

Regular Session: County Lobbyist Call

Monday, April 3, 2017

Welcome & Opening Remarks

Davin Suggs, FAC's Director of Public Policy, made the following announcement:

- Budgets were published were released in the House and Senate. A link to FAC's analysis is included in these notes
- This week is FAC's legislative week, over 200 commissioners and staff have registered. Schedule
 has been amended to accommodate committee hearings.
- This week is also Miami-Dade Days
- This week is Black Caucus week
- The Constitutional Revision Commission will hold its next meetings this week in Miami and Palm Beach
- Please refer to previous editions of County Lobbyists notes and FAC Legislative Bulletins for information on bills not discussed this week.
- LEGISLATIVE ALERTS for this week have been included.
- Red means an upcoming event, bill hearing, etc...
- Green refers to last action on a bill from the previous week.

LEGISLATIVE PREEMPTION ALERT #1

A tax shift is not a tax cut:

Vote No on House Committee Bill Proposing to Increase the Homestead Exemption

Wednesday, April 5th, 2017 - House Ways and Means Committee - 9:00 a.m.

Increasing the Homestead Property Tax Exemption

The <u>House companion</u> to <u>SJR 1774</u> by Senator Tom Lee proposes a constitutional amendment that would increase the homestead exemption by \$25,000, creating a super-exemption of \$75,000 for the first \$100,000 of the value of homestead property. While homestead property owners may appreciate the exemption, it shifts the tax burden to our local business and non-homesteaded property owners.

- This is a tax SHIFT not a tax CUT. The tax burden will be placed on local business owners and non-homestead property owners who must choose between more taxes or fewer services.
- **Small counties hit the hardest:** Florida's 29 fiscally constrained counties that are at or near the 10 mill cap will have no choice but to cut the limited services they are barely able to provide today.

• **Citizens will get less with less:** The additional exemption means that counties that choose to maintain their current millage rates must make tough choices about the services provided to their citizens.

HOW DO I DETERMINE "MY LOCAL IMPACT?"

Immediately consult with your Property Appraiser and County Administrator/Manager, as well as, finance staff to ascertain the fiscal impact this proposal will cause. Consider likely policy choices that this impact will create: which services are most likely to be cut or eliminated; what would the consequences of any rate increase be?

HOW CAN I HELP "STOP" THIS LEGISLATION?

- CALL MEMBERS of the House Ways and Means Committee and share your local perspective.
- E-MAIL MEMBERS of the House Ways and Means Committee and share your local perspective.

FAC Contact

To learn more about this issue and related legislative information contact Laura Youmans, Esq. via email @ lyoumans@fl-counties.com

LEGISLATIVE PREEMPTION ALERT #2

We can have technology without preemption: Vote no on HB 687
Cell phone tower preemption up Thursday!

Thursday, April 6th, 2017 - House Commerce Committee - 1:30 p.m.

Preempting local community control over local taxpayer facilities from private wireless companies HB 687 (Rep. La Rosa) will, among other technical provisions, severely limit the ability of local communities to regulate the collocation of small wireless facilities in public rights-of-way. The bill limits the fees (\$15 maximum) counties can charge communication facility companies to locate on taxpayer funded infrastructure.

- Taxpayers shouldn't foot the bill: Both SB 596/HB 687 limit the fees counties can charge the for-profit wireless companies, like AT&T and Verizon, to just \$15 per item on county infrastructure. Wireless companies made billions in profit last year and pay private property owners and even other government entities outside Florida much, much more than just \$15. By limiting what counties can charge these companies for their use of taxpayer-funded and maintained utilities poles amounts to a taxpayer subsidy to private for-profit companies.
- Let's work together: Counties want to bring new and faster technology to their communities but it shouldn't be on the back of taxpayers. These private for-profit companies need to pay their fair share and defer to public safety experts on where these facilities should go.
- The Communications Services Tax red herring: Proponents of this legislation argue that
 attachment fees should be capped because local governments receive the communications
 services tax (CST). However, there is no relationship between the CST and the use of county
 poles. And more importantly the CST is paid by us the consumers NOT wireless companies.

- Protect public safety and community standards: Local right-of-way regulations are needed to
 protect the health, safety, and welfare of the public, while maintaining community design
 standards. Under these bills, counties would be unable to apply basic safety and aesthetic
 standards to the collocation of small cells.
- **Stop the Preemption:** Both bills limit local communities from *prohibiting, regulating, or charging* for the collocation of these wireless facilities on taxpayer funded infrastructure like traffic signals and light posts.

