

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years 2008 2009 2010 2011

Capital Expenditures
Operating Costs

External Revenues
Program Income (County)
In-Kind Match (County)
NET FISCAL IMPACT

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included In Current Budget? Yes ___ No

Budget Account No.: Fund ___ Agency ___ Org. ___ Object ___
Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

atwillhite 6.13.08 N/A
AM 6-13-08 OFMB *atwillhite 6/13/08* Contract Dev. and Control

B. Legal Sufficiency:

James C. King for Peter Wynn
Assistant County Attorney

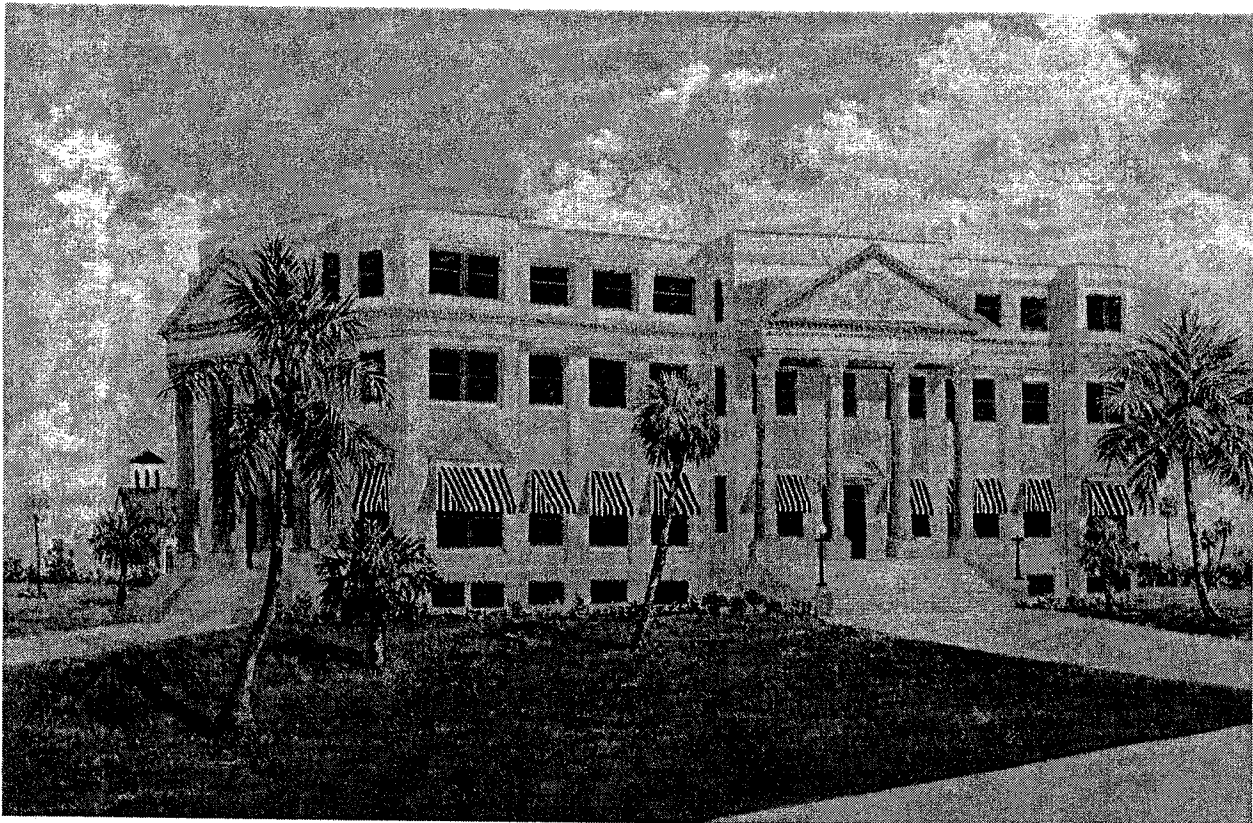
C. Other Department Review:

Department Director

PALM BEACH COUNTY

2008 STATE LEGISLATIVE

FINAL REPORT

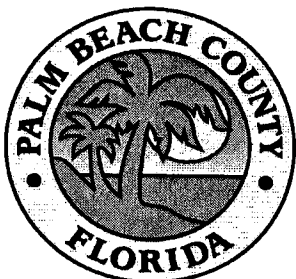


1916 County Court House (from an original oil by Jackie Brice)

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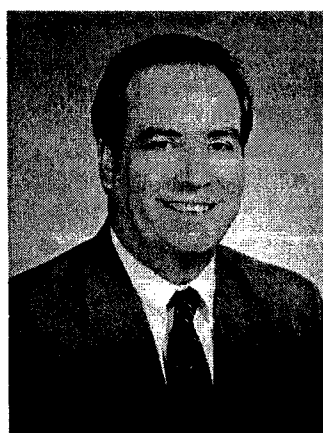


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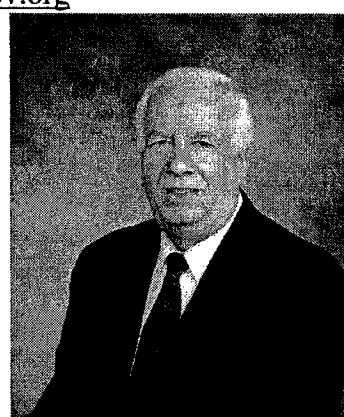
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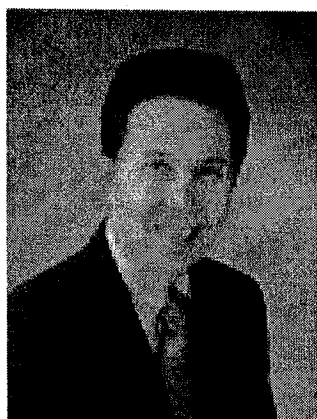
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TABLE OF CONTENTS

County's Top Four Priorities 9

Lake Region Water Treatment Plant	9
Cost Shifts/Unfunded Mandates	9
Fiscally Constrained Counties/Cost Shift	9

Appropriations 10

Palm Beach County Water Projects	10
Beach Funding	10
Lake Okeechobee Scenic Trail	10

Other Appropriation Items 11

Transportation	11
Education.....	12
Cultural Programs	13
Health and Human Services / Elder Affairs.....	13
Criminal Justice and Public Safety	13
Transportation and Economic Development	13
Environment and Natural Resources (statewide).....	13
Parks and Recreation	13
Municipal Water Projects	14

Palm Beach Priorities That Passed .. 16

Autism	16
Medical Assistance Eligibility of Inmates.....	16
Working Waterfront and Highest and Best Use	17
Florida Forever	17

Transportation Disadvantaged Programs.....	17
School Board Sign Issue	17
Scanner Law	17

BILLS SUPPORTED BY THE COUNTY THAT DID NOT PASS **18**

Traffic Safety Photo Enforcement	18
Construction Contracting	18
Dart Firing Stun Gun.....	18
Equine Activities.....	19
Enterprise Zone Boundaries	19
South Florida Regional Transit Authority	19
Transportation	19
HIV Testing/County Detention Facilities/Inmates	20

BILLS OPPOSED BY THE COUNTY THAT DID NOT PASS **20**

Ag Enclave Bill.....	20
DOT Com Issue.....	20
Fireworks	20
Growth Management	20
Fertilizer Preemption	21
Mining.....	21
Moving Bill (Local Government Preemption)	21
Online Access in Public Places	21
State and Local Government Revenue Limitations.....	21
Wetlands/Stormwater Preemption	21

OTHER BILLS OF INTEREST TO THE COUNTY THAT PASSED **22**

ECONOMIC DEVELOPMENT	22	
Economic Stimulus.....	22	
ELECTIONS	22	
Government Entity Telephone Solicitation.....	22	
ENVIRONMENTAL RESOURCES	22	
Beach Management.....	22	
Brownfield Redevelopment.....	23	
Energy.....	23	
GROWTH MANAGEMENT	24	
Growth Management.....	24	
HEALTH CARE	24	
Health Insurance Claim Payments	24	
LIBRARIES	24	
Public Library Grants	24	
LOCAL GOVERNMENT FISCAL ISSUES	25	
State Board of Administration/Local Government Investment Pools	25	25
PERSONNEL ISSUES	25	
Florida Retirement System/Contribution Rates	25	
Florida Retirement System/Forensic Discipline Members	26	
Public Records/Victims of Sexual Violence	26	
Workplace Safety/Task Force	26	
PLANNING, ZONING, AND BUILDING	26	
Building Codes	26	
Homeowners Association/Display of Flags	27	
Intergovernmental Cooperation/Use of School Property	27	
PROPERTY TAXES	27	
Property Tax Legislation.....	27	
Value Adjustment Boards.....	28	

PUBLIC SAFETY ISSUES.....	28
Concealed Weapons/Guns at Work.....	28
Criminal Activity	28
911 Emergency Dispatchers	28
Murder of Law Enforcement Officers	28
Pedestrian Safety	28
TRANSPORTATION	29
Asphalt or Cement Plants/Restrictions	29
Eminent Domain/Cemetery Lands	29
Florida Department of Transportation Legislative Package	29

OTHER BILLS OF INTEREST TO THE COUNTY THAT DID NOT PASS 30

Ad Valorem Tax Collection.....	30
Affordable Housing.....	30
Affordable Housing/Land Trust.....	30
Affordable Housing Land Use Regulations	30
Affordable Housing Preservation.....	30
Affordable Housing/State Housing Initiative Partnership (SHIP).....	31
Affordable Housing for Seniors.....	31
Affordable Housing for Veterans.....	31
Aggregate Mining Preemption.....	31
Building Florida's Future Trust Fund	31
Building Florida's Future Guarantee Program.....	31
Citizen Participation at Public Meetings.....	31
Clerk's Bill	32
Code of Ethics for Public Officers and Employees.....	32
Department of Transportation 5-year Work Plan.....	32
Discretionary Sales Surtax.....	32

Expedited Permitting	32	
Firefighter & Municipal Police Pensions	32	
Firefighter Cancer Disability Presumption	33	
Firefighter Standards	33	
Growth Management	33	
Health Insurance/Local Government Officers & Employees	33	
Homestead Assessments & Exemptions	33	
Hurricane Preparedness	34	
Illegal Immigration	34	
Increased Disability Benefits/Firefighters, Police Officers & EMTs	34	34
Local Government Transparency	34	
Law Enforcement Officers/Disciplinary Proceedings	34	
Law Enforcement/Insurance Premium Revenues	34	
Local Government Budgets	35	
Local Gov't Budgeting/Transparency/Reserve Restrictions	35	
Local Government Revenue Sources	35	
Mail Ballot Elections	35	
Maximum Ad Valorem Tax Limitation	35	
Meetings with Local Government Attorneys	35	
Motor Fuel Taxes	35	
Nonresidential Farm Buildings	36	
Onsite Sewage Treatment Systems	36	
Partial Payment of Property Taxes	36	
Portability of Save-Our-Homes & Additional Homestead Exemption	36	36
Property Rights	36	
Property Taxes	36	
Property Tax Information	37	
Property Tax Notices	37	

