Foods</b> Sales of therapeutic pet foods sold by veterinarians</p>		<p>(\$600,000)</p>
	<p><b>Sales Tax Exemption on College Meal Plans</b> Exemption for prepaid college meal plans purchased by students</p>		<p>(\$2,600,000)</p>
	<p><b>Private Label Credit Cards</b> Provides for refund of sales taxes originally remitted for accounts that are "charged off"</p>		<p>(\$1,600,000)</p>
	<p><b>Community Contribution Tax Credit</b> The Community Contribution Tax Credit Program provides a credit or refund in the amount of 50 percent of eligible donations to Florida businesses that make donations toward community development and housing projects for low-income persons. The legislation extends the expiration date of the program by one year to June 30, 2016.</p>	<p>(\$1,630,000)</p>	
	<p><b>Prepaid Calling</b> The concept language modernizes the definition of "prepaid calling arrangement" (Broadens exemption from state and local CST taxes)</p>		<p>(\$11,200,000)</p>
	<p><b>Total Fiscal Impact to Local Government</b></p>	<p>(\$13,150,000)</p>	<p>(\$16,500,000)</p>

Other Issues included in 5601 but not anticipated to have a fiscal impact on local governments:

1. Tax Swap to generate funds to support PECO
2. New Markets Economic Development Incentives
3. Exemptions for Bail Bonds and Insurance Premiums Tax
4. Modification in the distribution of Cigarette Tax Revenues to benefit the Moffitt Cancer Center
5. Modification to policy governing Tourist Development tax records
6. Funding to D.O.R. for implementation of sales tax holidays

Negotiated out of the tax package was 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. 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 enabled the language to be removed from the final bill. The fiscal impact to Palm Beach County would have been \$1 million a year.

### **Fuel Terminals**

*By: Corcoran & Johnston and Ericks Consultants*

SB 1070 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 passed the House and the full Senate this week.

### **School Sign Pilot Program**

*By: County Staff*

Language is included in the FDOT legislative package (HB 1161) that extends the Palm Beach County/School Board Pilot Program until 2015. The bill passed during the final week of session.

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.

### **Transportation - Rural Cities**

*By: Anfield*

SB 218 by Sen. Grimsley will 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 passed during the final days of session. Funding of \$9



million for the small county road program was agreed to by House and Senate negotiators to be used for this new program. The dollars appropriated were new monies allocated for this specific purpose.

### **Local Bills**

*By: County Staff*

Five local bills passed out of the House and Senate this session:

#### **1) 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.

#### **2) 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.

#### **3) 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.

#### **4 & 5) 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.

### **Ethics Package**

SB 846, an Ethics package that would have originally banned local government officials from being registered to lobby the Legislature on behalf of any entity other than his or her political subdivision passed without that provision in it during the last week of session. The bill requires special districts and Water Management 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.

### **E-Cigarettes**

The Florida House 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. A provision in the bill would have prevented cities and counties from approving new regulations on the sales of tobacco products and electronic cigarettes. That proposal was eliminated in an amendment by Rep. Bill Hager before the bill was approved and the amended bill was eventually passed by both chambers.

### **Prescription Drug Monitoring**

*By: Corcoran & Johnston and Ericks Consultants*

HB 7177 was passed during the last week of session. The bill reenacts the public record exemption for certain information held by the department pursuant to the PDMP. In addition, the bill requires a law enforcement agency to enter into a user agreement with the department before it can receive confidential and exempt information; provides that the Attorney General or a law enforcement agency may only share confidential and exempt information with a state attorney in response to a discovery demand; and clarifies that the Attorney General, law enforcement agency, or health care regulatory board may only disclose to a criminal justice or law enforcement agency information that is relevant to a specific investigation or an identified active investigation prompting the request.

Other proposed bills would have provided a recurring funding source for the PDMP through appropriating a portion of pharmacy fees. Ultimately \$2 million was provided in a multi year allocation by the Attorney General to fund the PDMP.

### **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, made it to the House floor but the bill was ultimately amended to HB 7005, the Transportation package and passed

during the last day of session.