HOW CAN I HELP "STOP" THIS LEGISLATION?

- CALL MEMBERS of the House Commerce Committee and share your local perspective.
- E-MAIL MEMBERS of the House Commerce Committee and share your local perspective.

FAC Contact

To learn more about this issue and related legislative information contact Eric Poole via email @ epoole@fl-counties.com .

LEGISLATIVE PREEMPTION ALERT #3

Bad for communities; bad for businesses; bad for Florida: Vote no on HB 17 and SB 1158

Preempting local governments from regulating business

CALL Legislators, E-MAIL Legislators or COME to Tallahassee & share our local story

HB 17 (Rep. Fine) - Relating to local Regulation Preemption

In summary, the legislation proposes to PREEMPT the home rule powers of local governments with regards to the regulation of businesses, professions, and occupations unless it is <u>EXPRESSLY AUTHORIZED</u> by the State. The PREEMPTION is extended to associated regulatory, licenses, and/or permit fees.

WE EXPECT HB 17 TO BE HEARD DURING WEEK #6

The bill's next stop will be the House Commerce Committee. Please continue to:

- CALL MEMBERS of the House Commerce Committee and share your local perspective.
- E-MAIL MEMBERS of the <u>House Commerce Committee</u> and share your local perspective.

SB 1158 (Sen. Passidomo) - Relating to local Regulation Preemption

Although not identical or a companion to <u>HB 17</u>, <u>SB 1158</u> is very similar in that it proposes to also PREEMPT the home rule powers of local governments with regards to the regulation of commerce, trade and labor. The bill would prevent counties from adopting ordinances that have an adverse impact on commerce, trade or labor, unless it is EXPRESSLY AUTHORIZED by the State.

The PREEMPTION specifically prevents counties from:

- a) Banning the sale of a good or service;
- b) Imposing a penalty on the sale of a good or service;
- c) Requiring an employer to pay any or all of its employees a wage rate not otherwise required under a special, general, or federal law; or extended to associated regulatory, licenses, and/or permit fees.

The bill's first stop will be the Senate Commerce and Tourism Committee. Please continue to:

- CALL MEMBERS of the <u>Senate Commerce and Tourism Committee</u>. and share your local perspective.
- E-MAIL MEMBERS of the <u>Senate Commerce and Tourism Committee</u>. and share your local perspective.

For more information on this legislation, talking points, and a sample resolution please visit <u>FAC's HB 17</u> resource webpage or contact_Laura Youmans (<u>lyoumans@fl-counties.com</u>)

2017 PRIORITIES UPDATE

OPIOID ABUSE – LISA HURLEY, ESQ.

SB 588 (Sen. Passidomo) is the companion bill to HB 249 and was amended on 3/27/17 by the Senate Health Policy committee to align itself with the House bill such that it encourages first responders to report certain overdose incident data to the Department of Health within 120 hours of the incident through the existing state Emergency Medical Service Tracking and Reporting System (or other appropriate method) and requires the Department to make the information available to local government agencies no later than 120 hours after receipt. It passed unanimously and has two more committee stops.

<u>HB 807</u> (Rep. Hager) – related to marketing practices for substance abuse services unanimously passed the House Health and Human Services committee on 3/30/17 and is headed to the floor. Its Senate companion, <u>SB 788</u> will be heard on either 4/5/17 or 4/6/17 by the Senate Appropriations committee.

 $\underline{\text{SB 150}}$ (Rep. Steube) / $\underline{\text{HB 477}}$ (Rep. Boyd) creates crimes of trafficking in fentanyl and synthetic drugs and increases penalties for some drug related offenses. This is the priority legislation for the Florida Sheriffs Association. $\underline{\text{SB 150}}$ will be heard by the Senate Criminal Justice committee on Monday, 4/3/17 at 1:30 p.m. and $\underline{\text{HB 477}}$ will be heard by the House Justice Appropriations subcommittee on Monday, 4/3/17 at 3:00 p.m.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Lisa M. Hurley, Esq. via email @ lhurley@smithbryanandmyers.com or visit the **OPIOID EPIDEMIC** Legislative page here.

MEDICAL MARIJUANA -SUSAN HARBIN, ESQ.

<u>HB 1397</u> (Rep. Rodrigues) was passed on Tuesday, March 28, 2017 by the House Health Quality Subcommittee.