Public Beach Access	37
Public Construction Works	37
Public Employees' Charitable Campaigns	37
Public Employment/Domestic Partners	37
Public Libraries/Internet Safety Education Program	37
Public Transit/Required Breaks for Operators	37
Railroad-Highway Crossings	37
Rental Property Assessment Increase Limitation	38
Recycling	38
Restrictions on Local Gov't Issue Campaigns	38
Sadowski Trust Fund Cap Repeal	38
Sales Tax on Rent	38
School Supplies	38
Scripps Research Institute	38
Sex Trafficking	39
Sexual Offenders & Predators	39
Sovereign Immunity	39
Sovereign Immunity/Law Enforcement Agencies	39
State & Local Gov't Revenue Limitations	39
Street Gang Prevention	39
Street Racing	40
Surplus Lands for Affordable Housing	40
Tax Administration	40
Tax on Rental Fees & Admissions	40
Tower Cranes/Tower Crane Operators Certification	40
Transportation Funding	40
United States Flag Displays	41
Use of Cellular Telephones	41

Use of Wireless Communications While Driving..... 41

Wastewater Discharges 41

Water Supply 41

Working Waterfront 41

Wrecker Services 41

Local Bills 42

Indian Trail Improvement District HB 933 42

South Indian River Water Control District HB 973..... 42

City of West Palm Beach Police Pension Fund HB 1033 42

Port of Palm Beach District HB 1083 42

Shawano Water Control District HB 1211 42

Taxation & Budget Reform Commission 43

Taxation and Budget Reform Commission 43

Section

1

APPROPRIATION PRIORITIES

Counties Top Four Priorities

- Lake Region Water Treatment Plant**
- Cost Shifts/Unfunded Mandates**
- Fiscally Constrained Counties/ Cost Shifts**

Appropriations

- Palm Beach County Water Projects**
- Beach Funding**
- Lake Okeechobee Scenic Trail**
- Glades Regional Hospital Funding**

Other Appropriation Items

- Transportation**
- Education**
- Cultural Programs**
- Health & Human Services/Elder Affairs**
- Juvenile Justice**
- Law Enforcement**
- Emergency Management**
- Parks and Recreation**
- Environmental Projects**
- Municipal Water Projects**

County's Top Four Priorities

Lake Region Water Treatment Plant

Palm Beach County's Top Priority, funding for the Lake Region Water Treatment Plant was allocated \$400,000 this year. Thank you to Sen. Aronberg and Rep. Taylor for your leadership on this important issue. This year was the last funding cycle that we were asking the state to contribute toward the Lake Region Plant bringing the total state contribution for the water plant to \$8.9 million.

Cost Shifts/Unfunded Mandates

On our second priority, there were no intentional unfunded mandates or cost shifts that were passed down to local governments this year.

Fiscally Constrained Counties/Cost Shift

Our third priority – funding for fiscally constrained counties – was done so this year at \$10 million out of general revenue and not out of a funding source that drew dollars away from other local governments.

Two years ago, HB 293 regarding fiscally constrained counties shifted future funding growth (\$16.7 million in the current fiscal year) in communications tax revenue from cities and counties to fund some of the State's fiscally constrained counties. To Palm Beach County and its municipalities, the cost shift resulted in an estimated loss of approximately \$1.2 million.

SB 1588 includes language that would provide funding for the fiscally constrained counties in order to hold them harmless from the diminished revenues to those counties caused by reductions from the passage of Amendment 1 on property tax reform. The \$10 million for fiscally constrained counties will be derived from nonrecurring general revenue dollars this year.

Appropriations

Below are Palm Beach County highlights of the State's 2008-09 budget. Despite a major reduction in spending this year due to the decrease in collection of state sales tax, Palm Beach County was extremely successful in securing funding for many of our legislative priorities. Thank you to the leadership of our Legislative Delegation, who despite having to make some difficult decisions on major spending areas, always understood the benefits of funding issues that were important to the residents of Palm Beach County.

The FY 2008-09 budget is \$65.95 billion, \$4.35 billion less than FY 2007-08's \$70.3 billion budget. This number includes Gov. Crist's veto of \$251 million.

This year:

- Education funds budgeted are **\$18.1 billion**, an overall decrease of 5.9% from the prior year
- Health Care funds budgeted are **\$23.4 billion**, an overall decrease of 2.1% from the prior year
- Criminal Justice funds budgeted are **\$4.96 billion**, an overall increase of 1.5% from the prior year
- Transportation and Economic Development funds budgeted are **\$11.6 billion**, an overall decrease of 8.6% from the prior year
- Environmental and Natural Resources funds budgeted are **\$2.7 billion**, an overall budget decrease of 12.6% from the prior year

Below is a summary of the final budget numbers of appropriation funding for Palm Beach County entities (~~strikethrough~~ indicates governor's veto of project):

<u>Project</u>	<u>Amount</u>
Palm Beach County Water Projects	
Lake Region Water Treatment Plant	400,000
Lake Worth Lagoon Restoration	500,000
Loxahatchee River Preservation Initiative	1,300,000
Chain of Lakes Restoration	200,000
Beach Funding	
These numbers reflect total statewide and PBC allocations:	
Statewide Beach Projects	21,935,695
Jupiter Carlin Park funding	103,500
Singer Island funding	3,000,000
Lake Okeechobee Scenic Trail	
Lake Okeechobee Scenic Trail	1,000,000

Other Appropriation Items

<u>Project</u>	<u>Amount</u>
Transportation	
<u>Resurfacing</u>	
SR-845/POWERLINE RD FROM BROWARD CO/LINE TO SR-808/GLADES ROAD	11,032,629
SR-882/FOREST HILL FROM PINEHURST DR TO W. OF HAVERHILL ROAD	2,976,429
SR-882/FOREST HILL FROM W OF HAVERHILL RD TO W OF I-95	5,388,325
SR-806/ATLANTIC AVE FROM VIA FLORA TO E. OF CONGRESS AVE	4,946,219
SR-80/ FROM SR-25/US-27 TO E OF CANAL BR#930054	3,415,377
SR-15 FROM HILLSBORO CL/BR#338 TO HOOKER HWY	5,610,247
SR-700/US-98/CONNERS FROM OLD 700 ALIGNMENT TO OLD CONNERS HWY	13,804,293
SR-7/US-441 FROM BROWARD COUNTYLINE TO GLADES ROAD	6,961,411
<u>Add Lanes & Reconstruct</u>	
SR-806/ATLANTIC AVE FROM W. OF TURNPIKE TO E. OF JOG ROAD	10,750,000
SR-710/BEELINE HWY FROM W OF AUSTRALIAN AVE TO OLD DIXIE HWY	3,000,000
SR-710/BEELINE HWY FROM W. OF CONGRESS AVE TO W. OF AUST AVE	4,870,663
WIDEN TPK FROM LAKE WORTH RD (SR 802) TO OKEE BLVD (SR 704)	9,363,222
WIDEN TPK(SR91) LANTANA TOLL PLAZA - LAKE WORTH RD(SR802)	116,041,485
<u>Add Turn Lanes</u>	
SR-704/OKEE BL FROM W OF CLEARLAKE BRDG TO AUST AVE/TAMARIND	2,400,000
SR-708/BLUE HERON BL @ CONGRESS AVE PHASE II	4,968,000
<u>Aviation, Seaport, Rail</u>	
NORTH PBC GENERAL AVIATION/CONSTRUCT APRON & TAXI LANES	1,500,000
PBIA AIRPORT ACQUIRE LAND, RUNWAY 9L/27R	2,075,000
PBIA AIRPORT PURCHASE ARFF VEHICLES	1,000,000
PALM BEACH INT. EXTEND RUNWAY 9R-27L EIS AND DESIGN	2,642,000
PALM BEACH INTL. EXTENSION OF TAXIWAY "F" TO RW 13	4,848,500
PORT OF PALM BEACH RO/RO FACILITY AT SLIP 3	1,891,000
PALM BEACH INTL. TAXIWAY LIMA EAST OF RUNWAY 13-31	10,730,500
SFRTA STP FUNDS FROM MPO FOR EXTENSION TO JUPITER	1,500,000
<u>New Road Construction</u>	
LYONS ROAD FROM SR-804/BOYNTON BH BL TO SR-806/ATLANTIC AVE	2,400,000
JOG ROAD FROM ROEBUCK ROAD TO SOUTH OF 45TH STREET	12,020,467
<u>Landscaping</u>	
FLAGLER DRIVE RECONFIGURATION	2,715,566
US-1 / FLAGLER DRIVE WATERFRONT REDEV & TRAFFIC CALMING	1,777,584

Bridge Replacement

SR-A1A FLAGLER MEMORIAL BRIDGE	17,849,745
SR-A1A/LITTLE BLUE HERON-BRDG REPLACEMENT BR	9,389,444
SR-A1A OVER LITTLE LAKE WORTH BRIDGE	5,230,055

ADV Traveler Information System

I-95/SR-9/ITS DEPLOY FROM BROWARD/PBC/ LINE TO PBC/MARTIN CO LINE	25,289,527
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Interchange Ramp

LAKE WORTH RD / TPK (SR802 / SR91) INTCHG MODIFICATION (MP 93)	64,403,567
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Operating for Fixed Route

SFRTA STP FUNDS FROM MPO FOR EXTENSION TO JUPITER	1,500,000
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Park & Ride Lots

TRI RAIL STATION PARKING/CIRCUL	1,593,842
---------------------------------	-----------

Total for Palm Beach County Transportation 378,088,555

Education

Education K-12 **1,213,426,730**

Higher Education

Palm Beach Community College - gen rev	48,037,907
PBCC - roofs, utilities, parking	4,217,076
PBCC - Palm Beach Gardens labs	2,643,658
PBCC - Lake Worth classrooms	3,080,550
PBCC - Safe Training Center	3,000,000
PBCC - Humanities Building	333,334
PBCC - Baccalaureate Programs	15,000

Florida Atlantic University - gen revenue	159,902,071
Florida Atlantic University - student fee TF	76,094,024
Florida Atlantic University - Medical School	14,600,000
Florida Atlantic University - FL Energy Consortium	8,750,000
Florida Atlantic University - Autism	651,484
FAU - Wellness Phase I	4,000,000
FAU - Wellness Phase II	4,433,359
FAU - Student Union Renovation, Jupiter	75,000
FAU - Student Financial Assistance	1,058,819

Adults with Disabilities - Palm Beach	1,320,703
Workforce Education - Palm Beach	278,857
Workforce Development - Palm Beach	15,888,063
Voluntary Pre Kindergarten - Palm Beach	22,896,625

Library Funding

County Regional Library-West Atlantic Branch Library **500,000**

Cultural Programs

Public Broadcasting

WXEL-FM, Palm Beach Public Broadcasting	111,945
WXEL-TV, Palm Beach Public Broadcasting	557,675
WXEL-TV/FM Boynton Beach - Public Broadcasting	175,000

Health and Human Services / Elder Affairs

Health Care and Human Services

Community Based Dementia-Specific Day Care	250,000
St. Mary's Hospital - Medicaid low-income pool	195,801
Applied Behavioral Analysis Therapy	200,000
South Florida Holocaust Survivors Assistance Program	350,000

