



2018 LEGISLATIVE SESSION WEEK 7

We are so very proud of the students, parents and community leaders that came to Tallahassee this week. Members of our team office all accompanied students to various meetings that were coordinated by Senator Book and Representative Jacobs, as well as Senator Rader and Representative Moskowitz, to share the importance of their trip and what changes they as future leaders want to see. Both the House and Senate heard them, I believe they truly heard the students and the members of our Delegation. We will continue to work with our Delegation, as well as Leadership as we move into the hearings of the packages that the House, Senate and Governor's office are crafting. We are moving into the last 2 weeks of Session and as of right now we do not yet have allocations. The devastation that took place last week shifted focus away from the budget schedule, however, I feel that we will be quickly moving into posture as early as Monday in hopes to address the concerns our hometown came up to express. Please, as always, do not hesitate to call me with any questions or if you would like any additional information on the following report. Thank you....

Sincerely,

Candice
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TRANSPORTATION

SMART CITY CHALLENGE GRANT PROGRAM

House Government Accountability and Senate Transportation Appropriations 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. 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 House bill is now ready for the full House. The Senate bill is scheduled for its final committee next week.

<https://www.flsenate.gov/Session/Bill/2018/00633>

DOCKLESS BICYCLE SHARING

House Commerce voted unanimously to pass a compromise on preemption of local regulation of dockless bicycle sharing companies, which use advanced technology to track the GPS location of bikes and have a locking system that does not require a dock. The committee adopted an amendment that aligned with the Senate compromise. Under the compromise, a local government couldn't limit or ban bike sharing/rental companies from operating within its jurisdiction. A bike sharing company has to meet insurance

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requirements, register with the Division of Corporations, secure bikes during storms, maintain and rebalance bikes, remove inoperable bikes, provide a way for users to report maintenance issues, ensure bicycles are properly marked, etc. As part of the compromise, all language prohibiting local regulations on business license, entry, rate, operational and other requirements was removed. Local governments can regulate placement, etc. on public lands and impose fines on the companies for violating requirements (up to \$5000 and a cease and desist for failing to provide proof of insurance/up to \$1000 for failing to file with the Division/up to \$1000 for not securing bikes during a storm/ \$10 per day up to \$100 for each day a bike is unlawfully parked.) The bill is now ready to go before the full House. Its Senate companion was not considered in its second of three committees of reference for the second week in a row.

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

ALCOHOL ON TRAINS

House Commerce voted unanimously to exempt railroad and sleeping car operators from a two ounce bottle size limitation for alcoholic beverages. The bill is now ready to go before the full House. Its Senate companion is scheduled for its final committee next week.

<https://www.flsenate.gov/Session/Bill/2018/01265>

HOUSE PASSES MIAMI-DADE CHARTER COUNTY AND REGIONAL TRANSPORTATION SURTAX

The House voted 106-7 to pass a bill that would require the use all proceeds of a Charter County and Regional Transportation Surtax passed in Miami-Dade County be restricted to transportation purposes only. Allowable uses are: planning, design, engineering, and construction of fixed guideway rapid transit systems; acquisition of right-of-way for fixed guideway rapid transit systems, provided that the current owner of the right-of-way is a willing seller or lessor; purchase of buses and other capital costs for a bus system; payment of principal and interest on bonds previously issued related to fixed guideway rapid transit systems or bus systems; and as security by the governing body of the county to refinance existing bonds or to issue new bonds for the planning, design, engineering, and construction of fixed guideway rapid transit systems or bus systems. The bill only applies to Miami-Dade County, who opposes the bill out of concerns that the sudden shift of funding from operational to capital would be harmful. The shift to operational originally occurred out of necessity during the economic recession. The sponsor argues that the bill is not only about accountability but also worsening congestion in Miami-Dade. The Senate bill was not scheduled for the final Senate Appropriations meeting next week.

<https://www.flsenate.gov/Session/Bill/2018/00243>

EMERGENCY MANAGEMENT

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House Appropriations unanimously approved a bill that incorporated recommendations from a select committee on hurricane recovery and preparedness. The package, among other things, requires counties and the state to develop fuel contingency plans. It directs DOT and DEM to consult with the railroad and fuel industry to plan for supplying fuel during emergencies. It prohibits local governments from holding meetings during a state of emergency and extends the time period that a state agency employee can be on leave during an emergency. Counties are also required to post shelter locations and indicate pet friendly locations. The bill is now ready to go before the full House.

<https://www.flsenate.gov/Session/Bill/2018/07083>

INTERGOVERNMENTAL RELATIONS

LINEAR FACILITIES HEADS TO GOVERNOR

The Senate voted 34-4 to pass 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, who argue 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. Opponents are concerned the bill would vacate the same court decision on undergrounding lines in communities. The sponsors argued that the practice has always been regulated by the Public Service Commission. The House passed the bill in a 105-2 vote in week 3 of Session.

<http://flsenate.gov/Session/Bill/2018/00405>

FINANCE & TAX

HOUSE TAX CUT PACKAGE

House Appropriations voted 18-7 to approve the House tax cut package worth almost \$350 million. The package includes typical items such as back-to-school and hurricane supply sales tax holidays, commercial lease tax reduction, and reductions in traffic fines. The package also contains controversial items. A provision was added to the bill through a committee substitute that is similar to HB 17 and Proposal 95 in that it would prohibit local governments from banning the retail sale of anything covered under Chapter 212 (or anything subject to taxation). The provision is opposed by local governments, environmentalists and animal rights or “puppy mill” activists. The package also contains a reduction in the aviation fuel tax for commercial planes, which could impact funding for smaller aviation airport projects. The package also allows businesses to get tax credits for

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funding scholarships to private schools, which is heavily opposed by the House Democratic caucus. The bill was also opposed by various organizations concerned that the state continues to reduce taxes, eliminating recurring funding and creating a budget hole. The bill is now ready to go before the full House. The Senate has not yet released their tax proposal.