SB 406 (Sen. Bradley) will be heard by the Senate Health Policy committee on Monday 4/3/17 at 4:00 p.m. and it is expected that a vote will be taken. Eight amendments have been filed as of Sunday, 4/2/17.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **MEDICAL MARIJUANA** Legislative page here.

TAX REFORM / LOCAL REVENUE ENHANCEMENT - LAURA YOUMANS, ESQ.

House Proposed Tax Cut Package - The proposed 2017 House tax cut package is intended to provide for a wide range of tax reductions and modifications designed to directly impact both households and businesses, and to improve tax administration. The proposed concepts contain several provisions related to sales tax including a reduction of the sales tax on commercial leases from 6% to 4.5% for the first two years and then permanently by 0.5%. For property tax purposes, the proposed concepts provide property tax relief for certain property used to provide affordable housing and amends the definition of inventory to include certain construction and agricultural equipment. Based on FAC's analysis of the proposed tax cut concepts, Counties will experience an estimated \$33 million recurring impact statewide. FAC's initial analysis can viewed here. CLICK HERE.

Communications Services Taxes - <u>SB 1636</u> (Sen. Artiles) - Relating to Taxation of Internet Video Service would exclude internet video services from any local tax, charge, fee, or other imposition on related to the provision or purchase of internet video services was passed unanimously in the Senate Communications, Energy, and Public Utilities on 3/28/17.

10% Assessment Limit on Non-Homestead Property - <u>SB 76</u> (Sen. Lee) is scheduled to be heard on Wednesday, 4/5/17 or Thursday, 4/6/17 at 10:00 a.m. in the Senate Appropriations committee meeting.

Additional Homestead Exemption - The House companion to <u>SJR 1774</u> (Sen. Lee) – Increased Homestead Property Tax Exemption – is scheduled to be heard Wednesday, 4/5/17 by the House Ways and Means committee meeting at 9:00 a.m. Please refer to <u>LEGISLATIVE PREEMPTION ALERT #1</u>

Local Business Taxes - <u>HB 487</u> by Rep. Renner was unanimously passed by the House Ways and Means committee on 3/29/17.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Laura Youmans, Esq. via email @ lyoumans@fl-counties.com or visit the **TAX REFORM** Legislative page here

ECONOMIC DEVELOPMENT - FRIC POOLE

The Senate released the text of its proposed General Appropriations bill on 3/30/17, including funding for Visit Florida, which it proposes at \$76 million. The budget also includes \$84 million for DEO's incentive programs.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Eric Poole via email @ epoole@fl-counties.com or visit the **ECONOMIC DEVELOPMENT** Legislative page here.

BEACH RENOURISHMENT – SUSAN HARBIN, ESQ.

<u>HB 1213</u> (Rep. Peters) was passed unanimously on Tuesday, March 28, 2017 in the House Agricultural and Natural Resources Appropriations Subcommittee.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **BEACH RENOURISHMENT** Legislative page here.

COMPREHENSIVE WATER – SUSAN HARBIN, ESQ.

<u>HB 285</u> (Rep. Fine) - Relating to Onsite Sewage Treatment and Disposal System Inspections passed 14-1 on March 27, 2017 in the House Natural Resources and Public Lands Subcommittee. The bill has been amended significantly to remove the point of sale inspection requirement. In its current form, <u>HB 285</u> would require DOH to create a database of existing septic systems including location and operational condition. The amended bill also requires a disclosure form at the point of sale (offered by the seller and acknowledged in writing by the purchaser) indicating that a septic system exists on the property.

SB 1438 (Sen. Broxson)— Relating to Aquifer Replenishment passed unanimously on Tuesday, March 28, 2017 in the Senate Environmental Preservation and Conservation committee.

SB 532 (Sen. Galvano) related to public notices of pollution will be heard on 4/6/17 by the Senate Appropriations committee at 8:00 a.m.

SB 10 (Sen. Bradley) – Relating to Water Resources will be heard by the Senate Appropriations committee on Wednesday 4/5/17 at a time certain of 2:00 p.m.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **COMPREHENSIVE WATER** Legislative page here.

2017 EMERGING ISSUES UPDATE

Health & Human Services / Public Safety

Sentencing – Lisa Hurley (<u>Ihurley@smithbryanandmyers.com</u>)
 SB 1068 (Sen. Brandes) / <u>HB 157</u> (Rep. Burgess) - Relating to Sentencing:

<u>SB 1068</u> (Sen. Brandes) was substantially amended on 3-27-17 in the Senate Criminal Justice committee to include the substance of <u>SB 1194</u> (Sen. Bracy) which includes sentencing guidelines and criteria in upward and downward departure sentences which is designed to bring more uniformity to sentencing. It has two more committee stops; its House companion <u>HB 157</u> has two more committee references.

