

PBC Legislative Update



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IN THIS ISSUE:

*Legislative Session
Update Week Nine*

STATE ISSUES

*Session Ends Sine Die
Bills Supported by the
County that Passed*

1. *Sober Homes*
2. *Baseball*
3. *Pain Mgt. Clinics*
4. *Gleaning*
5. *Grandparent Rght*
6. *School Signs*
7. *Growth Mgt.*
8. *Dom Violence*
9. *Animal Care*
10. *Sickle Cell*

*Bills Opposed by the
County that Failed*

1. *Constrained Ag*
2. *Loc. Of Utilities*
3. *Red Light Cameras*
4. *Pub Wrk Preempt*
5. *Building Codes*

*Casualties of an Early
Sine Die*

1. *Budget*
2. *Enterprise Zones*
3. *Eco Development*
4. *Film & TV Credits*
5. *Fracking*
6. *Uber*
7. *Gaming*
8. *Reduced Park Fee*
9. *DJJ*
10. *Mental Health and
Substance Abuse*
11. *Homelessness*
12. *Transportation*
13. *VAB*

*Bills of Interest that
Passed*

1. *Residential Permit*
2. *Property Rights*
3. *Preemption Local
Gov Preferences*
4. *Fire Rescue Tax*
5. *Pub Off. Sentence*
6. *Low Volt Alarms*
7. *Hazard Walking*
8. *Online Voting*
9. *WPB Pension*

So What's Next?

FEDERAL ISSUES

1. *Federal Update*

Legislative Session Update Week Nine – Sine Die

STATE ISSUES

Session Ends Sine Die

SESSION ENDS SINE DIE

By: Anfield Consulting and County Staff

History will show this to be one of the most extraordinary legislative sessions ever in Florida. From the onset, the Senate set specific conditions for the development of the General Appropriations Act in the area of healthcare. Specifically, the upper chamber set out to expand healthcare coverage through Medicaid, and provide additional funding for indigent hospital care. The House of Representatives did not favor that position. As the weeks passed tensions increased, ultimately resulting in an impasse which led the House of Representatives to adjourn sine die on Tuesday of the final week of session. That action left the Senate able to take up measures approved by the House before sine die, but precluded their ability to make any changes to those bills, and doomed bills on the Senate calendar that still needed approval by the House.

The Senate continued to work through Wednesday, during which they passed a number of bills and sent them to the House, even though the House had left. Wednesday afternoon, the Senate stood adjourned pending the call of the President, and the Senate President issued a letter to the Speaker of the House asking the House to return. The House's response was that they would not. Ultimately, a number of Senate Democrats filed suit with the Florida Supreme Court, demanding that the House return. That litigation was ultimately resolved but bore no consequence to the remainder of the 2015 session.

The circumstances left unfinished major policy bills that would have rewritten the state's water policy, decided how to spend money from the Amendment 1 environmental measure, increased economic and educational options for people with special needs, reformed the state prison system and provided financial benefits to charter schools. Another consequence of the discord was the failure of various measures that would have limited home rule or created unfunded mandates upon local governments.

The Florida Legislature will have to meet again in May or June in order to adopt a State Budget prior to the June 30th deadline.

The regular session included the House and Senate passing 232 bills from among a total of 1,752 that were filed. The number of bills approved by both chambers was the lowest in the past 15 years.

Despite the early adjournment, Palm Beach County was successful in passing and fending off many legislative priorities summarized below.

BILLS SUPPORTED BY THE COUNTY THAT PASSED

SOBER HOMES

By: County Staff

HB 21, sponsored by Reps. Hager and Harrell, passed the Senate unanimously and will now be sent to the Governor. The legislation instructs DCF to approve a credentialing entity to develop and administer a voluntary certification program, including background checks for recovery residence operators. The bill would require DCF to publish a list of certified residences on its website. The bill threads the needle between oversight and ADA/FHA protection laws. The legislation is based upon a California model that has made it through a court challenge. It would also regulate advertisement of sober home facilities.

"Sober homes provide assistance for recovering alcohol and drug addicts. This legislation puts in place a standard of care which will benefit the residents of these homes and their neighbors while the patients continue on the road to recovery," Hager said. "This bill puts in place new regulations across the state for the benefit of Floridians."

"This is the first step in an ongoing process to improve the lives of those going through treatment as well as those they live near," Senate Bill sponsor Sen. Jeff Clemens said. "We're providing a safer, cleaner, more neighborly environment for everyone."

The bill will now be sent to the Governor.