Criminal Justice and Public Safety

Road Ranger Program (Statewide)	2,560,000
PIP Fraud Prosecution - Palm Beach County	410,000
City of Pahokee - PILT	421,000
Sago Palm Lease	1,481,825
Place of Hope - Seven Stars Emergency Shelter Expansion	700,000

Transportation and Economic Development

Museum Grants (statewide)	500,000
Historic Preservation (statewide)	600,000
Library Construction Projects (statewide)	0

Environment and Natural Resources (statewide)

Everglades Restoration	50,000,000
Florida Forever	294,729,000
Solid Waste Grants	9,400,000
Solid Waste Innovative Waste Reduction Grants	2,000,000
Derelict Vessel Removal	1,600,000

Parks and Recreation

FRDAP (Recreation Development Assistance Grant) Grants	24,474,875
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Here is the FRDAP Funding breakdown for Palm Beach County:

The following projects will each be funded at be funded at..... **135,199:**

- City of Palm Beach Gardens Lilac Park, Ph. II
- City of Palm Beach Gardens PGA National Park, Ph.III
- City of Boynton Beach Congress Avenue Community Park
- Village of Wellington K-Park
- Village of North Palm Beach Tennis Complex
- City of Belle Glade Airport Park
- City of Greenacres Greenacres Freedom Park, Ph. IV

Palm Beach County John Prince Memorial Park
Palm Beach County Lake Ida Park

The following projects will each be funded at..... **76,049:**

Village of Palm Springs Lillian Road Lakeside Park
Town of Lake Clarke Shores Community Park, Ph. III

The following project will be funded at..... **60,839:**

City of Delray Beach Family Recreation and Fitness Center

The following projects will each be funded at..... **33,800:**

City of Atlantis Atlantis Tennis Park Heart Trail
City of Lake Worth Howard Park
Village of Golf Village Park

Alternative Water Projects - SFWMD	3,000,000
Lake Okeechobee Scenic Trail	1,000,000
City of Belle Glade Recycling Program	127,500
Arthur R. Marshall Foundation - Everglades exhibits	300,000
Mosquito Control Program (Statewide)	2,166,168

Municipal Water Projects

Shawano Drainage District - Central Everglades Water Quality Impt.	250,000
City of Boca Raton - Intracoastal Parallel Force Main	125,000
Town of Lake Park - Storm Water Improvements	100,000
Town of Lantana - Western Wellfield	300,000
Town of Mangonia Park - Drainage Improvements	500,000
Village of North Palm Beach - Earman River Water Pipeline Replacement	85,000
City of Pahokee - Water Main Improvements	100,000
City of West Palm Beach - Drinking Water Quality Improvement	500,000

Section

2

LEGISLATIVE PRIORITIES

Palm Beach Priorities That Passed

Autism
Medical Assistance/Eligibility
Working Waterfront/Highest
Florida Forever
Transportation Disadvantaged Programs
School Board Sign Issue
Scanner Law

Bills Supported by Palm Beach County That Did Not Pass

Traffic Safety Photo Enforcement
Construction Contracting
Dart Firing Stun Gun
Equine Activities
Enterprise Zone Boundaries
SFRTA
Transportation
HIV Testing/County Detention Facilities/Inmates

Bills Opposed by Palm Beach County That Did Not Pass

Ag Enclave Bill
DOT Com Issue
Fireworks
Growth Management
Fertilizer Preemption
Mining
Moving Bill
Online Access in Public Places
State & Local Government Revenue Limitations
Wetlands/Stormwater Preemption

Palm Beach Priorities That Passed

Autism

The House concurred with **SB 2654 by Senator Geller** relating to Autism in the final minutes of session and it was the last bill passed this year. The bill authorizes the Agency for Health Care Administration (AHCA or Agency) to seek federal approval through a Medicaid waiver or state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years old and younger and have a diagnosed developmental disability, an autism spectrum disorder, or Down syndrome. Coverage for such services must be limited to \$36,000 annually and \$108,000 in total lifetime benefits.

The bill creates the "Window of Opportunity Act" which requires the Office of Insurance Regulation (OIR or Office) to convene a workgroup by August 31, 2008, to negotiate a binding compact agreement among participants relating to insurance and access to services for persons with developmental disabilities.

The bill also creates the "Steven A. Geller Autism Coverage Act" which requires insurer large group health insurance plans and HMO large group health maintenance contracts to provide coverage for diagnostic screening, intervention, and treatment of autism spectrum disorder in children through speech therapy, occupational therapy, physical therapy, and applied behavior analysis that is prescribed by the insured's treating physician in accordance with a treatment plan.

All large group health insurance policies and HMO contracts issued or renewed on or after April 1, 2009, must provide the mandated autism spectrum coverage. The mandatory coverage for autism spectrum disorder is subject to a maximum benefit of \$36,000 per year not to exceed \$200,000 in total lifetime benefits. Beginning January 1, 2011, the maximum benefit is to be adjusted annually on that date to reflect annual changes in the medical inflation component of the Consumer Price Index. To be eligible for benefits and coverage, an individual must be diagnosed with an autism spectrum disorder at 8 years of age or younger. Benefits and coverage must be provided to eligible persons who are under 18 years of age or who are in high school. Coverage may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable than those applied to covered physical illnesses under the health plan or contract, except as allowed by the act. Health insurance plans and HMOs may not deny, refuse to issue or reissue coverage, terminate, or restrict coverage because an individual is diagnosed with autism spectrum disorder.

Medical Assistance Eligibility of Inmates

SB 1456 by Senator Wilson provides for the "suspension" as opposed to termination of Medicaid benefits for incarcerated persons and immediate eligibility upon release. This bill changes current law that terminated benefits and caused a 90 day wait period for re-activation of benefits. This will result in a significant savings in health care for local governments who provided health care during this re-establishment of eligibility.

Working Waterfront and Highest and Best Use

In **HB 909** language was included that will require property appraisers, when calculating highest and best use to take into consideration "the legally permissible use of the property...including any zoning changes, concurrency requirements, and permits necessary to achieve highest and best use."

Additionally, voters will have before them in November an amendment to the Constitution approved by the Taxation and Budget Reform Commission that will provide for the taxation of waterfront properties based on how the property is actually used, rather than on the best use of the land, such as the potential for highly profitable condominiums.

Florida Forever

The legislature adopted **SB 542** that extends the Florida Forever program another 10 years, through 2010. Most notably, the bill does not transfer Florida Communities Trust to the Department of Environmental Protection or any other state agency. The program will remain within the Department of Community Affairs. The bill changes the current Florida Forever distribution formula to reduce from 35% to 30% the amount allocated to the water management districts and increasing from 35% to 40% the amount given to the Department of Environmental Protection for acquisitions from the Florida Forever priority list. A requirement is also added that a minimum of 3% of the funds allocated be used for capital expenditures to expedite public access to waterfront facilities including boat ramps, and associated parking and other support facilities needed to ensure access to land and water by the public. Finally, the bill allows the Florida Recreation and Development Program to annually accept up to 3 grant applications by any single local government and increases the maximum grant that may be awarded from \$200,000 to \$500,000.

Transportation Disadvantaged Programs

HB 1175 passed the legislature. This bill ensures the coordinated planning of transportation disadvantaged services by all human service agencies; strengthens the alternative provider procedure process for purchasing agencies to ensure all agencies follow the exact same process; requires all agencies to identify dollars spent on non-emergency transportation services to transportation disadvantaged clients; and requires all agencies to pay the approved transportation rates.

School Board Sign Issue

In discussions between the County, School Board, and the League of Cities, language was agreed upon that would create a 3 year pilot program that would allow schools to continue displaying advertisements on their facilities. The language would specifically preempt to the School Board the authority to regulate these signs in unincorporated areas. In doing so, it would suggest that where possible, the School Board should adhere to standards as defined in the existing local county ordinance. The language is only specific to the unincorporated county and will not affect any municipalities. The language passed in both the Education and Transportation packages.

Scanner Law

HB 151 by Representative Reed provides certain exceptions to prohibition on the use of radio equipment for specified personnel that utilize law enforcement frequencies. Included in the bill is the County's amending language that allows employees of a local or state government agency to carry radios with access to law enforcement signals inside a non-emergency vehicle. The bill comes into effect on July 1, 2008.

BILLS SUPPORTED BY THE COUNTY **THAT DID NOT PASS**

Traffic Safety Photo Enforcement

Because **SB 816 by Bennett** and **HB 351 by Reagan** were not heard in their remaining committees of reference, the only way to move this legislation without withdrawing it from the committees was to amend portions on the bill to another piece of legislation. **Senator Margolis** placed language from the Senate red light bill into **SB 2220 by Senator Baker** relating to transportation. The bill died on the calendar on second reading.

Representative Reagan filed an amendment that also included the Senate language into **HB1992** relating to Highway Safety and Motor Vehicles by Senator Baker, which was substituted for HB 1329 by Representative Glorioso. Late Thursday evening during the last week of session Representative Reagan withdrew the amendment on the floor.

The lobby team met with Senator Baker who agreed to file the Senate language in an amendment to **SB1978** relating to transportation. The language increased the \$60 fine to \$70 with the additional \$10 to go towards trauma care. **Thank you to Senator Deutch, Senator Atwater and Senator Bennett** who supported the amendment with co-sponsorship. Additional amendments were filed related to traffic safety photo enforcement by Representative Needleman and Senator Geller. During the last week of session, almost 50 amendments were filed to the transportation bill ultimately killing the bill which was calendared on Special Order but not heard despite efforts by the lobby team.

The only transportation bill that passed was SB 682 by Senator Bullard. The bill, among other issues, requires the Department of Transportation to complete a study of transportation alternatives for the travel corridor parallel to Interstate 95 which takes into account the transportation, emergency management, homeland security, and economic development needs of the state.

Construction Contracting

HB 407 by Representative Chestnut and **SB 1466 by Senator Aronberg** would have prohibited certified or registered contractor or contractor authorized by local construction licensing board from performing work for which a contractor is not properly licensed, from subcontracting work requiring license to unlicensed person, or from failing to obtain required permits or inspections. It also would have authorized local jurisdictions to issue civil citations for specified violations.

Dart Firing Stun Gun

An amendment sponsored by Senator Aronberg to SB 654 would have provided immunity from civil liability for police officers when using dart firing stun guns by amending statutes to include dart firing stun guns in the definition of "less lethal munition." The amendment was withdrawn in committee due to concerns of the House Bill sponsor. Discussions with potential interested sponsors for next session have already been initiated.

Equine Activities

HB 305 by Representative Vana and SB 964 by Senator Aronberg would have designated the "Nicole Hornstein Act", which provides that a person under the age of 16 must wear a helmet if they are riding a horse on public lands. The Senate bill was not considered by its last committee of reference and the House bill died in Senate Messages.

Enterprise Zone Boundaries

HB 7111 by the Economic and Infrastructure Council relating to economic development contained the language requested by the County to expand Enterprise Zones three additional miles in rural areas of critical economic concern. The bill was temporarily postponed while negotiations on the language continued. The bill was laid on the table with reference to SB 2778. An amendment containing the language was filed by Representative Weatherford to SB 2778 but was withdrawn during the last week of session. The bill died in returning messages.