<https://www.flsenate.gov/Session/Bill/2018/07087>

COMMUNITY DEVELOPMENT DISTRICTS

House Government Accountability voted 17-7 to approve a bill that was significantly expanded to include CRA reform and DRI language. The committee adopted a substitute that included language from the previously passed CRA package relating to accountability, ethics training, and transparency. It would phase out existing CRAs and provide that new CRAs could only be created by a special act of the Legislature. The original bill would address what the sponsor called “inflexible” boundaries of CDDs by enabling counties to list parcels of land that may be annexed to the CDD within the next 10 years at the time of the creation of the CDD. The land can only be listed with landowner permission, wouldn’t change timelines and can exceed 2,500 acres. The bill is now before the full House and may become a vehicle for other local government language. Its Senate companion has one more committee of reference.

<https://www.flsenate.gov/Session/Bill/2018/00883>

TRAVEL OF COUNTY & MUNICIPAL OFFICERS AND EMPLOYEES

Senate Community Affairs voted unanimously and House Government Accountability voted 17-4 to approve a bill on official travel by local government officers.. Under the bill, official in-state, out-of-state and international travel requests along with an itemized list of anticipated expenses must be approved at a regularly scheduled meeting. Additional expenses incurred with good cause could be approved at the next regularly scheduled meeting after the travel. The Senate committee adopted an amendment to apply a dollar threshold to in-state travel. The Senate bill allows for international travel while the House bill does not allow international travel by elected officials (but does allow employees.) The Senate bill also does not have candidate reporting provisions of the House bill. The intent of the bill is to prevent employees from taking taxpayer funded vacations. The Senate bill has one more committee of reference in the Senate. The House bill is ready for the full House.

House <https://www.flsenate.gov/Session/Bill/2018/00815>

Senate <https://www.flsenate.gov/Session/Bill/2018/01180>

FINANCIAL REPORTING

House Government Accountability voted 17-4 to pass an amended financial reporting bill. The amended language require political subdivisions to keep their budgets posted online

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for 2 years (originally 5 years), timely submit their budgets to EDR and the clerk of courts, post tentative budgets online for 45 days, and conduct annual audits. The amended language removed an expedited timeline requirement opposed by CPAs and local governments. Clerks could still withhold salaries from the “head” of the local government for failing to submit the audit in time. The bill is now before the full House. A Senate bill with some of the provisions is scheduled for its second of three committees of reference next week.

<http://flsenate.gov/Session/Bill/2018/01019>

HOUSE PASSES CONTRACT TRANSPARENCY BILLS

The House voted with only two dissenting votes to pass 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 committee adopted amendments that exempted some financial information and addressed research universities but would still require party names to be public. The Senate companions were never 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 passed the House 87-20. The Senate version of HB 3 has passed one of four Senate committees.

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

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

#NEVERAGAIN PROPOSALS

The House, Senate and Governor announced separate but similar plans for a \$500 million school safety, mental health and firearm reform package with the stated goal to ensure the tragedy at Marjory Stoneman Douglas will never happen again. The proposals both call for raising the age limit on purchasing firearms to 21; banning the sale of bump stocks; a “violent threat restraining order” to temporarily block possession or purchase of firearms for persons identified as threats; restriction on possession of firearms for Baker Acted individuals; enhanced penalties for illegally purchasing firearms and making social media threats; funding School Resource Officers at every school; threat assessment teams at each school; enhanced mental and behavioral health counseling; interagency coordination through an MOU for schools that receive Safe Schools Allocation funding; authorizing sheriffs to train additional school staff, “School Marshalls,” or provide protection if requested by the school board; security protocols/emergency plans requirements; and school hardening (metal detectors, bullet proof glass, steel doors, locks). Both proposals

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also offer funding for mental health initiatives. The House and Senate are also calling for a statewide commission to investigate system failures that occurred last week and offer recommendations for improvement.

Governor's Proposal

https://www.flgov.com/wp-content/uploads/2018/02/MajorActionPlan_02.23.18.pdf

House and Senate Press Release:

https://www.flsenate.gov/PublishedContent/Offices/2016-2018/President/Documents/2_23_18_Florida_School_Safety_Proposal.pdf

Senate Proposals:

Firearm safety: <https://www.flsenate.gov/Session/Bill/2018/7022/BillText/pb/PDF>

School safety: <https://www.flsenate.gov/Session/Bill/2018/7026/BillText/pb/PDF>

The Governor's proposal was crafted after three all-day workshops broken into sections of law enforcement, education and mental health services to brainstorm on recommendations for policy changes.

The Law Enforcement Workshop was hosted by the Florida Police Chiefs and Florida Sheriffs Associations and was directed to focus on firearm policy that would prevent mentally disturbed individuals from possessing guns as well as safety improvements for schools. The workshop included sheriffs and police chiefs from throughout the state.

The Department Of Education Workshop- included school board members and superintendents from across the state and focused on school safety improvements and updating school security protocols and emergency plans as well as mental health.

The Department of Children & Families Workshop included agency heads from Department of Health, Department of Juvenile Justice, Department of Law Enforcement, Department of Health, and mental health and child welfare advocates. The workshop focused on ways to expand mental health services for Floridians, especially students, and improve coordination between state, local and private behavioral health partners.

After the workshops the Governor held a roundtable to craft the outline for his proposal.