BASEBALL LOCAL BILL

By: County Staff

HB 1213, sponsored by Rep. Lori Berman, passed the Senate 40-0 after passing the House last week and is on its way to the Governor. It reduces a boundary of the West Palm Beach Water Catchment Area. This bill helps move forward plans for a new two-team spring training facility on land that was a former landfill in the City of West Palm Beach.

PAIN MANAGEMENT CLINICS

By: County Staff

The House gave final approval to SB 450, a bill that would extend regulations on pain-management clinics, sending the issue to Gov. Rick Scott. House members voted 117-1 to approve the bill. The Senate unanimously passed the bill April 1. Lawmakers in 2011 approved a wide-ranging law to try to crack down on "pill mills," which had helped lead to Florida becoming a magnet for prescription-drug abuse and trafficking. But the 2011 law included a Jan. 1, 2016 expiration date on clinic regulations. This year's bill eliminates the expiration date, keeping the regulations in place.

GLEANING

By: County Staff, Corcoran & Johnston, and Anfield Consulting

SB 158, sponsored by Sen. Evers, unanimously passed the House and will now be sent to the Governor. It had previously passed the Senate on March 24th. The bill reduces civil liability for farmers who gratuitously allow people onto their property to harvest excess food. Thank you to Rep. Kevin Rader, the House sponsor of the bill, for his efforts to pass this legislation over the past two sessions.

GRANDPARENTS RIGHTS

By: Ericks Consultants and County Staff

SB 368, sponsored by Sen. Abruzzo, was laid on the table and substituted for HB 149, sponsored by Rep. Rouson. Rouson's bill had already passed the House by unanimous vote and passed the Senate by the same margin. The bill would give grandparents and great-grandparents of deceased, vegetative state, and felon parents the right to petition the courts for visitation rights.

SCHOOL DISTRICT OF PALM BEACH COUNTY BUSINESS PARTNERSHIP PROGRAM

By: County Staff

HB 1253, sponsored by Rep. Pat Rooney, passed the Senate 40-0 after passing 116-1 in the House and is on its way to the Governor. It establishes the School District of Palm Beach County Business Partnership Program. This bill removes the need for periodic renewal of the pilot program that was established by the Legislature in 2008. It would continue to allow schools in the unincorporated areas of Palm Beach County to recognize its business partners by displaying the names of the partners on school property. In return for having their names publicly displayed, the partners fund programs such as Project Graduation and extracurricular activities.

GROWTH MANAGEMENT

By: Anfield Consulting, County Staff and Corcoran & Johnston

HB 933 and SB 1216 essentially represent this year's growth management package. SB 1216 passed 83-31 in the House after passing unanimously in the Senate. The bill now goes to the Governor. Below is a summary of the bills highlights:

DRIs and RPCs

This portion of the bill deals with the removal of the regional planning councils and the DRI process from the regional planning process. It would exempt all new developments from the DRI review process. Only those developments currently classified as DRIs (development's of regional impact) and which are still undergoing DRI review would remain under the RPCs purview. Comprehensive plan amendments related to developments that qualify as DRIs would henceforth be reviewed under the State Coordinated Review Process.

While most of the regional planning councils would continue to operate in this limited fashion, one, the Withlacoochee RPC, would be dissolved, the counties under its jurisdiction to be redistributed among the three bordering RPCs.

The bill also:

- Temporarily removes the Governor's power to make the boundaries of the RPCs and gives that power to the Legislature until 2016. In the meantime, the Governor would still have the power to make recommendations to the Legislature regarding their boundaries.
- Designates 10 RPCs and their borders.
- Deletes several unnecessary or duplicative statutory duties of the RPCs.

Sector Plans

This portion of the bill would make the following changes to the sector planning process. It would:

- Clarify that the planning standards of the sector planning statutes supersede generally applicable planning standards elsewhere in Ch. 163.

- Allows conservation easements to be based on digital ortho-photography by a licensed surveyor and mapper without need for a traditional ground survey.
- Provide that an applicant may utilize recorded conservation easements as compensatory mitigation for permitting purposes.
- Allow grantors to amend conservation in order to shift protected boundaries to other parcels of equal size and ecologic value.
- Require an applicant for a DSAP to transmit copies of the application to the reviewing agencies for comment. Any comments from such agencies would need to be submitted in writing to the local government with jurisdiction and to the state land-planning agency within 30 days after the applicant's transmittal of the application.
- Provide that applicants with an approved master development order may request and be issued a CUP from a WMD for the duration of the development order under certain conditions.
- Require amendments to adopted sector plans to be subject to the state coordinated review process.