South Florida Regional Transit Authority

HB 1245 by Representative Galvano which would have diverted 80% of the rental car surcharges into the Regional Transportation Authorities died this week in Senate messages despite last minute efforts to revive the language by amending it into HB1992. The amendment was ultimately abandoned. Thank you to **Rep. Adam Hasner and Rep. Susan Bucher** for their support in moving this bill through the House.

Charter County Transit System Surtax

SB 1626 by Senator Alexander and HB 747 by Representative Ross would have renamed the Charter County Transit System Surtax the "Charter County Transportation System Surtax". These bills allowed charter counties that did not implement the surtax prior to January 1, 1984 to do so upon approval by majority of the electorate. The surtax was created by the Legislature in 1976 to allow charter counties to levy a 1% sales surtax to finance the development, construction and operation of a rapid transit system. This bill also changes the designation of the surtax from transit to transportation and authorizes funds to be used for transit. Discussion among committee members in Gov't Efficiency and Accountability included removing charter counties that were previously eligible; however, the County lobby team had discussions with the Gov't Efficiency Accountability staff argued that these counties should not be exempted from implementing the tax and the amendment was never introduced.

Transportation

SB1978 by Senator Baker relating to the Department of Transportation included an amendment filed by Senator Webster that would allow counties to levy a discretionary local surcharge if approved by referendum that would place an additional \$2 per day surcharge on car rentals originating from an international airport for the first 30 days of rental. SB 1978 by Baker and HB 1399 by Aubuchon, while passing their respective chambers in one form or another, ultimately died due to the inability to reach a consensus on the state's purchase of the CSX railway for a Central Florida Commuter rail.

Had the Transportation Package been met will full approval from the legislature, legislation regarding traffic safety photo enforcement, South Florida Regional Transit Funding, Transportation Disadvantaged funding, and increased funding for trauma care would have most likely passed with that package.

HIV Testing/County Detention Facilities/Inmates

SB 212 by Senator Wilson and HB 1511 by Representative Braynon would have required the Department of Health to designate two counties having a population of 1.2 million or more and five counties having a population of fewer than 1.2 million to participate in a program to test each inmate in county detention facilities for HIV before release, if the inmate's HIV status is unknown. Both bills died in their first committee of reference.

BILLS OPPOSED BY THE COUNTY THAT DID NOT PASS

Ag Enclave Bill

HB 1173 by Mayfield and SB 2246 by Sen. Baker, as originally filed would have prohibited a local government from limiting land uses, densities and intensities of use consistent with uses, densities and intensities of use of the industrial, commercial or residential areas that surround the agricultural enclave to a distance equal to three miles of the enclave. Despite the House bill passing, the issue was never taken up on the floor of the Senate and the bill died on the Calendar.

DOT Com Issue

HB 7147 relating to general tax administration included a provision that granted a tax exemption to online travel companies. Because of instances where online travel companies are collecting taxes only on the actual hotel room instead of the total amount of consideration paid by the guest occupying the room, several counties filed lawsuits to collect these taxes due. Proponents and opponents argued the interpretation of the current law. HB 7147 was never calendared but efforts were made late Thursday night of the last week of session by Expedia to amend the language into another bill. The amendment and a motion to reconsider both failed as a result of hard lobbying from the counties.

Fireworks

SB2770 By Senator Lawson would have provided that the State Fire Marshal or designated agent, sheriff, deputy sheriff, any law enforcement agency or officer, or any certified fire safety inspector charged with enforcing the laws of this state or any agency rule, county or municipal ordinance or code, to have jurisdiction to enforce the provisions of laws governing the sale of fireworks. This bill was also included recommendations from the Fireworks Consumer Taskforce created last year. The county had concerns with some of the recommendations including the requirement that each county to designate at least one area in the county to be sited where these "approved" aerial consumer fireworks could be used. The bill died in its first committee of reference.

Growth Management

A new growth management bill (**HB 7129** by Rep. Cannon and **SB 474** by Sen. Garcia) that was making its way through the legislative process ultimately died during the last days of session. The highly controversial bill, opposed by FAC, would have preempted local governments and virtually eliminated school concurrency. During the final days of session many strike-all amendments were filed which while making other changes to the

bill did not address the concerns FAC had with the bill throughout session. FAC and county lobbyists successfully worked against the bill because it would have forced local governments to use portables when setting its school concurrency.

Fertilizer Preemption

SB 2352 was temporarily passed in Senate Community Affairs; and therefore, died in that committee. The House bill **HB 1267** died in the Policy and Budget Council. It would have preempted local governments from regulating the use of household fertilizers.

Mining

Both Senate mining bills were voted down by the Senate Environmental Preservation and Conservation Committee. The only mining related issue that passed was a one year extension of the Aggregates Mining Task Force.

Moving Bill (Local Government Preemption)

SB 530 by **Senator Saunders** would have preempted local government ordinances related to household moving services by eliminating county authority to impose local ordinances regulating moving companies. **HB 611** by **Representative Nehr** was not heard in any of its' three committees of reference.

Online Access in Public Places

SB 2232 by **Representative Fasano** would have required entities that provide consumers with public access to the Internet to make available to consumers in this state a product or service that enables the subscriber to regulate a minor's use of the service to access the Internet. Staff and the Florida Airports Council had a concern with this legislation due to the Airports being a subscriber to wi-fi services and being held responsible for to regulate a minor's use of these services while visiting the airport. Amending language was offered that would exclude entities that offer these services free of charge. The bill died in its last committee of reference

State and Local Government Revenue Limitations

HB 7125 by the Government Efficiency and Accountability Council passed the House of Representatives by a vote of 79-38. The bill proposed an amendment to the State Constitution to revise state revenue limitations by providing that state revenue growth is limited to changes in population and inflation, plus one percent. It also changed the types of revenues that are subject to the limitation, and provided revenue limitation for counties, municipalities, school districts, and special districts to be implemented by the Legislature. The bill was sent to the Senate in messages; but died in the Senate since it did not have a companion bill.

Wetlands/Stormwater Preemption

SB 1376 by **Dean** and **HB 761** by **Pickens** would have prohibited a county government from imposing a tax, assessment or fee for stormwater management on agricultural land if the agricultural operation has an agricultural discharge permit or implements best-management practices adopted by the state. The House bill passed, but eventually died in the Senate.

Section**3****OTHER BILLS OF INTEREST****OTHER BILLS OF INTEREST TO THE
COUNTY THAT PASSED****ECONOMIC DEVELOPMENT****Economic Stimulus**

SB2310 by Governmental Operations Committee and Senators Ring, Diaz de la Portilla, and Crist amends ss. 215.44 and 215.47, F.S., related to investments by the State Board of Administration (SBA). The SBA is directed to invest a maximum 1.5 percent of the net asset value of the Florida Retirement System Trust Fund in technology and growth investments in businesses that are either domiciled in Florida, or whose principal address is in Florida. The investments must be consistent with the SBA's fiduciary responsibilities.

ELECTIONS**Government Entity Telephone Solicitation**

CS/CS/SB 866 (Constantine) is a comprehensive bill relating to various elections matters. The bill clarifies that a local government is not required to offer early voting for a bond referendum that is not held in conjunction with a county or state election. The bill reorganizes and updates the recall provisions for municipal or charter county officials. The bill provides that notwithstanding any provision of local law or municipal charter, the governing body of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any state-wide or county-wide election. The ordinance is also to specify the dates for qualifying and when the office shall commence. The bill clarifies that current law relating to filing reports with the state does not prohibit the governing body of a political subdivision, by ordinance or resolution, from imposing upon its own officers and candidates electronic filing requirements. Expenditures of public funds for electronic filing purposes are deemed to be a valid public purpose. Any telephone solicitation which is an electioneering communication and is paid for with public funds must include a disclaimer containing the words "paid for by (name of the government entity paying for the communication)." Except as otherwise expressly provided for in the bill, effective January 1, 2009.

ENVIRONMENTAL RESOURCES**Beach Management**

HB 1427 (Mayfield) establishes requirements relating to the quality and quantity of dredged sand placed on certain beaches. HB 1427 also requires estimation of requisite quantity of beach-quality sand by the Department of Environmental Protection. The bill also applies requirements for dredging and for certain inlet management projects and activities. The Department of Environmental Protection is required to establish funding

priorities for certain inlet management projects and activities. HB 1427 is effective July 1, 2008.

Brownfield Redevelopment

HB 527 (Williams) provides a one-time, 25% tax credit of up to \$500,000 for the construction and operation of new health care facilities or health care providers on brownfield sites, and allows both existing affordable housing and the proposed health care tax credit certificates to be awarded for sites where the work is "substantially complete". The bill revises the provisions required for applicants to claim the solid waste removal tax credit, as well as the criteria and requirements for the Department of Environmental Protection's (DEP) review of tax credit applications and the issuance of tax credit certificates. The bill revises the local government resolution and site redevelopment agreement requirements to require that the person responsible for the brownfield site rehabilitation certify that he or she has consulted with the local government and that the local government approves of the project. The bill provides limited application of Brownfield Areas Loan Guarantee Program grants to the construction and operation of new health care facilities and health care providers. HB 527 is effective upon becoming law and operates retroactively to January 1, 2008.

Energy

HB 7135 (House Environment and Natural Resources Council) requires an ad valorem tax exemption for a period of 10 years for any property on which a renewable source energy device is installed. The bill provides a multitude of incentives for the sale, use, and production of renewable fuel sources, and imposes requirements for the implementation of "green" construction standards for state and local government buildings. The original provision required new construction and renovation of local government buildings to achieve a Leadership in Energy and Environmental Design (LEEDS) silver standard. The League was able to soften this provision. Instead, the language requires local government buildings to achieve the lowest level of certification offered by LEEDS, Golden Globes, Florida Green Building Council, or any other nationally recognized "green" building standard. Also, the bill amends provisions of the Transmission Line and Power Plant Siting Act, including a preemption of local government land use authority. The bill expanded the Department of Transportation's (DOT) authority to grant access for the placement of aerial transmission lines on property adjacent to DOT rights-of-way. In addition, the bill contains a prohibition on local government regulation of plastic shopping bags and includes a requirement that 5-10% of all local government organic waste be composted by the year 2010. This legislation has an effective date of July 1, 2008.

Online Sewage Treatment and Disposal Systems

SB 1318 (Gaetz) provides that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation. Effective July 1, 2008

Online Sewage Treatment Systems

HB 5001 (House Policy and Budget Council) included \$1 million from the Water Protection and Sustainability Program Trust Fund to fund a study by the Department of Health to further develop cost-effective nitrogen reduction strategies. The Department of Health is directed to contract for Phase I of an anticipated 3-year project to develop

passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. Effective upon becoming law.

Wastewater Disposal/Ocean Outfalls

SB 1302 (Saunders) requires the South Florida Wastewater Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan. This bill also provides for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration and prohibits the new construction of an expanded discharge to ocean outfalls. Effective July 1, 2008.

Water Pollution Control

SB 1318 (Gaetz) provides that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation. Effective July 1, 2008

GROWTH MANAGEMENT

Growth Management

SB 1706 (Margolis) provides extensions for all development order phase, buildout, commencement, and all local related local government approvals for projects that are developments of regional impact (DRI) or Florida Quality Developments. A statutory exemption from the DRI process is provided for developments which provide office or laboratory space for medical or biotechnology applications in counties with populations of over 1.25 million. This legislation has an effective date of July 1, 2008.

