



2018 LEGISLATIVE SESSION WEEK 6

I do not even know where to begin. The tragedy that took place at Marjory Stoneman Douglas High School this week ripped through Tallahassee and tore our hearts open. We are sending strength, love and prayers back home to Broward. I commit to you that my team will work diligently alongside our Legislature and our Delegation as we move through the rest of Session focusing on what we can do as a State to make our children, teachers and our communities safer.

As for Tallahassee.....We anticipated budget conference to begin, however as I write this report the House and the Senate do not yet have allocations. The Legislature will go home tomorrow for a long weekend and we believe that allocations will be presented and that conference discussions will begin late next week. Committees are winding down and bills are struggling to get heard to keep the language alive either on stand alone bills, committee bills or vehicles to be attached to. We continue to fight the good fight on harmful legislation, advocate for good policy and posture your priorities as we move into conference. As always, please do not hesitate to call me with any questions or would like additional information.

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FINANCE & TAX

HOUSE PASSES TOURIST DEVELOPMENT TAX

The House voted 93-20 to 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 committee adopted an amendment that would only apply the use to counties that generate over \$20 million in TDT dollars, require a 2/3 vote of the commission, require the project ties to tourism be verified by an independent study, and require a 30% match of non-tourism dollars. Tourism promotion agencies oppose the bill out of concerns it diverts revenue from advertising and promotion to local government pet projects. The bill has one more committee stop in the Senate.

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

HOUSE TAX CUT PACKAGE

House Ways & Means voted along party lines (14-6) to file a 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. Two provisions became major points of controversy. Perhaps the largest controversy

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surrounds a provision that allows businesses to get tax credits for funding scholarships to private schools, a move democrats denounced as destructive to our public schools. The second controversial provision is a reduction in the aviation fuel tax, opposed by airports around the state. The Senate is waiting on allocations to be released before forming their own tax cut package. The Governor requested a \$180 million tax cut package, which is significantly lower than previous tax cuts due to budget constraints. The final product of the Ways & Means Committee has not been released or assigned a bill number as of this report. Below is the unamended package.

[https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2924&Session=2018&DocumentType=Proposed%20Committee%20Bills%20\(PCBs\)&FileName=PCB%20WMC%2018-03.pdf](https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2924&Session=2018&DocumentType=Proposed%20Committee%20Bills%20(PCBs)&FileName=PCB%20WMC%2018-03.pdf)

PUBLIC SAFETY

EMERGENCY MANAGEMENT

House Government Accountability unanimously voted to file a committee 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 has not received committee references yet.

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

TRANSPORTATION

SMART CITY CHALLENGE GRANT PROGRAM

House Transportation & Tourism 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 Senate bill appropriates \$15 million for the program,

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however the appropriation was removed from the House bill. The committee adopted a strike-all to align the language with the Senate (sans appropriation) and change the enacting date to when funds are appropriated. It has one more committees in the House. Its Senate companion still has two committees of reference.

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

EV PARKING SPACES

Senate Transportation voted unanimously to pass a bill that would impose a \$30 fine plus court costs up to \$180 on anyone who parked in a electric vehicle parking spot without being capable of electronic charging. It has two more stops in the Senate. It does not have a house companion.

<https://www.flsenate.gov/Session/Bill/2018/01082>

ALCOHOL ON TRAINS

Senate Transportation voted 4-1 to exempt railroad and sleeping car operators from a two ounce bottle size limitation for alcoholic beverages. The bill now has one more committee in the Senate and in the House.

<https://www.flsenate.gov/Session/Bill/2018/00922>

STRATEGIC INTERMODAL SYSTEMS

Senate Transportation voted unanimously to approve a bill that would allow public transit in managed lanes to be eligible for SIS funding. The bill has two more stops in the Senate. Its House companion has not been heard in committee.

<https://www.flsenate.gov/Session/Bill/2018/01188>

TRESPASS ON AIRPORT PROPERTY

Senate Criminal Justice voted unanimously to make it a third degree felony to trespass in the operational area of an airport with ill intent, including impeding operations. The bill has two more committees in the Senate. Its Senate companion is now before the full House.

<https://www.flsenate.gov/Session/Bill/2018/01094>

STATEWIDE ALTERNATIVE TRANSPORTATION AUTHORITY

Senate Appropriations Subcommittee on Transportation & Economic Development voted 7-3 to approve a bill that would create the Statewide Alternative Transportation Authority under the Florida Department of Transportation. The new Authority is designed to move

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transportation planning and resources from traditional transportation to foster emerging technologies and innovation designed to move the greatest amount of people in the shortest amount of time. Of \$60 million in documentary stamp revenue designated for the Florida Rail Enterprise (FRE), the bill would dedicate \$25 million to Miami-Dade County and \$25 million to the Tampa Bay Area Regional Transit Authority, leaving only \$10 million divided amongst the rest of the state. The committee adopted an amendment to push the allocation back until 2021-2022. A Broward Senator offered an amendment that would allocate the funding to a statewide competitive program that would foster innovation and a Jacksonville Senator sponsored an amendment to dedicate \$8 million annually to her area (leaving \$2 million for the rest of the state outside of Miami-Dade and TBARTA.) Both amendments failed but not without significant discussion. According to the bill sponsors, this funding was dedicated to SunRail in Central Florida, where it is no longer necessary, so offering the funding to the two entities is spreading the funding on a more statewide level. They also contend that the FRE budget has more unencumbered funds that are available for projects across the state than the \$60 million. The sponsor also argued that \$42 million is appropriated annually to Tri-Rail (South Florida Regional Transportation Authority.) Members opposed argued against the funding being dedicated to two areas in perpetuity. They argued areas of the state are all connected and what occurs in Miami-Dade impacts Broward and Palm Beach. They also opposed that the whole state is taxed to fund the \$60 million but that it does not come back to the whole state. We are working with stakeholders to try to potentially strike a balance that can incorporate more of the South Florida region. Concerns also remain that the new Authority created would be exempt from FDOT procedures and protocols, language that is intended to prevent bureaucratic processes from impeding innovation. The bill has one more committee of reference in the Senate and two more committees of reference in the the House.

<https://www.flsenate.gov/Session/Bill/2018/01200>

MIAMI-DADE CHARTER COUNTY AND REGIONAL TRANSPORTATION SURTAX

House Government Accountability voted 17-6 to approve 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

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sponsor argues that the bill is not only about accountability but also worsening congestion in Miami-Dade. The bill is now before the full House. It's Senate companion has one more committee in the Senate.

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

BICYCLIST AND PEDESTRIAN SAFETY

House Government Accountability voted unanimously to pass a bill to provide greater direction to motorists overtaking a bicyclist or pedestrian. The bill requires motorists in the same travel lane as a pedestrian or cyclist to exit the lane in order to pass or to stay a safe distance behind the motorist until it is feasible to vacate the lane. Motorists would be required to pass at a maintained distance of 3 feet. If a separate bicycle lane exists, motorists are allowed to pass without added precautions. The bill also requires that motorists be at least 20 ft ahead of the bicyclist prior to making a right turn and must use a turn signal. It also instructs groups of cyclists to come to a full stop at a stop sign intersection and proceed only groups of 10 and motorists would be required to allow the group of 10 to cross the intersection before proceeding. The bill is now before the full House. It does not have a Senate companion.

<https://www.flsenate.gov/Session/Bill/2018/00117>