Water Facilities & Comprehensive Plans

This portion of the bill provides that a local government that does not own, operate, or maintain their own water supply facilities, but are instead served by a public water utility with a permitted allocation of more than 300 million gallons per day, would not be required to amend their comprehensive plan in response to an updated regional water supply plan or maintain a work plan if that government's water usage constitutes less than 1% of that utility's total permitted allocation. They would still be required to provide data to any utility provider that provides services within their jurisdiction and keep their own general sanitary sewer, solid waste, potable water, and groundwater aquifer recharge elements updated.

DOMESTIC VIOLENCE/SEXTING

By: County Staff

HB 133, sponsored by Rep. Plasencia, cleared the legislature and is on its way to the Governor. The bill, known as the "43 Days Initiative Act," extends the statute of limitations for sexual battery offenses from four years to ten. The bill was amended to include a provision that makes it a third degree felony to violate an injunction against domestic violence more than twice. Additionally, the amendment corrects an error the legislature made in 2011 that made sexting a crime under which no court has jurisdiction. The new language clarifies that circuit courts will have jurisdiction.

ANIMAL CARE AND CONTROL

By: County Staff

Senate Bill 420 regarding Animal Control provides a procedure for adopting or humanely disposing of impounded livestock (excluding cattle) as an alternative to sale or auction. This issue was extremely important to Palm Beach County Animal Care and Control Officers, particularly regarding abandoned horses. Notice of the impounded livestock must be provided in specified methods by county sheriffs or animal control centers. The bill requires the sheriff or animal control center to establish fees and be responsible for damages caused while impounding the livestock. The bill grants municipalities with certified animal control officers the same powers as counties and societies or associations for investigating animal cruelty cases. Finally, the bill provides additional, supplemental, and alternative laws for enforcing county or municipal codes or ordinances, but clarifies that it does not prohibit a county or municipality from enforcing its own codes or ordinances by any other means.

SICKLE CELL

By: County Staff

SB 94 expands the list of priority health areas under the "Closing the Gap" grant program to include sickle cell disease. The Closing the Gap grant program provides funding for activities designed to reduce racial and ethnic health disparities in priority health areas. SB 94 passed the Senate 38-0. The House bill sponsored by Rep. Bobby Powell, unanimously passed as well.

BILLS OPPOSED BY THE COUNTY THAT FAILED**CONSTRAINED AGRICULTURAL AREAS**

By: Anfield Consulting, County Staff and Corcoran & Johnston

HB 933 represented this year's growth management package. Earlier in Session, it was amended to remove a provision Palm Beach County objected to that would allow certain developers who own parcels of land that fit a specific definition of "constrained agricultural parcels" to subvert the local government process.

LOCATION OF UTILITIES

By: County Staff and Anfield Consulting

HB 391, sponsored by Rep. Ingram, died after not being taken up by the Senate before it adjourned. SB 896, sponsored by Sen. Brandes, was not considered in its scheduled Appropriations Committee meeting. The bills revise several provisions related to utilities by making certain statutory provisions applicable only to utility lines and facilities lawfully located within the right-of-way limits of a road, rather than those lines facilities located upon, under, over, or along any public road or highway, or publicly owned rail corridor. Cities and counties mounted considerable opposition to the legislation.

RED LIGHT CAMERAS

By: County Staff, Corcoran & Johnston

HB 7071 died on second reading in the House. The bill would have added restrictions on local government red light camera programs. It would have required notice of violations to be sent via certified mail and would have required collection of crash data at intersections and require summaries of vendor contracts in annual reports submitted to DHSMV. It would have allowed DOT to inspect cameras for compliance and would require all local government revenue to only go towards public safety.

An effort by Sen. Brandes to amend an omnibus transportation bill to mirror the House proposal previously failed. Other amendments to do the same were withdrawn from the Senate Transportation bill and died in Senate Appropriations.

PUBLIC WORKS CONSTRUCTION PREEMPTION

By: County Staff

A bill to preempt local control-including wage ordinances- over construction contracts for public works projects died in Senate Community Affairs. The bill would have prohibited a public entity from requiring contractors, subcontractors or material suppliers submitting bids for public works projects to pay employees a certain wage, enter into labor agreements, provide certain benefits, hire employees from a designated source or participate in certain training programs. Public entities could also not require that the contractor, subcontractor or material supplier responding to a public works construction, maintenance or

improvement bid be associated with any certain association, organization or union. It would also require all projects to improve or construct a public building that cost in excess of \$300,000 must be competitively bid. Labor interests, including the Florida Electrical Workers Association, Florida Building Trades Council, CWA Council of Florida, Florida State Council of Machinists and AFL-CIO and others combined forces with local governments to oppose the bill.

