



## 2018 LEGISLATIVE SESSION WEEK 2

Happy Friday! I cannot remember when the second week of Session was moving so fast, it truly feels like the fourth week. Legislators are fast and furious, trying to craft their initial budgets and there is talk about it rolling out as early as the end of next week and presenting it the week after. With that in mind, we are in constant communication on your priorities and will keep you posted as the next week progresses.

Both chambers are aggressive in their shared priorities, which include legislation battling the opioid crisis and making texting and driving a primary offense. As history has shown us, compromising early on shared priorities and setting the stage for negotiations is the easy part. The gloves come off when the battle over the budget begins. Legislators within their own Chamber will be fighting for their priorities, while Leadership in both the House and the Senate will begin the dance. Predictions are not something I like to bank on, so please know that all of this is just anticipation until the actual initial budget gets produced. Meanwhile, we will continue our efforts on your behalf. Thank you as always for your quick responses to both me and Lauren and as always, do not hesitate to call us with any questions if you would like additional information.

On a personal note, I want to remind everyone that Broward Days is taking place up here in Tallahassee on February 7th and 8th and we are excited on how the schedule is shaping up. As many of you know, I am honored to be challenged with the task of being Vice Chair for the next 2 years and then Chair the following 2 years. I am asking for all of you to help me out with becoming a member and being involved to unite Broward so we can have a louder voice in Tallahassee for the years to come. We are in the process of building the impact teams and each team has a Captain that is committed to organizing that teams efforts. Please consider becoming a member of a team or encourage someone from you staff to become involved. Broward Days is now under the Delegation, and we have commitments from both the County and the League on participation. Please join us! Visit <http://www.browarddays.com>

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## TRANSPORTATION

### SMART CITY CHALLENGE GRANT PROGRAM

Senate Transportation voted unanimously to approve a bill that would create a Smart City challenge grant program modeled after the Federal Smart City grant program to encourage innovation and adoption of emerging technologies in transportation after . The bill allows counties, municipalities, regional authorities, MPOs, universities among other entities to apply for the grants in order to fund projects that utilize autonomous vehicles, connected vehicle technology, electric and grid-integrated vehicles and infrastructure, and shared mobility innovation and deployment. The bill requires FDOT to publish an RFP by Sept. 1, 2018 and requires the agency to grant at least three recipients up to \$6 million. The bill appropriates \$15 million for the program. It has two more committees in the Senate. Its House companion has not been heard in its first of three committees.

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<https://www.flsenate.gov/Session/Bill/2018/00852>

## **DOCKLESS BICYCLE SHARING**

House Careers & Competition voted 13-1 to preempt local regulation of dockless bicycle sharing companies, which are a newer kind of bicycle sharing company that uses advanced technology to track the GPS location of bikes and have a locking system that does not require a dock. Opponents raised the alarm that other local governments who have already allowed for this technology have been having to expend a resources to collect numerous bikes left haphazardly throughout their areas. They also pointed out that bike sharing companies have worked out agreements in contracts with local governments, for example being required to have both front and back lights, and have made significant investments in bike sharing infrastructure. Proponents equate the debate with uber vs. taxi cabs in that competition by newer, user-friendly technology is being stifled by local regulation and an established monopoly. Members expressed concern over the bill being an unfunded mandate and over safety concerns of a local area inundated with bicycles left everywhere, but ultimately supported the bill as an innovative idea that would encourage bicycle use. It is clear the sponsor intends to further amend the bill to ease the concerns raised. The bill has one more committee stop in the House. Its Senate companion has not yet been heard in its first of three committees.

<https://www.flsenate.gov/Session/Bill/2018/01033>

## **TRANSPORTATION DISADVANTAGED**

Senate Transportation unanimously approved legislation intended to improve cross-county mobility for users reliant on Transportation Disadvantaged programs. The bill requires community coordinators in conjunction with coordinating boards to use and explore the use of adopting regional fares that will enhance multi-county travel for access to employment, health care, education, etc. The bill has two more committees in the Senate. It does not have a House companion.

<http://www.flsenate.gov/Session/Bill/2018/06001>

## **ALLIGATOR ALLEY**

Senate Transportation voted unanimously to approve a bill that would extend an expiring agreement with FDOT that allows for Alligator Alley toll revenue to reimburse Collier County the costs of operating a fire station at mile marker 63 and would also expand the service of the fire station to include surrounding areas and not just Alligator Alley. The bill has two more committees of reference in the Senate. It does not have a House companion.

<https://www.flsenate.gov/Session/Bill/2018/01012>



## **INTERGOVERNMENTAL RELATIONS**

### **MEETINGS REGARDING IMMINENT LITIGATION**

House Oversight, Transparency, & Administration voted unanimously to allow local government boards to meet privately with attorneys to discuss imminent or threatened litigation rather than just active litigation, which is current law. The bill requires transcripts of the meeting to be released at the conclusion of the litigation or if the litigation does not occur. It also provides for future review and repeal of the exception to public meeting requirements. The bill has one more committee in the House. Its Senate companion has two more committees.