HEALTH CARE

Health Insurance Claim Payments

SB 1012 (Gaetz) prohibits health insurance contracts and health maintenance organization contracts from prohibiting or restricting insureds from assigning plan benefits to noncontract providers for covered services. This bill allows for direct payment for hospital, ambulance, and medical services. Effective November 1, 2008.

LIBRARIES

Public Library Grants

SB 82 (Fasano) amends the State Aid to Libraries grant program by revising eligibility criteria and changing the formula for multicounty and equalization grants. Most (but not all) libraries receiving only operating grants, such as municipal libraries, would see an increase in the amount of their estimated operating grant. Effective July 1, 2008.

LOCAL GOVERNMENT FISCAL ISSUES

State Board of Administration/Local Government Investment Pools

CS/SB 2422 (Alexander) relates to the Local Government Investment Pool ("LGIP") of the State Board of Administration. The bill provides for various fiduciary, ethical, transparency, and communication requirements for the LGIP. Before local governments may participate in the LGIP, the governing body of the local government must compete and submit enrollment materials. The bill provides for an Investment Advisory Council and a Participant Local Government Advisory Council. Any reserve fund or amount must be fully disclosed to participants and any change in the reserve amount must have a reasonable notice period to allow participants to withdraw from the fund. The market value of the LGIP is to be calculated daily. Interest is to be distributed monthly to participants and interest cannot be used to make up investment losses. The bill provides a detailed process by which either the SBA or the trustees may limit withdrawals or contributions to the LGIP. The Auditor General is to conduct an annual financial audit of the LGIP, to include testing for compliance with the investment policy. The bill creates a separate trust fund known as the "Fund B Surplus Funds Trust Fund." The new trust fund is designed to maximize the payout of principal on invested surplus funds of the local governments currently in Fund B. The trust fund is designed to be self-liquidating. The bill provides for various standards and requirements for the operation of the new trust fund. HB 7097 (Domino) formally creates the Fund B Surplus Funds Trust Fund. Both bills are effective upon becoming law.

PERSONNEL ISSUES

Florida Retirement System/Contribution Rates

HB 5063 (Grant) revises the payroll contribution rates for membership classes of the Florida Retirement System for state fiscal years effective July 1, 2008 and July 1, 2009. Effective July 1, 2008.

Membership Class	Percentage of Gross Compensation, Effective July 1, 2008	Percentage of Gross Compensation, Effective July 1, 2009
Regular Class	8.69%	9.60%
Special Risk Class	19.76%	22.03%
Special Risk Admin. Support Class	11.39%	11.98%
Elected Officers' Class Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.32%	14.56%
Elected Officers' Class Justices, Judges	18.40%	20.37%

Elected Officers' Class		
County Elected Officers	15.37%	17.06%
Senior Management Class	11.96%	13.36%
DROP	9.80%	10.96%

Florida Retirement System/Forensic Discipline Members

CS/HB 531 (Weatherford) revises the criteria under which employees of a local government law enforcement agency or medical examiner's office engaged in forensic disciplines are eligible for membership in the Special Risk Class. These members are authorized to purchase additional retirement credit to upgrade prior service to Special Risk Class service. Effective July 1, 2008.

Public Records/Victims of Sexual Violence

HB 1141 (Jenne) contains public record exemptions for HB 489 (Jenne), to which it is linked. HB 489 requires the submission of specified documentation in order for an employee to seek leave from his or her employer in connection with an incident of sexual violence. The bill makes confidential and exempt from s. 119.07(1), F.S., and article I, s. 24(a) of the Florida Constitution, personal identifying information that is contained in records documenting an act of sexual violence that are submitted to a public agency by an agency employee. Effective July 1, 2008.

Workplace Safety/Task Force

CS/CS/HB 967 (A. Gibson) creates a fifteen member Florida Public Task Force on Workplace Safety to develop findings and issue recommendations regarding innovative ways by which the state may effectively ensure that the state and county and city governments are complying with various Occupational Safety and Health Administration Standards. The task force is to submit a report on or before January 1, 2009. Effective upon becoming law.

PLANNING, ZONING, AND BUILDING

Building Codes

HB 697 (Aubuchon) provides discretionary power to the Florida Building Commission to implement recommendations regarding cost-effective, energy-efficiency standards for construction of all new residential, commercial, and government buildings by amending the Florida Efficiency Code for Building Construction. The League worked with the sponsor to remove a portion of the bill that would have required the creation of a separate energy element within local government comprehensive plans. Instead, the language asks local governments to consider energy efficiency and conservation measures within existing elements of their comprehensive plans. The bill states that the general provisions of the building code do not apply to commercial wireless communications towers when such provisions are inconsistent with provisions of the code controlling radio and television towers. Local building departments will have to consider refunding fees for services that were provided by private building inspectors and not provided by the local government. This legislation has an effective date of July 1, 2008.

HB 727 (Gibson) provides that the owners of specified structures with truss-type construction must post a sign, approved by the state fire marshal, warning of the truss-type construction. This legislation has an effective date of July 1, 2008.

Homeowners Association/Display of Flags

CS/SB 1378 (Fasano) provides that a homeowner's association cannot prohibit a homeowner from displaying a United States or various armed services related flags not larger than 4 1/2 feet by 6 feet. Homeowners may also erect a freestanding flagpole no more than 20 feet high under specified conditions to display the flags. Effective July 1, 2008.

Intergovernmental Cooperation/Use of School Property

CS/SB 1070 (King) authorizes the parties to an interlocal agreement to provide for the use or maintenance of facilities or equipment of either party on a cost-reimbursement basis. The bill further authorizes district school boards to perform certain functions by means of an interlocal agreement, such as the use of school properties, buildings, or busses. Effective upon becoming law.

PROPERTY TAXES

Property Tax Legislation

SB 1588 by Haridopolos (Amendment 1 Implementing Bill) was approved by both the House and Senate and sent to the Governor's office. The legislation does the following:

- Rollback: Ties the max millage rate to what would have been charged the prior year adjusted for the CHANGE (not growth) in per capita income
- To exceed the rollback in 2009-2010:
 - to go to 110% of cap, need 2/3 of THE MEMBERSHIP of the governing body must approve it.
 - For more than 110%, need 3/4 of THE MEMBERSHIP of the governing body must approve it.
- Fiscally constrained counties: the legislature will appropriate funds beginning in '08-'09 to offset reductions in ad valorem taxes in fiscally constrained counties.

Additionally, SB 1588 addresses issues identified by the Department of Revenue ("DOR") necessary to implement Amendment 1, passed by the voters on January 29, 2008. Specifically, it clarifies the rules under which the Save-Our-Homes differential may be transferred to a new homestead and requirements relating to the new \$25,000 tax exemption for tangible personal property. It provides for the appropriation of funds for fiscally constrained counties to offset reductions in ad valorem revenue resulting from Amendment 1.

Under current law, local governments are allowed, if they choose, to levy a millage rate in FY 2008-09 to recover the losses from the reduced tax base caused by Amendment 1 by a simple majority vote. SB 1588 now requires a 2/3 vote to recover the loss. If local governments do not exceed the limitation imposed by this 2/3 vote requirement, the statewide ad valorem tax loss for FY 2008-09 is estimated to approximate \$1.1 billion.

Value Adjustment Boards

HB909 by Representative Nehr relating to Ad Valorem Taxes includes language that changes the composition of the value adjustment board and requires all members to be private citizens who are not members of the governing body of the county or the school board, and precludes county attorneys from serving as counsel to the board. The bill also requires the Department of Revenue to develop a uniform policies and procedures manual that does not currently exist and training for special magistrates at least once each state fiscal year in at least five locations throughout the state. The original effective date of the bill was July 1, 2008 but at the request of the County, Representative Nehr moved the date to September 2008 to give the Department and governmental entities sufficient time to enact these changes. An earlier amendment to the bill was adopted in the House by Representative Attkisson requiring the Board of County Commissioners to agenda the concerns of the taxpayer or property appraiser if they are not resolved by the value adjustment board no later than 30 days after the filing of the form and to issue written findings on the complaint. This language, however, was deleted in an amendment filed by the Senate bill sponsor Senator Haridopolos, and the change was subsequently agreed to by the House before its final passage. Effective date September 1, 2008.

PUBLIC SAFETY ISSUES

Concealed Weapons/Guns at Work

HB 503 (Evers) was signed into law by the Governor on April 15, 2008. Employees who have a concealed weapons permit can keep a gun locked in their vehicles at work, even if the employer wants to ban guns on the property. The bill also provides several exceptions, allowing defense and military contractors, corrections facilities and schools to continue to ban the weapons. Effective July 1, 2008, and shall apply to causes of action accruing on or after that date.

Criminal Activity

HB 43 (Snyder) requires certain felons whose offenses related to criminal gangs to register; redefines criminal street gangs as criminal gangs; and prohibits certain actions relating to criminal gang activity. Effective October 1, 2008, except as otherwise provided.

911 Emergency Dispatchers

CS/SB 1694 (Aronberg) provides a voluntary certification process for 911 emergency dispatchers. The Department of Health is to establish the standards for certification and administer the certification program. Effective October 1, 2008.

Murder of Law Enforcement Officers

HB 321 (Snyder) requires that a defendant be sentenced to imprisonment for life without eligibility for early release upon findings beyond a reasonable doubt that the defendant committed a specified murder offense or attempted murder offense against a law enforcement officer, part-time law enforcement officer, or auxiliary law enforcement officer who is engaged in the lawful performance of a legal duty. Effective October 1, 2008.

Pedestrian Safety

SB 154 (Fasano) requires drivers to yield the right of way to pedestrians crossing the roadway at crosswalks and intersections. The bill clarifies these requirements by

requiring drivers at both signal-controlled and unsignalized intersections to stop for pedestrians currently legally in the roadway. The vehicle must remain stopped for any pedestrians who step into the roadway after the vehicle stops, if the pedestrian is on the same half of the road as the vehicle, or if the pedestrian is coming so close, from the other half of the road, as to be in danger. Effective July 1, 2008

TRANSPORTATION

Asphalt or Cement Plants/Restrictions

CS/CS/SB 682 (Bullard) became the Department of Transportation's legislative package for 2008. Included in the bill is a provision that states a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer. A narrow grandfather provision is provided for Highlands County, which appears to be the only local government entity owning such a plant. Effective upon becoming law.

Eminent Domain/Cemetery Lands

CS/HB 853 (Troutman) states that except for road systems, transportation corridors, or rights-of-way, property dedicated for cemetery purposes may not be taken by eminent domain if the area of the property to be taken is one contiguous acre or greater in size, unless the taking entity determines in a public hearing that no reasonable alternative exists except to use cemetery property for the project. Also, a governmental entity may not require the transfer of property dedicated for cemetery purposes as a condition of obtaining regulatory approval under chapter 497, Florida Statutes. Effective July 1, 2008.