BUILDING CODES

By: County Staff

The Building Code legislation was amended on the House floor in a manner that weakened 468 licensing requirements, added to the time it will take to adopt and implement future FBC editions, and did not address an impending gap in public swimming pool operational oversight. After HB 915 passed the House, County lobbyists worked with the Senate bill sponsor to SB 1232 and eventually the legislation did not come up for a final vote in the Senate.

CASUALTIES OF AN EARLY SINE DIE

BUDGET

By: Ron L. Book, PA and County Staff

The House and Senate still remain at a budget standstill after the conclusion of the regular 2015 session. Senate and House leaders exchanged several budget conference offers during week nine, but no progress was made.

The House and Senate most significantly differ on their budget proposals in the area of Health Care. The Senate proposal includes funding to expand the Medicaid program while the House budget does not. Meanwhile, Florida's Low Income Pool (LIP), which is a state and federal program that funds uncompensated care in hospitals, has not yet been renewed by the federal government. Florida's LIP program is set to expire on June 30, and, although the Agency for Health Care Administration recently submitted a request to approve a revised LIP program, it is not clear if, and when, the federal government will approve this program. If the LIP program is not renewed, that loss of funding could have a significant impact on Florida's budget. The House and Senate leaders must resolve these issues before a framework for the special session can be put in place. They must have a budget prior to June 30.

ENTERPRISE ZONES

By: County Staff and Corcoran & Johnston

HB 7067, sponsored by Rep. LaRosa, died after the Senate did not take it up before adjourning. The bill would create a "local enterprise zone" to replace the current program due to sunset this year. The local enterprise zone would consist of a local government waiving local business taxes, impact fees, regulatory fees, building permit fees, sign ordinances, landscaping ordinances, all special assessments and civil code violations that do not affect public safety for new or expanding businesses for a minimum of 24 consecutive months.

The Senate included an Enterprise Zone proposal in SB 1214 that would extend certain state tax benefits to businesses that entered into a contract with DEO under Ch. 288 and were located in existing enterprise zones. Those benefits would be extended for up to three years.

ECONOMIC DEVELOPMENT

By: Florida Association of Counties, Anfield Consulting and Corcoran & Johnston

The Senate economic development bill (**SB 1214**) died on calendar. The bill included film and TV tax credit program changes in addition to provisions related

to Enterprise Zones. It also includes language from the Senate bill on Homelessness.

The House passed its economic development bill (**HB 7067**) off of the House floor and sent it to the Senate for consideration where it died. The House bill contained different language that would preempt local authority in its proposed local enterprise zone section; banning counties from assessing any fees on businesses within the local enterprise zone. The bill also contained language that would allow the FDFC to place special assessments on property tax bills that are a part of a PACE project without an interlocal agreement with the county. Finally, the bill also contained language amended on the House floor prohibiting any county or municipality from collecting transportation impact fees if they also regulate transportation network carriers such as Uber & Lyft.

FILM & TV INCENTIVES

By: County Staff and Ericks Consultants

House leadership temporarily postponed HB 451, sponsored by Rep. Miller, and the Senate did not pick up SB 1046 by Sen. Detert for consideration during the final week. The main difference between the two is that the Senate plan calls for a quick-action closing fund, which would allow for funds to be quickly allocated to tax credits if Florida would need to move swiftly to secure a production. The House is more hesitant to incorporate the fund, but it is not being ruled out.

The Senate included the contents of SB 1046 into SB 1214, the Economic Development package during an Appropriations Committee meeting but that bill eventually died on the Senate calendar.

FRACKING

By: County Staff

HB 1205, sponsored by Sen. Rodrigues, is dead for the 2015 regular session. The bill and its amendments were being heard on Tuesday when word reached the Senate that the House had adjourned sine die, leading to it being temporarily postponed. The bill was taken up again on Wednesday, but the Senate sponsor, Sen. Richter, lacked the two-thirds vote he needed to waive rules and vote to send the bill to the governor. The bill would have established a regulatory framework for hydraulic fracturing, required a study to analyze fracking's potential risks and harms, and would prohibit local governments from creating their own permitting processes for fracking. A companion bill, HB 1209, which would have exempted fracking companies from divulging proprietary information in public records requests, failed to pass the House before it adjourned.

UBER

By: County Staff

SB 1298, sponsored by Sen. Simmons, which had already passed the Senate, failed to be heard by the House before it adjourned sine die. The bill would have established insurance requirements for Transportation Network Companies, such as Lyft and Uber, and Short Term Rentals, such as AirBnB. It would establish coverage requirements for when a customer is in a vehicle and during an "on call" period, considered a coverage "gap," between when a driver is notified about a customer to pick up and the time the passenger gets in the vehicle. An amendment to the bill, which also passed, would require the driver—if he or she has had an agreement within the previous 6 months—to possess liability coverage of at least \$100,000 for death and bodily injury per person and \$200,000 per incident, and at least \$50,000 for property damage.