2. Clerks of the Circuit Court – Lisa Hurley (lhurley@fl-counties.com)
HB 7051 (Rep. Byrd) - Relating to Clerks of the Circuit Court

This bill revises the way in which clerk of court budgets would be approved. Specifically, it removes the duties of LBC regarding budgets of Florida Clerks of Court Operations Corporation & clerks of court; revises duties of the corporation; revises budgeting requirements for court-related costs of clerks of court; requires cost of certain changes in court rules & administrative orders to be reviewed by Criminal Justice Estimating Conference; revises duties of JAC relating to budgets & payroll of clerks of court.

The Clerks do not support in its present form mainly because their budgets could never be higher than the REC estimate and provides not mechanism for midyear adjustments. The Clerks estimate this would result in an additional minimum \$14 million cut to their budget. It passed out of the Justice Appropriations subcommittee on 3-27-17 by a 7-5 vote. It has one more committee stop. Meanwhile the Senate filed <u>PCB 2506</u> this week which provides for additional funds for clerks and a mechanism to adjust for budget fluctuations during the year, which is supported by the Clerks.

3. Drones - Eric Poole (epoole@fl-counties.com)
SB 832 (Sen. Young) / HB 1027 (Rep. Yarborough) - Relating to Drones

<u>HB 1027</u> was passed by the House Careers and Competition Subcommittee on Tuesday, 3/28/2017.

SB 832 is scheduled to be heard in the Senate Transportation Committee on 4/4/2017.

4. Civil Citation Program for Juveniles – Lisa Hurley (<u>lhurley@fl-counties.com</u>)
SB 196 (Sen. Flores) / <u>HB 205</u> (Rep. Ahern) - Relating to Juvenile Civil Citation & Similar Diversion Programs:

<u>HB 205</u> will be heard on Monday 4/3/17 by the House Justice Appropriations subcommittee at 3:00 p.m.

Finance, Tax & Administration

House and Senate Budget: The Senate and House proposed budgets for State Fiscal Year (SFY) 2018 total approximately \$83.2 billion and \$81.2 billion respectively and differ by approximately \$2 billion. Health and Human Services received the largest portion of funding in both proposed budgets, ranging from \$35.51 billion in the Senate to \$34.06 billion in the House. Proposed general revenue expenditures for SFY 2018 range from approximately \$31.57 billion in the Senate to \$30.19 billion in the House.

County funding highlights include, but are not limited to:

1. Both chambers have increased funding for **Community Mental Health Services** compared to the current year, with the House recommending \$458,008,017 and the Senate recommending \$468,259,690.

- 2. **Delinquency Prevention Program:** The Senate proposed total of \$87,349,839.00 in funding and the House's proposed a lessor amount of \$74,066,962.00. Specifically, The House recommended \$16,819,808 for funding for PACE Center for girls, which the Senate recommends \$20,619,808.00.
- 3. The Senate has offered \$50 million for **springs restoration**, while the House recommends \$40 million, both using the Land Acquisition Trust Fund (LATF).
- 4. The Senate has included funding equal to \$124 million for **S.H.I.P,** However, the House has only included funding equal to \$34 million.
- 5. The House has included funding equal to \$24,449,440 for **libraries**. The Senate proposes \$33,202,391.

The complete FAC analysis of the Proposed SFY 2018 Senate and House budget can be found here.

CLICK HERE.

Public Records – Laura Youmans (<u>lyoumans@fl-counties.com</u>)
 SB 80 (Sen. Stuebe) / HB 163 (Rep. Burgess) - Relating to Public Records

<u>SB 80</u> (Sen. Stuebe) was passed on Third Reading on March 29, 2017 and is now in messages awaiting the House companion.

2. Ethics - Laura Youmans (<u>lyoumans@fl-counties.com</u>)
HB 7021 (Public Integrity & Ethics Committee) - Relating to Local Government Ethics:

HB 7021 was passed on third reading on 3/30/17.

3. Constitutional Officers – Laura Youmans (<u>lyoumans@fl-counties.com</u>)

<u>SJR 134</u> (Sen. Artiles) / <u>HJR 721</u> (Rep. Fischer) - Selection and Duties of County Officers/Sheriff

<u>SJR 136</u> relating to Property Appraisers and <u>SJR 134</u> relating to Sheriffs passed the Senate Ethics and Elections agenda on 3/28/17.