Florida Department of Transportation Legislative Package

SB 682 (Bullard) is the 2008 omnibus transportation package. Among the key provisions contained in the bill is language prohibiting a local government from owning or operating an asphalt or concrete batch plant. SB 682 also creates a process for local governments to provide input to the Department of Transportation relating to projects being considered for deletion or deferral from the 5-Year Work Plan. SB 682 requires the Department of Transportation to complete a study of transportation alternatives for the travel corridor parallel to Interstate 95. The bill authorizes the Florida Expressway authority to index tolls based on the consumer price index. Port-related industrial or commercial projects and facilities located within 3 miles of (or in) a port master plan area which rely upon the utilization of port and intermodal transportation facilities are exempt from the Development of Regional Impact (DRI) process. The bills also include language requiring local governments to amend their comprehensive plans to address airport land use compatibility by June 2011. Current law relating to transportation concurrency backlog authorities (authorities) is amended to authorize the issuance of bonds as well as increase the amount of ad valorem tax increment the authorities are authorized to collect. The Department of Transportation is directed to establish an approved transportation methodology which recognizes that a planned, sustainable development of regional impact will likely achieve an internal capture rate greater than 30 percent when fully developed. The bills include language revising provisions relating to outdoor advertising; the placement of public pay phones containing advertising signs on public rights of way; the "logo sign" program for the interstate highway system; and the relocation of utility facilities. SB 682 is effective upon becoming law.

OTHER BILLS OF INTEREST TO THE COUNTY THAT DID NOT PASS

Ad Valorem Tax Collection

SB 2542 (Posey) would have substantially amended multiple provisions of chapter 197, F.S., relating tax collection. SB 2542 died in committee.

Affordable Housing

HB 699 (Aubuchon) would have provided a special assessment for property receiving low-income housing tax credit; defined the term "community land trust"; and provided for assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by community land trusts and used to provide affordable housing. Additionally, the bill would have provided for conveyance of structural improvements, condominium parcels and cooperative parcels subject to certain conditions; would have specified criteria to be used in arriving at just valuation of structural improvement, condominium parcel, or cooperative parcels; would have provide additional criteria for determining whether certain affordable housing property owned by certain exempt organizations would be entitled to a tax exemption; and would have provided an ad valorem taxation exemption for not-for-profits providing affordable housing. This was addressed in several different bills that all failed. HB 699 died on the House Calendar.

Affordable Housing/Land Trust

HB 431 (Fitzgerald), as well as parts of HB 699 (Aubuchon), HB 796 (Bennett) and SB 1490 (Bennett) would have provided a special assessment of property receiving low-income housing tax credits; defined the term "community land trust"; provided for the assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by community land trust and used to provide affordable housing and would specify criteria to be used in arriving at just valuation of structural improvement, condominium parcel, or cooperative parcels. HB 431 died on the House Calendar.

Affordable Housing Land Use Regulations

SB 2592 (Gaetz) as well as portions of SB 474 (Garcia) would have required counties to adopt local land development regulations to incentivize the development of affordable housing. It would have also required expedited state and regional review of proposals for affordable housing developments and required that certain counties and municipalities amend their local comprehensive plans by a certain date to include criteria for such reviews. SB 2592 died in committee and SB 474 died on the Senate Calendar.

Affordable Housing Preservation

SB 1362 (Fasano) would have created the Florida Housing Preservation Program. The Florida Housing Finance Corporation was to use state funds for financing to preserve and rehabilitate affordable multifamily rental housing properties that were 15 years old or older, as well as mobile home parks for low-income, very-low-income, and extremely-low-income persons and families. SB 1362 died in committee.

Affordable Housing/State Housing Initiative Partnership (SHIP)

SB 482 (Garcia) would have revised the purposes for which State Apartment Incentive Loans would be used. In addition, the bill included plans to revise requirements for distribution of funds in the Local Government Housing Trust Fund and would have required local housing assistance plans to address the special housing needs of persons with disabilities. Lastly, SB 482 would have authorized and limited the percentage of funds from the local housing distribution that could be used for certain manufactured housing. SB 482 died in House Messages.

Affordable Housing for Seniors

HB 561 (Vana) and SB 2014 (Deutch) would have authorized local governments to include an affordable senior housing element in comprehensive plans. The bills died in committee.

Affordable Housing for Veterans

HB 1471 (Bucher) and SB 1020 (Geller) would have increased the amount of documentary stamp tax distributed to State Housing Trust Fund in order to fund loans to veterans for affordable housing through the Florida Homeownership Assistance Program. The bills died in committee.

Aggregate Mining Preemption

SB 774 (Baker), HB 7155 (House Environment and Natural Resources Council) and SB 2406 (Bennett) addressed local government regulation of activities relating to lime rock mining. SB 2406 and HB 7155 specified that a local government cannot enact or enforce any regulation or take other action that would interfere with or prohibit lime rock mining activities. Both SB 2406 and HB 7155 included a complete preemption of local government land use and environmental regulations. SB 774 required a super-majority vote of the local government commission to deny any application for an aggregate materials mining site if the applicant received the appropriate approvals from the pertinent state agencies.

Building Florida's Future Trust Fund

SB 2712 (Fasano) was amended to SB 2778 (Fasano) an Economic Development package, and would have created the Building Florida's Future Trust Fund within the Office of Tourism, Trade, and Economic Development. The purpose of the fund was to provide funding for loans for construction and modernization of facilities and infrastructure. SB 2712 died on the House Calendar and SB 2778 died in returning Messages from the House.

Building Florida's Future Guarantee Program

SB 2714 (Fasano) would have established a revolving loan program within the Office of Tourism, Trade, and Economic Development to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project. SB 2714 died on the Senate Calendar.

Citizen Participation at Public Meetings

HB 991 (Hukill) and SB 2276 (Lynn) would have established uniform requirements for citizen participation at local government meetings and workshops. HB 991 was

amended to allow local governments to adopt their own written policy on public participation. If the policies were not adopted by October 1, 2008, the local government would have been mandated to follow the uniform participation requirements in the bills. HB 991 died in Senate Messages and SB 2276 died in committee.

Clerk's Bill

HB 399 by Rep. Grant and SB 640 by Senator Oelrich received a tremendous amount of attention since several Counties had serious concerns with the legislation. Palm Beach County had language that was amended into the bill several weeks ago that addressed some of our early concerns but both bills died on the calendar.

Code of Ethics for Public Officers and Employees

HB 1113 (Patterson) and SB 1220 (Constantine) would have made numerous changes to the code of ethics for public officers and employees. The bills would have prohibited solicitation of certain contributions, prohibited the appointment or advancement of relatives under specified circumstances, increased financial disclosure requirements, and made various other changes to the code of ethics. HB 1113 died in Senate Messages and SB 1220 died in committee.

Department of Transportation 5-year Work Plan

SB 2512 (Dockery) requires the Florida Department of Transportation to submit to each member of the Legislature, a listing of any transportation project costing more than \$75 million. The list must include: the project's location; the total estimated cost of the project for all phases (including phases not included in the current work program); the proposed schedule for the entire project's completion; and, a description of the project's benefit to the state and its citizens. SB 2512 died in committee.

Discretionary Sales Surtax

HB 891 (Vana) and SB 2298 (Fasano) would have authorized certain counties to levy by ordinance a 1% surtax for emergency fire rescue services and facilities, if approved by voters in a countywide referendum. The bills provided that the governing authority of such county would be designated as the "regional service provider" for emergency fire rescue services within the county. The bills provided for a limited and unfavorable distribution of the proceeds of such surtax with municipalities and special districts pursuant to interlocal agreement, and would have required participating municipal fire departments to establish levels of service for personnel and equipment equal to or better than that of the county. The bills further specified that municipalities and special districts that did not participate in the interlocal agreement would be subject to the surtax but would not receive any of the proceeds. Both bills died in committee.

Expedited Permitting

HB 147 (Schenck) and SB 402 (Fasano) required the Department of Environmental Protection (DEP) and the water management districts to adopt programs that create a 45-day expedited wetland and environmental resource permitting process for businesses that have been identified by a municipality or county as a target industry business. HB 147 died in Senate messages and SB 402 died in committee.

Firefighter & Municipal Police Pensions

HB 171 (Hooper), HB 27 (D. Davis), SB 218 (Wise), and SB 976 (Jones) would have made various changes to chapters 175 and 185, Florida Statutes, regarding firefighter and municipal police pensions. The bills contained various provisions relating to plan

member contributions and plan terminations, which were objected to by the League. HB 171 died pending review of CS. HB 27, SB 218, and SB 976 all died in committee.

Firefighter Cancer Disability Presumption

SB 2314 (Atwater) would have established a cancer disability presumption for firefighters and paramedics that would apply to ANY CANCER. SB 2314 died in committee.

Firefighter Standards

HB 1041 (L. Garcia) and SB 2388 (B. Saunders) would have made numerous changes to the training and responsibilities of firefighters and the activities of the State Fire Marshall. Both HB 1041 and SB 2388 died in committee.

Growth Management

Both HB 7129 (Economic Expansion and Infrastructure Council) and SB 474 (Garcia) died on the calendar of their respective chambers. Some very limited growth management policy relating to airport compatibility was included in the Transportation bill (SB 682). The following were concepts that were included in the growth management bills that the League expects to resurface next session.

SB 474 (Garcia) included a provision that would have prohibited local governing bodies in municipalities with populations of over 10000 from acting as the local land planning agency. It expanded the current "alternative state review" pilot program to all areas designated in a comprehensive plan for: urban infill and redevelopment, community redevelopment, and downtown revitalization. Transportation concurrency exception areas would have been established for the previously mentioned urban areas. It established a study group for the purpose of examining the use of a "mobility fee" to replace transportation concurrency and impact fees. HB 7129 (Economic Expansion and Infrastructure Council) died in on the House floor. The bill would have extended all DRI development orders, including all associated local government approvals, until 2011. It established transportation concurrency exception areas for all urban infill and redevelopment, community redevelopment, community redevelopment, and downtown revitalization. The Legislative Committee on Intergovernmental Relations would have been tasked with conducting a study on the implementation of a "mobility fee" to replace all transportation concurrency fees. A "mobility fee" pilot program would have been implemented in Duval, St. Johns, and Clay Counties, including all municipalities within those counties. Also, the bill included increases opportunities for citizen's participation in the comprehensive plan amendment process by requiring developers to hold pre-application meetings with affected citizens. SB 474 (Garcia) died on the Senate floor.

SB 2246 (Baker) and HB 1173 (Mayfield) related to land development regulation. SB 2246 died on the Senate Calendar and HB 1173 died in Senate Messages.

Health Insurance/Local Government Officers & Employees

HB 315 (Meadows) and SB 410 (Justice) would have expanded eligibility for optional participation in the state group health insurance program and prescription drug coverage program to include all counties, cities, and other local governments. Both HB 315 and SB 410 died in committee.

Homestead Assessments & Exemptions

HB 1279 (Thompson, N.) & SB 2506 (Bennett) would have provided that if the just value of homestead property decreases, the assessment of such property must decrease by

the same percentage. If the just value did not change, the assessment would not change. If the just value increased, the assessed value would be capped at the lesser of 3% or the percentage change in the Consumer Price Index. Both bills died in committee.

Hurricane Preparedness

HB 111 (Nehr) and SB 86 (Baker) would have provided a sales tax exemption for specified items of tangible personal property purchased June 1 - 12, 2008. HB 111 died on the House Calendar. SB 86 died in committee.