Another bill, HB 817, sponsored by Rep. Gaetz, was on its third reading when the House adjourned. It would have established less stringent insurance

requirements, background checks for drivers, and preempted local laws dealing with the companies.

GAMING

By: Ericks Consultants and County Staff

HB 1233, sponsored by Rep. Young, would have decouple greyhound racing at dog tracks, allowing the tracks to keep slots and poker rooms but end the racing, a possibility which has strong support from animal rights groups. The bill would allow slots in pari-mutuels in Palm Beach and Lee Counties whose voters have approved slot machines. It also would allow Broward & Miami-Dade Counties to hold non-binding referendums to gauge support for a destination casino. It would eliminate tax credits for greyhound racing, but would lower the taxes on handles in order to make the bill revenue neutral.

SB 7088 would extend the Seminole Gaming Compact for another year. It would essentially decouple all live racing and jai alai pari-mutuel and would allow slots in certain pari-mutuels in counties whose voters have approved slot machines.

Both bills died in their respective Appropriations committees.

REDUCED FEES FOR COUNTY & MUNICIPAL PARKS AND TRANSPORTATION AUTHORITIES

By: County Staff

HB 1095, sponsored by Rep. Rooney, and its Senate companion, SB 1430, sponsored by Sen. Abruzzo, both died. The bills would require counties and municipalities to provide discounts on public park entrance fees to military members, veterans, spouses, and parents of certain deceased military members, law enforcement officers, firefighters, and emergency workers.

DJJ DETENTION COSTS

By: Ericks Consultants and County Staff

Two DJJ funding bills before the legislature did not pass. HB 5201 passed its lone committee in March and remained TP'd on Second Reading in the full House. SB 1414 passed its first of three committees of reference on April 8th but was heard in its other two.

SB 1414 sets the State and County Juvenile Justice cost share amount at counties (that are not fiscally constrained) paying 57% and the state paying 43%. The bill originally called for a 60%/40% split. Its House companion, HB 5201 also specifies the 57/43 split. This legislation may appear in a special session due to its funding implications on the state criminal justice budget.

MENTAL HEALTH AND SUBSTANCE ABUSE

By: County Staff, Ericks Consultants and Corcoran and Johnston

SB 7068, a measure that merges the Marchman and Baker Acts, was unanimously passed by the Florida Senate April 24, went to the House, was amended and sent back to the Senate where it died.

SB 7070, that includes Baker Act and Marchman Act reform, created the Jennifer Act to allow for individuals to get help prior to negative situations occurring, created the Nonviolent Offender Reentry Program, and created a Forensic Hospital Diversion pilot program was retained on the Special Order Calendar in the Senate.

The House also passed HB 7113 with one dissenting vote that would authorize the creation of treatment-based mental health court programs among other items and includes companion language for the Forensic Hospital Diversion program. That bill died in Messages in the Senate.

The House and Senate did unanimously passed HB 79 that requires the establishment of protocols for collecting and storing utilization data for crisis stabilization services. That bill now goes to the Governor.

HOMELESSNESS

By: County Staff and Ericks Consultants

A homelessness package that would make Challenge Grant funding recurring died as part of SB 1214 this week. The contents of the bill derived from SB 1500 that would allow counties and eligible municipalities to use SHIP funds for rental assistance in cases of homelessness and disability and remove the requirement to dedicate 65% of funds to home ownership. The bill would encourage the involvement of Lead Agencies in the SHIP process and provide Lead Agencies with 4% of revenue from the Local Government Housing Trust Fund with performance goal requirements. It would require, instead of allow, the Office of Homelessness to administer Challenge Grants. It would have Challenge Grant award levels take into account degrees of homelessness rather than just population. The House companion was never heard in a committee. The Senate and House proposed budgets each contain \$3.8 million in non-recurring funds for Challenge Grants.

TRANSPORTATION PACKAGES

By: Ericks Consultants

The Senate Transportation package that included increasing the statutory minimum funding for FSTED from \$15 million to \$25 million dollars died this week. SB 1554 deals largely with "airport protection zones" and bicycle/pedestrian safety. The bill would also require the Office of Economic & Demographic Research to conduct a study on the economic benefits of the state's investment in the DOT work program, including return on investment of public transit, rail, aviation, seaports, roads and highways. The Florida Ports Council supported the bill. The bill would have allowed the Port of Palm Beach to apply for a Foreign Trade Zone with surrounding local governments. Meanwhile, the House passed two omnibus transportation packages, by Rep. Rooney on 4/16 voting 113-0 to pass HB 7075 and 104-8 to pass HB 7039 that were not considered by the Senate.