<https://www.flsenate.gov/Session/Bill/2018/00439>

### **LINEAR FACILITIES**

Senate Community Affairs voted 4-1 to approve legislation identical to the previous Session that would change the definition of development in relation to transmission lines. Local governments are somewhat split on the bill depending on whether or not they run a utility that expands into other boundaries or if they have utilities crossing into their boundaries, which the bill preempts. The bill is backed by utility companies. The sponsor argued that the bill is codifying what has been practice in the state for 45 years and correcting a technical flaw that was found through a recent court ruling in miami relating to ownership of the right-of-way. The opposition vote was over concerns that the bill would vacate the same court decision on undergrounding lines in communities. The sponsor stated that the practice has always been regulated by the Public Service Commission. The Senate and House bill's are now ready to go before their full Chambers.

<https://www.flsenate.gov/Session/Bill/2018/00494>

### **HOUSE TOURISM AGENCY ACCOUNTABILITY PACKAGE**

House Oversight, Transparency & Administration voted unanimously to approve two linked transparency bills included in the Speaker's push for accountability in tourism promotion. The legislation would completely redefine "trade secret" law to essentially require a vendor get court approval before blocking public access to contract details. Dollar amounts, expenditures, incentives, bonuses, payment structures & plans, penalties and fees cannot be considered confidential under the change. The legislation has one more committee of reference. Senate companions have not yet been heard in their first committee of reference. The bills are part of a package with HB 3, the Speaker's tourism agency accountability bill that is now before the full House.

<https://www.flsenate.gov/Session/Bill/2018/00459>

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<https://www.flsenate.gov/Session/Bill/2018/00461>

## **FINANCE & TAX**

### **PROPERTY TAX EXEMPTIONS**

Senate Community Affairs voted unanimously to approve legislation that would increase the ad valorem property tax exemption for individuals who are widows/widowers, blind, or totally and permanently disabled from \$500 to \$5,000. The bill has an estimated negative fiscal impact that increases over time from \$37.8 million in FY18-19 (\$16 million in school revenue) to \$40.1 in FY22-23 (\$17 million in school revenue.) The bill has two more committees of reference in the Senate. Its House companion has not yet been heard in its first of two committees.

<https://www.flsenate.gov/Session/Bill/2018/00934>

### **LOCAL TAX REFERENDA**

Senate Appropriations Subcommittee on Finance & Tax voted unanimously and House Government Accountability voted 17 to 3 to preempt the timing of holding local tax referenda elections. With little warning, the Senate and House sponsors reneged on compromise language that had been worked out last year with local governments that would have allowed for special elections, so long as a 60% threshold was required for passage. However, the Senate sponsor filed a last-minute delete all requiring local tax referenda be held on a general elections. The House sponsor followed suit, also filing a delete-all to match the new Senate bill. The Florida League of Cities and Florida Association of Counties argued that voter turnout is not always the case in special elections. The House bill is now ready for the House floor and the Senate bill has two more committees of reference.

<http://www.flsenate.gov/Session/Bill/2018/00317>

### **TOURIST DEVELOPMENT TAX**

House Ways & Means voted 14-4 to pass a bill that would expand use of Tourist Development Tax dollars to include work on “public facilities,” defined essentially as any capital project with a lifespan of 5+ years that is related to enhancing tourism. It also allows for improving estuaries and lagoons. The local tourist development council would make a recommendation for the project to the County Commission for approval. The sponsor characterized the bill as a “glitch fix” because his home county determined that estuaries and lagoons were not included in the use of taxes. Tourism promotion agencies are aggressively opposing the bill out of concern that more revenue will be diverted from advertising and promotion to other projects that local governments want to do aside from

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tourism. The bill has one more committees of reference in the House. Its Senate companion has two more committees.

<https://www.flsenate.gov/Session/Bill/2018/00585>

## **Looking Ahead:**

The House will be looking at legislation dealing with Autonomous Vehicles and discussing concepts of tax reduction on Monday.

Tuesday, the House will begin to what I believe to be the last round of meeting for the Appropriation Subcommittees and those will go through Wed. The Senate will be focused on Texting and Driving, High Speed Passenger Rail, and Developments of Regional Impact.

On Wednesday, the Senate will shift focus to appropriations hearings, while the House goes into Session.

Thursday brings the Constitutional Revision Commission committees and those are scheduled through Friday, including a major proposal that preempts nearly all local authority to regulate (95.)

At this time, the full schedule is not available as to the committees will be setting their agendas.