Illegal Immigration

HB 73 (Brown) relating to illegal immigration would have prohibited restrictions on the reporting of immigration status information by public employees and would have prohibited local government restrictions concerning immigration law enforcement. This bill died in State Affairs.

HB 159 (Adams) and SB 388 (Fasano) relating to the enforcement of immigration laws would have prohibited public employers from entering into contracts for physical performance of services with contractors not registered and participating in the federal work authorization program. HB 159 died in committee and SB 388 died on the Senate Calendar.

SB 540 (Baker) and HB 571 (Kravitz) would have required law enforcement officers, sheriffs, chief correctional officers, and clerks of the circuit court to report to Immigration and Customs Enforcement suspected illegal aliens who are arrested, detained, or convicted of a felony. The bills died in committee.

Increased Disability Benefits/Firefighters, Police Officers & EMTs

HB 57 (Attkisson), SB 294 (Fasano), HB 677 (Gardiner) and SB 1024 (Oelrich) would have amended provisions of the Florida Retirement System to state that a firefighter, police officer, emergency medical technician, and others who are injured in the line of duty and cannot continue to render service "in the position held," would be considered to be totally and permanently disabled. HB 57 died pending review of CS. SB 294, HB 677, and SB 1024 died in committee.

Local Government Transparency

SB 392 by Senator Storms relating to General Local Govt. Transparency and Contract Information requires local governments with a website to electronically post contract information relating to certain contracts. The bill died in returning messages.

Similar legislation, **HB 181 by Representative Harrell**, also was amended HB 7123 relating to government efficiency and accountability which includes the language relating to budget transparency. The bill was temporarily postponed on third reading and died in Senate Messages.

Law Enforcement Officers/Disciplinary Proceedings

HB 901 (L. Garcia) and SB 338 (Saunders) would have provided that if a law enforcement officer's rights in disciplinary proceedings are violated, the officer may recover a fine up to \$10,000 against the employing law enforcement agency or the person committing the violation. The bills died in committee.

Law Enforcement/Insurance Premium Revenues

SB 330 (Aronberg) would have provided that a municipality that has entered into an interlocal agreement to provide police protection services to another municipality, in its

entirety, is eligible to receive the premium taxes reported for the other municipality after following a specified process. SB 330 died in committee.

Local Government Budgets

SB 2648 (Dean) would have required any taxing authority that obtains its revenues from ad valorem taxes to submit a line-item, zero-based budget to the county commission prior to the county commission's budget hearings. The bill was amended in committee with a strike everything amendment and to add local government budget transparency provisions identical to those in HB 7123 (Grant). SB 2648 died in committee. HB 7123 died in Senate Messages.

Local Gov't Budgeting/Transparency/Reserve Restrictions

HB 7123 and CS/SB 2648 would have required local governments to develop and provide information on local government budgets. The bills also would have placed limitations on local government revenue reserves. HB 7123 died in Senate Messages and CS/SB 2748 died in committee.

Local Government Revenue Sources

HB 715 (Flores) and SB 2412 (Haridopolos) would have required a supermajority vote (3/5 or a majority plus one, whichever was greater) of the local governing body to levy new, increase existing, expand the tax base or area subject to, or to eliminate any exemptions from, taxes, special assessments, non-ad valorem assessments, or impact fees. The bills would have required a 3/5 vote of the electors voting in any referendum regarding the same. The requirements would not apply to any tax, fee or assessment increased for the exclusive purpose of repairing or replacing public infrastructure damaged in a disaster that resulted in a declaration of emergency by the Governor. Further, the bills would not have applied to ad valorem taxes, fees other than impact fees, license fees, penalties, fine or other charges for services. Both bills died in committee.

Mail Ballot Elections

SB 880 (Rich) and HB 429 (Fitzgerald) would have authorized a board of city or county commissioners to choose to have various elections by mail, including candidate elections, subject to specified requirements. Both SB 880 and HB 429 died in committee.

Maximum Ad Valorem Tax Limitation

HB 949 (Lopez-Cantera) and SB 2190 (Bennett) proposed a constitutional amendment that would have prohibited the total combined property taxes on any parcel from exceeding 1.35% of the parcel's highest taxable value. The bill language is identical to a proposed citizens' initiative. HB 949 died in Senate Messages. SB 2190 died in committee.

Meetings with Local Government Attorneys

SB 1510 (Geller) would have clarified the term "pending litigation" with respect to a public meetings exemption allowing officers of a governmental entity to meet with their attorney, to include any matter that is addressed in a mandatory notice of intent to initiate a tort claim against the governmental entity. SB 1510 died in committee.

Motor Fuel Taxes

SB 984 (Bennett) authorized counties to adopt an ordinance adjusting the rate of the ninth-cent fuel tax or the local option fuel tax based on the percentage change in the

Consumer Price Index. SB 984 was never heard in the Senate and did not have a House companion.

Nonresidential Farm Buildings

HB 761 (Pickens) and SB 1376 (Dean) prohibited local governments from assessing stormwater fees and prohibited local governments from enacting or enforcing any regulations on land classified as agricultural if the activity is regulated by Best Management Practices, interim measures or regulations. The bills also attempted to expand the current exemption from the Florida Building Code for inspection fees for nonresidential farm buildings to exempt these structures from impact and permit fees. HB 761 died in Senate messages and SB 1376 died on the Senate calendar.

Onsite Sewage Treatment Systems

HB 975 (Nelson) and SB 1482 (Geller) required the Department of Health to conduct a study to develop and evaluate passive onsite wastewater nitrogen reduction systems. The study was to be funded by diverting up to money from the Water Protection and Sustainability Program Trust Fund that was created in 2005 to provide funding for water supply and water quality programs. HB 975 died in Senate messages and SB 1482 died in committee.

Partial Payment of Property Taxes

HB 51 (McKeel) and SB 1004 (Fasano) would have required tax collectors to accept partial payment of property taxes due by the deadline specified in the tax notice. Unpaid amounts remaining after the deadline would have been subject to penalties and interest. HB 51 died in Senate Messages. SB 1004 died in committee.

Portability of Save-Our-Homes & Additional Homestead Exemption

HJR 421 (Simmons) proposed an amendment to the constitution that would provide alternative methods for computing the portability provision for Save-Our-Homes and an additional homestead exemption. HJR 421 died on the House Calendar.

Property Rights

HB 881 (Precourt) and SB 1578 (Baker) would have revised the Bert Harris Act. The changes would have shortened the time frame for local governments to make settlement offers and lengthened the time for property owners to bring Harris Act claims. The bills also provided for a waiver of sovereign immunity for liability and provided for prospective application. HB 881 (Precourt) died in Senate messages. SB 1578 died in committee.

Property Taxes

Legislators filed numerous bills addressing property taxes. Some, like HB 7003 (Gov't Efficiency Council), SJR 2384 (Baker), and SB 2368 (Baker), would increase homestead exemptions for various classes of property owners, such as veterans or deployed military veterans. Others, such as HB 7005 (Gov't Efficiency Council), HB 129 (Lopez-Cantera), SB 626 (Atwater), SB 2334 (Gaetz), and HB 1283 (Cannon) would make changes to the method in which the property appraiser determines the "just value" of property, changes to the burdens of proof in taxpayer challenges to property assessments, and changes to value adjustment board processes. HB 1381 (Needelman) would have replaced all property taxes with a sales tax. Most of these bills died without a single committee hearing. Still others were either heard once in committee or passed the House but were not taken up by the Senate. Some of the more notable bills included the following:

Property Tax Information

CS/HB 1061 (Seiler) would have required the Department of Revenue to collect and publish on its website and on the websites of all property appraisers the following data: the annual percentage increase in total nonvoted ad valorem taxes levied by each taxing authority; information concerning the distribution of ad valorem taxes levied on the various classifications of property; and the previous year's adopted millage rates, the current year's millage rates, and the current percentage increase in taxes levied above the roll back rate. CS/HB 1061 died on the House Calendar. SB 822 (Atwater) died in committee.

Property Tax Notices

HB 177 (Richter) and SB 664 (Bennett) would have required millage rates to be included in Truth in Millage ("TRIM") notices. HB 177 died in Senate Messages. SB 664 died in committee.

Public Beach Access

CS/SB 2622 (Justice) and HB 1523 (Sasso) addressed public access to beaches including prohibiting the placement of signage restricting access and defining the term recreational use relating to public beaches. Both bills died in committee.

Public Construction Works

HB 683 (Weatherford) and SB 2148 (Haridopolos) would have substantially altered the manner by which local governments perform public construction works, including utilities and transportation projects. The bills would have required local governments to competitively bid a variety of public construction works, which currently are not subject to competitive bidding. HB 683 died on the House Calendar. SB 2148 died in committee.

Public Employees' Charitable Campaigns

HB 883 (Skidmore) and SB 1576 (Storms) would have created the "public employees' charitable campaign" for local government employers and required local governments to follow one standard process for conducting an annual public employee workplace charitable campaign. Both HB 883 and SB 1576 died in committee.

Public Employment/Domestic Partners

HB 1053 (Kriseman) would have provided that various provisions and benefits under state or local government employment apply to domestic partners. HB 1053 died in committee.

Public Libraries/Internet Safety Education Program

HB 411 (Ambler) and SB 1996 (Crist) would have encouraged all public libraries to adopt an Internet safety education program. HB 411 and SB 1996 died on the House and Senate Calendars.

Public Transit/Required Breaks for Operators

HB 977 (G. Thompson) and SB 518 (Hill) would have required public transit providers to give drivers or operators of public conveyances a paid ten minute break for each four-hour work period. Both HB 977 and SB 518 died in committee.

Railroad-Highway Crossings

HB 1207 (Homan) and SB 2792 (Dockery) require any public railroad-highway grade crossing opened on or after July 1, 1972 to be maintained by the railroad company at its

own expense. The bills authorize governmental entities to access railroad property adjoining public property as necessary to plan, facilitate, and complete road or highway construction, improvements, or repair projects. A railroad company may not require the use of flagging or other services by the railroad company as a condition of allowing access to railroad property. Both bills died in committee.

Rental Property Assessment Increase Limitation

HJR 441 (Domino) would have provided a limitation on increases in assessments of rental property. Assessment increases would be limited to the greater of 5% or the average annual percentage growth in revenues derived from the property over the preceding three years. HJR 441 died in committee.

Recycling

HB 301 (Long) and SB 692 (Jones) would have required any organization, association, business, or institution operating in the state and receiving state funds to collect aluminum beverage cans and recyclable plastic and glass at all locations where it operates or conducts business to the "extent practicable". HB 301 died on the House floor and SB 692 died in committee.

Restrictions on Local Gov't Issue Campaigns

HB 195 (Long) and SB 532 (Justice) would have prohibited a local government from expending, directly or indirectly, public funds to support or oppose an issue, referendum, or amendment that is subject to a vote of the electors. Both HB 195 and SB 532 died in committee.

Sadowski Trust Fund Cap Repeal

HB 0005 (Saunders), SB 0074 (Geller) and SB 0080 (Wilson) would have removed the cap on the amount of proceeds deposited into the Sadowski Affordable Housing Trust Funds. All three bills died in committees.