VALUE ADJUSTMENT BOARDS

By: FAC

A bill (HB 695 / SB 972) that would have dramatically changed the structure of Value Adjustment Boards died when the Senate declined to take up the House bill.

BILLS OF INTEREST THAT PASSED

RESIDENTIAL MASTER BUILDING PERMITS

By: Ericks Consultants and County Staff

HB 1151, sponsored by Rep. Ingoglia, unanimously passed the Senate and will now be sent to the Governor. The bill would allow builders to apply to local governments for a master permit when building several of the same type of unit. The local government would be required to develop the permit program only upon written request of the builder and within 6 months of the request. The governing board of the local government would be allowed to set the fees for the program.

PROPERTY RIGHTS

By: Ericks Consultants and Anfield Consulting

Chapter 70, Florida Statutes, contains four provisions of law respecting private property rights; another of which (s. 70.001) is the Bert Harris, Jr. Private Property Rights Act; another of which (s. 70.51) is the Florida Land Use and Environmental Dispute Resolution Act.

This bill, HB 383, creates a new section of law, s. 70.45, creating a cause of action to recover monetary damages, including injunctive relief, for landowners where local and state governmental entities impose conditions that rise to the level of unconstitutional exactions. A property owner would need to inform the governmental agency of his/her intent to file suit within 180 days of the exaction and at least 90 days before filing the suit. The governmental agency would in turn need to respond in writing to this complaint explaining why it believes the exaction is lawful and necessary (the bill clarifies that this response may not be used against it in court, except in the assessment of attorney fees or other costs). For each claim filed, the government would have the burden of proving that there is a nexus of public interest and that their actions are proportionate to the impacts from the proposed use that they are trying to avoid, minimize, or mitigate. The property owner in turn would have to prove damages were caused by the exaction. Attorney fees may be awarded to either side based on who prevails in the case. Impact fees and non-ad valorem assessments are exempt from these new provisions, as well as any exactions taken before October 1st, 2015.

The bill also amends the Bert J. Harris, Jr., Private Property Act to provide that only those property owners whose real property is the subject of, and directly impacted by, the action of a governmental entity may bring suit under the Act. Additionally, the bill provides that the Act's safe harbor provisions for settlement agreements between a property owner and governmental entity apply regardless of when the settlement agreement was entered into. Flood Insurance Rate Maps issued by FEMA are now exempt from the Act, except in cases where the elevation of the property is incorrectly assessed and published (such an action may result in an unnecessary loss in property value.)

PREEMPTION OF LOCAL PREFERENCE IN CONSTRUCTION PROJECTS

By: Ericks Consultants and Anfield Consulting

HB 778 preempts local preference ordinances for construction projects that are funded 50% with state dollars. The Senate passed SB 778 and it then sent to the House, where it was adopted as a substitute for HB 113 and then passed 95-22. The bill now heads to the Governor for consideration.

This bill would expand the breadth of this preference down to the county and municipal level. It also provides that in cases where the competitive solicitation for construction services is for a project in which 50 percent or more of the cost is being paid for by state funds (exclude all federal funds), a political subdivision would not be allowed to enforce any local ordinance or regulation that restricts a certified contractor from competing for the award based on the contractor's principal place of business, their hiring from within the local jurisdiction, or prior payment of local taxes, assessments, or duties.

EMERGENCY FIRE RESCUE SERVICES AND FACILITIES SURTAX

By: Ericks Consultants and County Staff

The Senate vote 40-0 and the House voted 115-0 to pass HB 209 that would revise the Emergency Fire Rescue Services and Facilities Surtax to distribute the revenue to all providers in a county that adopts the surtax, rather than only providers that enter into an interlocal agreement with the county. The bill would provide local government providers with revenue from the surtax proportionate

to their annual expenditures for fire control and emergency fire rescue services from the preceding five years. The Palm Beach County Firefighters support the bill. The bill now goes to the Governor for approval.

SENTENCING OF PUBLIC OFFICIALS

By: Ericks Consultants and County Staff

The House and Senate unanimously approved HB 115 that would require public officials found guilty of bribery or corruption to pay restitution to local governments that were wronged by their crimes. The bill, sponsored in the Senate by Senator Joseph Abruzzo will go to the Governor for final approval.

LOW VOLTAGE ALARM SYSTEMS

By: County Staff

SB 466, sponsored by Sen. Flores, passed the House unanimously and will now be sent to the Governor. The bill would reduce the maximum amount a local government may charge for permit fees for low-voltage alarm systems from \$55 to \$40. It would also prohibit local governments from charging any additional fees for the installation of a new system or replacement of an old one. The bill also clarifies that a wireless alarm system does not require a permit.