SJR 136 relating to Property Appraisers and SJR 134 relating to Sheriffs will be heard by the Senate Judiciary committee on 4/4/17 at 9:30 a.m.

4. Worker's Compensation – Laura Youmans (<u>lyoumans@fl-counties.com</u>)
SB 1582 (Sen. Bradley) / HB 7085 (House Insurance and Banking) - Worker's Compensation

SB 1582 (Sen. Bradley) will be heard on Monday 4/3/17 in the Senate Banking and Insurance committee at 4:00 p.m. <u>HB 7085</u> (Insurance and Banking Committee), has been referenced to the House Commerce committee.

Public Meetings – Laura Youmans (<u>lyoumans@fl-counties.com</u>)
 SB 914 (Sen. Baxley) / <u>HB 843</u> (Rep. Donalds) - Relating to Public Meetings...

The bills provide concepts for the ability of two local government commissioners to be exempt from the current "sunshine" provisions under certain circumstances. <u>HB 843</u> was passed by the House Oversight, Transparency & Administrative subcommittee on 3/28/17.

Growth Management and Transportation

UBER - Eric Poole (epoole@fl-counties.com)
 SB 340 (Sen. Brandes) / HB 221 (Rep. Sprowls) - Relating to Transportation Network Companies

SB 340 was passed on Tuesday, March 28, 2017 in the Senate Judiciary Committee. HB 221 has been placed on the House Special Order calendar for Tuesday, 4/4/17 for 2nd reading.

Public Works Contracting - Eric Poole (epoole@fl-counties.com)
 SB 534 (Sen. Perry) / HB 599 (Rep. Williamson) - Relating to Public Works Projects

HB 599 was passed in the House Government Accountability committee meeting on 3/29/17.

3. Utility Transmission Lines - Eric Poole (epoole@fl-counties.com)
SB 1048 (Sen. Lee) / HB 1055 (Rep. Ingram) - Relating to Linear Facilities

Both bills have been fast-tracked, with SB 1048 on the Senate Special Order Calendar for 4/4/17.

4. Community Redevelopment Agencies - Susan Harbin (sharbin@fl-counties.com)

SB 1770 (Sen. Lee) / HB 13 (Rep. Raburn) - Relating to Community Redevelopment Agencies

SB 1770 is on the agenda for Senate Community Affairs on Monday, 4/3/17 at 4:00 p.m. The sponsor has filed an amendment to allow a city or county to continue a CRA's existence beyond the date set in the charter or September 30, 2037 by a supermajority vote of governing body that established the CRA. While an agenda has not been released, HB 13 may be considered by House Ways and Means on Wednesday, 4/5/17 at 9:00 a.m.

Vacation Rentals - Eric Poole (epoole@fl-counties.com)
 SB 188 (Sen. Stuebe) / HB 425 (Rep. LaRosa) - Relating to Vacation Rentals

HB 425, was passed in the House Subcommittee on Careers and Competition on 3/28/17. SB 188 is scheduled to be heard on Monday, 4/3/2017, during the Senate Community Affairs committee meeting at 4:00 p.m.

Week Ahead Calendar

Monday

s Criminal Justice	3/5	1:30PM-3:30PM
SB 0150 ▼	Controlled Substances	<u>Steube</u>

H Justice Appropriatio	ns Subcommittee	17 H	3:00PM-6:00PM
HB 0205♥		Juvenile Diversion Programs	*
HB 0477 ▼		Controlled Substances	Boyd
s Banking and Insuran	<u>ce</u> 110 S		4:00PM-6:00PM
SB 1582	Workers' Co	ompensation Insurance	<u>Bradley</u>
s Community Affairs	301 S		4:00PM-6:00PM
SB 1770 ▼	Community Rede	velopment Agencies	Lee (T)
SB 0484 **	Tax on Sales, Use	, and Other Transactions	<u>Hukill</u>
SB 0420 ▼	Flood Insurance		<u>Brandes</u>
SB 0188♥	Vacation Rentals		<u>Steube</u>
S <u>Health Policy</u> 412 K			4:00PM-6:00PM
SB 0406 ♥ Compa	ssionate Use of Lo	w-THC Cannabis and Marijuar	na <u>Bradley</u>
Tuesday			
s Judiciary 110 S	nd Duties of Count	y Sheriff	9:30AM-11:30AM Artiles
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