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.

### **Vacation Rentals**

*By: Ericks Consultants*

The legislature passed **SB 356** (Thrasher) relating to the regulation of vacation rentals. SB 356 authorizes local governments to regulate vacation rentals with the following exceptions: local governments cannot specifically prohibit vacation rentals and local governments cannot adopt ordinances regulating the duration that a vacation rental can be rented. Under the bill, local governments are authorized to adopt ordinances for vacation rentals to address parking, noise and other issues often associated with these properties.

### **Inmate Reentry – HB 53 by Rep. Stone/SB 274 by Sen. Simmons**

*By: County Staff*

One of the hurdles to successful reentry by inmates back into their communities is the lack of identifying documents such as a birth certificate or a state identification card. Without these types of documents, it is nearly impossible to secure employment, housing or other needs. However, obtaining these documents is not free. Under this legislation, the Florida Department of Corrections will be required to provide every Florida-born inmate with a certified copy of their birth certificate and a state identification card before release from prison.

This bill passed both chambers and will head to the Governor for signature.

### **Juvenile Justice – HB 7055 by Rep. Pilon/SB 700 by Sens. Bradley & Detert**

*By: County Staff*

Also known as the "985 Rewrite" in reference to the Florida Statutes section on juvenile justice, this legislative package was a priority of the Florida Department of Juvenile Justice and Secretary Wansley Walters as part of the Department's efforts to reduce recidivism through the recognition of children with special needs and transitional services, improved care to juveniles while in the care of the Department, and an increased focus on serious cases and public safety.

This bill passed both chambers and will head to the Governor for signature.

### **Juvenile Justice Educational Programs – HB 173 by Rep. Adkins/SB 598 by Sen. Bean/SB 850 by Sen. Legg**

*By: County Staff*

This legislation makes changes to the provisions of law governing accountability, deliverance, and review of juvenile justice education programs that provide educational services to children within Department of Juvenile Justice programs, detention centers and residential facilities. Among other provisions within the comprehensive legislation, it requires intense educational transitional planning services for children in order to improve their chances of success once released from a program as well as requiring residential programs with a contracted minimum length of stay of nine months to provide career education courses that lead to pre-apprentice certifications and industry certification.

The content of this legislation was amended onto **SB 850**, an overall educational legislative package that also contained the controversial school voucher expansion language. It passed the Legislature and will head to the Governor for his consideration.

## **Issues That Did Not Pass:**

### **Sober Homes**

*By: County Staff, Corcoran & Johnston and Ericks Consultants*

HB 479 by Bill Hager would have provided 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 in 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 would have been required to 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, made registration with DCF mandatory and would have charged 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.

While the House bill passed 117-1 off the floor of the House of Representatives, the Senate bill was not considered in Appropriations; therefore, it was not passed by the Legislature.

### **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 closer to a 50/50 proportion of actual cost. The revision was in response to a court ruling on the methodology that favored a more generous cost split for counties. However, during budget discussions, common ground could not be found regarding the issue of back payments. The 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 by budget conferees which set up a difficult task in terms of continuing tax credits for the film and television program. HB 5601 would have been the best vehicle for continuation of funding for the program, but the credits were not included in that bill.

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 was heard in committee but eventually died in the appropriations committee.

## **Florida Retirement System**

*By: Corcoran & Johnston and Ericks Consultants*

Neither of the two pension related bills discussed by the legislature passed this session.

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 have closed off the defined benefit plan to all members of the elected officers and senior management class but leave the option open for other employees and increased the vesting period of the defined benefit plan from 8 to 10 years. The changes would have only applied to new hires into the FRS.

Local governments would have been able to 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 under a bill agreed to by cities and union representatives. That bill failed to pass as well since the House linked it directly to the FRS proposed changes.

## **Communications Services Tax (CST) Rate Reduction**

*By: Corcoran & Johnston*

SB 266 by Senator Hukill originally reduced CST rates and would have impacted local governments with a negative \$31 million recurring fiscal impact. It was later amended to include a 0.52% decrease in the CST tax rate, reducing the recurring fiscal impact to negative \$8.3 million. The bill ultimately died on the calendar and did not pass this session.