HAZARDOUS WALKING

By: County Staff

HB 41, or "Gabby's Law for Student Safety," sponsored by Rep. Metz, passed the Senate unanimously and will now be sent to the Governor. The bill includes an amendment by Rep. Slosberg to allow school boards to implement a safe driver toll-free telephone hotline for citizens to report improper driving or operation by a school bus driver to the school board for further investigation or disciplinary action. The bill would revise the way hazardous walking conditions for school children are identified and addressed by enhancing cooperation between the school district and local government. It would allow local governments to use an alternative interlocal agreement process so long as the process does not go below the safety standards set forth in the bill.

ONLINE VOTER REGISTRATION

By: County Staff

SB 228, sponsored by Sen. Clemens, is on its way to the Governor. The bill would allow citizens to register to vote using a website designed by the Florida Division of Elections. The Senate voted 37-3 to pass the bill, which had already cleared the House 109-9. It is unclear whether Governor Scott will sign the legislation, as Secretary of State Ken Detzner had opposed it, arguing that he wasn't sure if the system could be implemented by the October 2017 deadline and that it opened up the possibility of having elections be tampered with.

CITY OF WEST PALM BEACH FIREFIGHTER PENSION

By: County Staff

HB 1167, sponsored by Rep. Dave Kerner, passed the Senate 40-0 and is on its way to the Governor. It amends the West Palm Beach Firefighter Pension Special Act. The changes made by this bill are the result of a collective bargaining agreement between the City of West Palm Beach and International Association of Firefighters Local 727. The bill defines "Fire Chief" as the executive officer for the City of West Palm Beach Fire Department. This legislation also provides that a portion of the Chapter 175 premium taxes must be used to reduce the employee contributions and the remainder must be allocated to the member share accounts.

SO WHAT'S NEXT?

By: County Staff, Florida News Service, and Corcoran & Johnston

The House and Senate will meet in Special Session to consider the state budget and any other item included in the Special Session call or stated purpose. The Speaker and Senate President can jointly call a Special Session or the Governor can call a Special Session.

This Special Session will deal with the state budget and may include other policy issues, like Medicaid and healthcare law, which must be addressed to resolve the state budget differences. Other areas, such as implementation of Amendment 1, which has state budget impact, will likely be included. Water policy and economic development legislation may also be included within the call.

The Senate has initiated an offer to the House to hold a Special Session from June 1st - June 20th. What is certain, the Special Session must occur before the fiscal year begins on July 1st.

Only the issues within the call of the Special Session are considered. If the call is expanded to policy issues beyond the state budget, a new bill would need to be filed in that Special Session.

Here are the big unresolved issues that could be introduced in a Special Session:

BUDGET: Legislators must pass a budget for the fiscal year that starts July 1. It's the only Constitutional requirement they must do every year. The House and Senate remain more than \$4 billion apart in their budget proposals and have not started the formal process of trying to come to agreement. While the House and Senate always have budget differences, this year's standoff focuses almost exclusively on health care. Lawmakers don't know whether the federal government will extend a \$2.2 billion program known as the Low Income Pool, which is scheduled to expire June 30 and plays a key role in helping hospitals care for poor and uninsured patients. Meanwhile, the Senate wants to use \$2.8 billion in federal Medicaid money to offer health insurance to hundreds of thousands of lower-income Floridians – a non-starter in the House.

HEALTH CARE: As the keys to the budget impasse between the House and Senate, the Low Income Pool and the Senate plan for expanding health coverage overshadowed all other issues during the session. The outcomes of those issues during a special session will have huge financial ramifications for the state. But they also have huge ramifications for hospitals and low-income patients. With the LIP program scheduled to expire June 30, all sides will be watching to see if the state can work out an extension with the federal Centers for Medicare & Medicaid Services. The alternative could be funneling hundreds of millions of dollars in state tax money into the health-care system. Meanwhile, the Senate coverage plan would use Medicaid money available under the Affordable Care Act, better known as Obamacare, to offer private health insurance to about 800,000 people. The Senate argues a coverage expansion is important, at least in part, because of the potential loss of LIP money. But the House and Gov. Scott adamantly oppose the Senate plan, arguing that Florida could get saddled with the expansion costs in the future.