Sales Tax on Rent

SB 228 (Baker) would have provided that tax levied on rent or license fees charged for the use of real property may not be assessed against any portion of the rent or license fee attributable to the payment of property taxes. SB 228 died in committee.

School Supplies

HB 893 (Coley) and SB 2094 (Webster) would have established a sales tax "holiday" for the purchase of school supplies. SB 2094 died on the Senate Special Order Calendar. HB 893 died in Senate Messages.

Scripps Research Institute

SB 2778 by Senator Fasano died in Senate returning messages but would have required the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program, and required the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds.

Sex Trafficking

HB 1151 (Hukill) and SB 1722 (Lynn and Joyner) would have increased penalties for specified offenses involving minors and forcing, compelling, or coercing another to become a prostitute. HB 1151 died in Senate messages. SB 1722 died in committee.

Sexual Offenders & Predators

HB 1107 (Glorioso) and SB 1430 (Aronberg) would have revised provisions relating to reimbursement of specified costs by sexual predators, prohibited sexual predators from working at certain locations, specified residency distance limitations for persons convicted of certain sexual offenses and preempted local ordinances. HB 1107 bill died on the House Calendar. SB 1430 died in House messages.

HB 473 (Kiar) and SB 2026 (Ring) would have required sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration and re-registration process. HB 473 died in committee and SB 2026 died in Senate returning messages.

HB 755 (Nelson) requires a landlord who knowingly solicits, rents, or leases a dwelling unit to a sexual offender or predator to verify that individual's address. It requires the landlord to notify the sheriff in certain instances. HB 755 died in Senate messages.

Sovereign Immunity

SB 2292 (Villalobos) would have revised the current "claims bill" procedure for recovery from the state and political subdivisions under a tort action. Under the bill, for any claim that did not have to be paid from the state General Revenue Fund, if a judgment was made in excess of \$100,000 or \$200,000 limits, the court having jurisdiction over the matter could have ordered payment of the excess amounts over the limits after consideration of the evidence submitted by the parties. SB 2292 died in committee.

Sovereign Immunity/Law Enforcement Agencies

SB 2616 (Bennett) would have prescribed conditions under which a law enforcement agency is immune from liability for damages resulting from its conduct of a criminal investigation. SB 2616 was withdrawn from committee consideration.

State & Local Gov't Revenue Limitations

HJR 7125 (Gov't Efficiency & Accountability Council) proposed an amendment to the state constitution that would have revised the existing state constitutional revenue limit and would have imposed a local government revenue limit to be implemented by the legislature. Local government revenues would have been capped at the amount of revenue for FY 2008-09 plus a growth factor based on population and inflation plus one percentage point. It directed the legislature to determine how the local government cap would be implemented, what revenues would be included or excluded, and what types of local government entities would be included or excluded. The bill passed the House but died in Senate Messages.

Street Gang Prevention

SB 272 (Aronberg) and HB 749 (Vana) would have provided for recovery of reasonably incurred costs of investigation and litigation relating to civil causes of action under the Criminal Street Gang Prevention/Civil Causes of Action. It would have authorized the state, including any of its agencies, instrumentalities, subdivisions, or municipalities to bring a civil action if it had been injured by reason of a violation of the act. These bills died in committee.

Street Racing

HB 1043 (Soto) and SB 2604 (Constantine) would have created the "Luis Rivera Ortega Street Racing Act" and revised provisions prohibiting certain speed competitions and exhibitions. The bills would have prohibited driving in any race, drag race, or exhibition of accelerations. Both bills died in committee.

Surplus Lands for Affordable Housing

SB 2562 (Gaetz) and HB 905 (McKeel), as well as portions of HB 7129 (Economic Expansion & Infrastructure Council, Cannon and Scionti) and HB 474 (Garcia), would have statutorily required that cities and counties that failed to complete and update the inventory list of real property owned that was appropriate for affordable housing development would be ineligible to receive any state affordable housing program funding. SB 2562 died in committee, HB 7129 died on the House Calendar, HB 905 died in committee and HB 474 died on the Senate Calendar.

Tax Administration

SB 2788 (Haridopolos) and HB 7147 (Gov't Efficiency & Accountability Council) were the tax administration packages for the Department of Revenue. The bills proposed various statutory changes to improve tax administration, reduce costs and increase efficiencies, and improve enforcement of tax laws. In addition, the bills excluded from the "bed tax" the "markup" or fee charged by online reservation entities. SB 2788 died in committee. HB 7147 died on the House Calendar.

Tax on Rental Fees & Admissions

HB 783 (Glorioso) and SB 1418 (Diaz de la Portilla) would have abrogated the July 2009 repeal of the tax exemption on rental or license fees on property rented or licensed by a civic center, convention center or exhibit hall, and similar facilities, and abrogated the July 2009 repeal of the tax exemption provided for certain charges imposed by the same. Also, the bills abrogated the repeal of the tax exemption for admission charges to events sponsored by governmental entities, sports authorities, and sports commissions. The bills died in committee.

Tower Cranes/Tower Crane Operators Certification

HB 609 (Evers) and SB 1316 (Gaetz) would have required all tower cranes and tower crane operators in the state be certified by the American National Standards Institute/American Society of Mechanical Engineers (ANSI/ASME) or the applicable standards of the Power Crane and Shovel Association (PCSA). Also the bills would have preempted all other standards applied to tower cranes and operators by local governments. HB 609 died in Senate messages and SB 1316 died in the Senate Community Affairs Committee.

Transportation Funding

HB 747 (Ross) and **SB 1626** (Alexander) renamed the Charter County Transit System Surtax in chapter 212, F.S, as the Charter County Transportation System Surtax and expanded the eligibility to levy the surtax to all charter counties. SB 1626 died in House messages while HB 747 died in committee.

SB 1688 (Baker) and HB 1399 (Aubuchon) created the Transportation Revenue Study Commission to study and make recommendations to the legislature regarding state, regional and local transportation needs. The bills also increased turnpike authority revenues by authorizing additional bonding authority and the indexing of turnpike and

expressway tolls. SB 1688 died in committee and HB 1399 died after being received by the Senate and referenced to multiple committees.

United States Flag Displays

SB 90 (Saunders) would have prohibited a county or municipality from enacting or enforcing any ordinance or regulation that prohibits the display of a United States flag by a property owner or tenant. SB 90 died in committee.

Use of Cellular Telephones

HB 175 (Brise) and SB 266 (Wilson) would have prohibited the use of cellular telephones while operating a motor vehicle. The bills died in committee.

Use of Wireless Communications While Driving

SB 504 (Baker) and HB 193 (Legg) would have prohibited a person who has not attained 18 years of age from using an electronic wireless communications device while operating a motor vehicle. Both SB 504 and HB 193 died in committee.

Wastewater Discharges

SB 1634 (Bennett) and HB 1503 (Aubuchon) would have required the Department of Environmental Protection to investigate wastewater treatment facilities within one mile of any beach the Department of Health closes due to a finding of fecal coliform in the water. HB 1503 died in House messages while SB 1634 died in the Senate General Government Appropriations Committee.

Water Supply

HB 7151 (House Environment and Natural Resources Council) and SB 2602 (Bennett) would have provided priority funding under the Water Protection and Sustainability Program for the development of alternative water supply projects within rural land stewardship areas. The bills authorized water management districts throughout the state to enter into agreements with private parties, regional water supply authorities, and water utilities that may provide private parties long term consumptive use rights. Both bills died in committee.

Working Waterfront

HB 877 (Needelman) and SB 2294 (Dean) authorized the owner of any working waterfront real property to convey all rights to develop the property to the county or municipality in which such property is located for a period of seven years with an opportunity to extend the life of that agreement. Local governments would have been prohibited from conveying the right to another party and were limited to utilizing the property in a manner consistent with working waterfronts. Both bills died in committee in their respective chambers.

Wrecker Services

SB 672 (Crist) and HB 1195 (Reagan) would have provided for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services. The bill would have allowed a county or municipality to enact ordinances governing the business of transporting vehicles or vessels by wrecker that were more restrictive. SB 672 and HB 1195 died in committee.

SB 2542 (Posey) would have substantially amended multiple provisions of chapter 197, F.S., relating tax collection. SB 2542 died in committee.

Local Bills

Indian Trail Improvement District HB 933

Sponsor: Rep. Carl Domino

This bill would expand the territorial boundaries of the District by adding properties at the landowners' request. There is no economic impact associated with this bill.

South Indian River Water Control District HB 973

Sponsor: Rep. Carl Domino

This bill would authorize the District to perfect a public dedication over roads which it has maintained continuously for seven years or when requested by a majority of the landowners abutting the roads. The roads in question have never been dedicated to public use though they are functionally part of the District's roadway system. Cities and Counties currently have this authority, but the SIRWCD does not. The economic impact of this bill to the district is expected to be \$4,000 - \$6,000 per year, which is the current cost of maintaining private roads within the District.

City of West Palm Beach Police Pension Fund HB 1033

Sponsor: Rep. Carl Domino

The City of West Palm Beach and the Palm Beach County Police Benevolent Association have agreed to this local bill which would add broad investment powers in accordance with Florida Law, including tying foreign investments to limitations of current Florida statutes. It would also provide for the use of accumulated sick and vacation leave to fund a health savings account, rather than as a transfer to the pension plan. There is no economic impact associated with this bill.

Port of Palm Beach District HB 1083

Sponsor: Rep. Priscilla Taylor

This Local Bill died in House Council.

~~The Port of Palm Beach District wishes to increase the annual salary of its elected commissioners to \$19,000 per year from the current \$9,500 per year rate which was set in 1999. This proposal was approved by the Port of Palm Beach Commissioners at a duly noticed regularly scheduled meeting in April, 2007 in an effort to offset expenses associated with carrying out expanded duties of commissioners. Although the Port District is empowered to levy ad valorem taxes, it does not do so; revenues are generated by private sector port user fees. There is no economic impact to the taxpayer associated with this bill; the District will budget for this increase utilizing private sector fees.~~

Shawano Water Control District HB 1211

Sponsor: Rep. Priscilla Taylor

The District is seeking to annex agricultural lands into the district, with the approval of the affected landowner. This change will require approval of all landowners within the current and expanded district boundaries, by referendum. There is no economic impact associated with this bill.

Taxation & Budget Reform Commission

Taxation and Budget Reform Commission

As a recap, the Taxation and Budget Reform Commission concluded their work and approved among others, the following Constitutional Amendments to appear on the ballot this November.

- An amendment allowing the use of state money to pay for scholarship vouchers that students could use to pay for private school, and requiring school districts to spend 65 cents of every education dollar in the classroom, thus capping administrative expenditures at 35 cents for every dollar. The voucher proposal would overturn a Supreme Court ruling that struck down former Governor Jeb Bush's school-voucher program as unconstitutional.
- An amendment that would allow the state to distribute tax dollars to religious groups.
- An amendment to tax waterfront properties based on how the property is actually used, rather than on the best use of the land, such as the potential for highly profitable condominiums. The change would save marinas and other working waterfront properties about \$70 million next year and \$306 million by 2012.
- An amendment to cut property taxes by 25% (by elimination the Required Local Effort) in exchange for increasing the state sales tax from 6 cents to 7 cents. Under this proposal, schools would receive their funding from a combination of sales tax and other state taxes rather than property tax.