## **Red Light Cameras**

*By: Corcoran & Johnston and Ericks Consultants*

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 remained temporarily postponed in committee at the end of session. It contained provisions relating to signal intervals and a uniform speed limit for making legal right on red turns.

Ultimately, no legislation passed that would alter the current red light camera program in Florida.

## **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 and its Senate companion, SB 1138 by Rep. Greg Evers, ultimately died in the House this session. While the bill had not been controversial since it was amended with language suggested by the Trial Attorneys Association, it did not pass because of other issues that were ultimately tied to the passage of the bill.

### **Local Ethics Code**

*By: Ericks Consultants*

SB 1474 by Sen. Joseph Abruzzo would have allowed local ethics codes to go beyond the State ethics code and provided that an individual accused of ethics violations have a right to a public hearing by alternative means besides the local ethics commission.

Sen. Abruzzo and Rep. Lake Ray withdrew both of their bills from further consideration before heading to their respective Chamber's floors and instead planned a local government ethics workshop in Palm Beach County to discuss additional reforms that could be adopted to create efficiencies for local ethics commissions.

### **Gaming**

*By: Ericks Consultants and Corcoran & Johnston*

The Legislature was considering a comprehensive gambling bill that could have resulted in new resort casinos in South Florida, and an expansion of slots for certain existing paramutuel facilities. Speaker Weatherford said he wanted the Governor to renegotiate the compact with the Seminole 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 also fell short. The Senate 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 wanted to, an issue known as "decoupling" that Senate President Don Gaetz supported.

Neither of the proposed bills were considered by the House and died during the last week of session.

### **Wage Theft**

*By: Ericks Consultants and Corcoran & Johnston*

SB 926, the Senate proposal to apply a uniform wage theft model across the counties, did not pass the legislature. The bill expanded 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. The bill died on the calendar of the Senate and in Committee in the House.

### **Medical Examiners**

*By: Corcoran and Johnston and County Staff*

A Department of Health bill, HB 819, included 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 stalled in the Local & Federal Affairs Committee. The Senate companion bill, SB 584 by Sen. Tom Lee died in committee.

The Medical Examiner amendment adopted to HB 819 and approved in the House bill was not passed by the legislature and died on the Senate calendar.

### **Hazardous Walking Conditions**

*By: Ericks Consultants*

SB 1382 and HB 1121, were each amended 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. The bills eventually died in Messages.

### **Public Records**

*By: Ericks Consultants and County Staff*

HB 1151 would have made 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 which had a negative though indeterminate fiscal impact on local governments died in Committee. The Senate Bill, SB 1648, which was one of the top priorities of the Senate President and passed the Senate in the early stages of session, died in Senate Messages.

### **County and Municipal Parks**

*By: Ericks Consultants*

HB 677 and SB 378 would have required 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. Both bills died in their final committees of reference.

### **Nonresidential Farm Buildings**

*By: Corcoran & Johnston*

SB 1342, regarding Nonresidential Farm Buildings, would exempt 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 died in its final committee of reference.

### **Limousine Preemption**

*By: Ericks Consultants and Corcoran & Johnston*

SB 1618 would have prevented 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.



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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 died in its final committee of reference. Its House companion, HB 1389 by Rep. Grant that barely passed its final committee, died on 2<sup>nd</sup> reading in the House.

**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 were intended to save the state money by protecting against local government bids with local preferences that the state felt artificially inflate prices.

The Senate bill would have preempted 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 and House bills died in committee.

**Environmental Permitting**

*By: Ericks Consultants*

The Senate companion to this year's environmental permitting package, SB 1464, was temporarily postponed in Senate Community Affairs and remained there until the end of session. Its House companion also died in its final committee of reference.

HB 703 would have provided for a number of items 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
- Authorize durations & multiple commencement dates for certain consumptive use permits
- Requires delegated local governments to follow criteria and standards for well construction
- 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 water supply plans
- And establishes solid waste landfill closure account within the Solid Waste Management Trust Fund.