LAND AND WATER: The House passed its version of a water-policy bill during the first week of the legislative session. The Senate passed its version during the final week. But the two chambers never came to agreement on the issue, which House Speaker Steve Crisafulli, R-Merritt Island, has made a priority. Also unresolved is how lawmakers will carry out a voter-approved measure, known as Amendment 1, that requires the state to set aside hundreds of millions of dollars a year for land and water projects. Environmentalists have criticized initial proposals from the House and Senate, arguing that more money should go to the Florida Forever land-conservation program and to Everglades restoration efforts. But Republican leaders in both chambers have suggested the state needs to focus on managing property it already owns instead of amassing more. Carrying out Amendment 1 could be a closely watched part of a budget special session.

TAX CUTS: Scott proposed \$673 million in tax cuts this year. The House passed a \$690 million tax-cut package. But with the budget picture unresolved, tax cuts remain in limbo. Senate committees moved forward during the session with a series of bills that would have cut taxes, but Senate leaders never offered a full package. If lawmakers have to use state money to make up for reductions in the LIP program, that could limit the amount of tax cuts they can offer. Scott's biggest proposed cut would be a \$470 million reduction in the communications-services tax, which is collected on such things as cell-phone and cable television services. But lawmakers have also considered a series of other ideas, such as trimming a tax on commercial real-estate leases and providing a back-to-school sales-tax holiday.

FEDERAL ISSUES

By: Becker & Poliakoff

CONGRESS: Japanese Prime Minister Shinzo Abe addressed a joint meeting of Congress. Prime Minister Abe's visit to Washington comes as President Obama is asking Congress for fast-track authority to conclude trade deals, with auto sales to Japan as one of the main points. Abe said that the U.S. and Japan "must take the lead" in completing the Trans-Pacific Partnership, which Obama has made a priority for his second term.

Congressional leaders may also announce a decision on whether to seek a short-term extension of highway and transportation programs that expires on May 31. Senate Finance Committee Chairman Orrin Hatch said that a revenue source to strengthen the highway trust fund over the long term has not been identified.

Congressional Republicans came to an agreement on the first joint budget resolution since FY-2010. The \$1.017 trillion budget increases defense spending and would cut \$430 billion from Medicare. Other social programs such, as Medicaid and food stamps would also face cuts.

The Congressional Budget Office laid out facts about the Highway Trust Fund's meager balance and lack of congressional cash infusion. It predicts that the highway and transit accounts may have a difficult time fulfilling all obligations during the 2015 summer. The office provided three options to Congress: reduce budgetary resources beyond 2016; impose a 10- to 15-cent tax increase to fund current spending; or kick in \$16 billion from the general fund for fiscal 2016, with another \$11 billion to \$18 billion annually in years to come.

THE HOUSE: Took up the Military Construction-VA and Energy and Water Development appropriation bills, which marks the earliest point in the year since 1974 that the House has begun passing appropriations legislation. Under H.R. 2029, there will be significant reductions to the Defense Department's request for military construction spending and several initiatives to reduce the backlog for processing veterans' benefits claims. Under H.R. 2028. Funding for nuclear weapons programs would be significantly increased and spending on renewable energy research and development reduced under the \$35.4 billion appropriations bill. The bill also provides funds for a nuclear waste disposal site at Nevada's Yucca Mountain and retains language barring certain environmental and mining regulations.

The House Armed Services Committee reported favorably H.R. 1735, the FY-2016 defense authorization bill. The Committee will authorize \$1.2 billion for twelve Boeing Super Hornets and an extra \$1 billion for six additional Lockheed Martin Joint Strike Fighters for the Marine Corps.

Also possible for House floor consideration is H.R. 1732, giving the EPA and the Army Corps of Engineers thirty days to withdraw a proposed rule and any related rules redefining which bodies of water are subject to the Clean Water Act. The agencies would then be required to develop a replacement rule in consultation with state and local officials and interested private sector groups or individuals.



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The House Judiciary Immigration and Border Security Subcommittee held a hearing on automatic citizenship for those born to foreigners on U.S. soil. Senator David Vitter (R-LA) wants to deter foreign women from coming to the U.S. to give birth in order to confer citizenship on their children.

THE SENATE: Resumed debate on the Iran sanctions legislation, H.R. 1191, authorizing Congress to review any nuclear agreement with Iran for a minimum of 52 days. President Obama would be barred from suspending, waiving or reducing congressionally enacted economic sanctions against Iran while lawmakers are studying the deal. World leaders and Iran have until the end of June to finalize the technical details of the agreement, giving Iran sanctions relief in exchange for nuclear restrictions and broader monitoring.

Senate Republicans will also vote to override President Obama's March 31 veto of S.J. Res. 8, nullifying a NLRB proposed rule that would speed up workplace elections when unions seek to represent employees in collective bargaining. The Senate passed the measure by a vote of 53-46 in March, short of the two-thirds majority needed for an override.