



**MEMORANDUM**  
**Jean Monestime**

**Chairman**

**BOARD OF COUNTY COMMISSIONERS**

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To: Honorable Carlos A. Gimenez, Mayor  
Honorable Esteban Bovo, Vice Chair and  
Members, Board of County Commissioners

Date: July 21, 2015

Cc: R. A. Cuevas, Jr., County Attorney  
Christopher Agrippa, Director, Clerk of the Board

From: Jean Monestime, Chairman

Re: 2015 Florida Legislature  
End-of Session Report

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The following report provides the status of legislation and appropriations related to Miami-Dade County from the 2015 session of the Florida Legislature that concluded after the special session on June 12, 2015.

The information compiled was provided by Miami-Dade's contract lobbyists, CAO Jess McCarty and the Office of Intergovernmental Affairs.

The sections are broken down as follows: "Section A" addresses Miami-Dade County Priorities as set by the Board of County Commissioners and other issues of significance; Sections B through FH address issues in various policy areas.

**A. Miami-Dade Priorities & Other Key Issues:**

1. **Miami-Dade Home Rule Charter -DIED-** SJR 810 by Senator Rene Garcia (R-Hialeah) and HJR 521 by Rep. Frank Artiles (R- Miami) would have provided for a statewide vote

to allow Miami-Dade Delegation members to propose Miami-Dade Charter amendment for the county ballot. SJR 810 died in the Senate Community Affairs Committee on a vote of 3 yeas, 4 nays. Senator Miguel Diaz de la Portilla (R-Miami) debated strongly against the bill in committee. HJR 521 died when it did not get a hearing in the House Civil Justice Subcommittee following the Senate bill dying in committee.

**2. Film Incentives -NOT FUNDED-** House and Senate conferees agreed not to fund a Senate proposal to provide \$10 million in an 'Entertainment Action Fund' within the Florida Department of Economic Opportunity (DEO) to be used to respond to opportunities to attract entertainment productions, similar to the state's quick action closing fund and a proposal included in the film incentive bill, SB 1046, during the regular session. In addition, funding was eliminated for two positions within the state film office during the losing hours of the conference process, but efforts are ongoing to restore these positions within DEO. This issue was a County priority and was the subject of Resolution No. R- 824-14.

**3. Enterprise Zone Reauthorization (County Priority) -DIED-** SB 392 by Senator Jeff Clemens (D-Lake Worth), SB 1556 by Senator Bill Montford (D-Tallahassee) and HB 903 by Rep. Elizabeth Porter (R- Lake City) would have reauthorized the Enterprise Zone Program currently set to expire at the end of 2015. These bills did not receive a committee hearing. Language was included in SB 1214 by Senator Jack Latvala (R-Clearwater) that would have provided for a 3-year phase out of enterprise zone incentives for certain businesses. SB 1214 died on the Senate floor. Language was included in HB 7067 by the House Economic Development & Tourism Subcommittee that would have authorized the creation of local enterprise zone programs with no state funding. HB 7067 passed the House passed by a vote of 82 yeas, 34 nays, but died in messages to the Senate. This issue was a County priority and was the subject of Resolution No. R-862-13.

**4. Equal Pay (County Priority) -DIED-** SB 98 by Senator Arthenia Joyner (D - Tampa) and HB 25 by Rep. Janet Cruz (D -Tampa) would have created the Helen Gordon Davis Fair Pay Protection Act. These bills did not receive a committee hearing. The House passed HB 7181 but SB 1114 and HB 7181 died on the Senate floor. This issue was a County priority and was the subject of Resolution No. R-826-14.

**5. Trails -ALL VETOED-** Trails in Miami-Dade County are funded at the following levels through the State Transportation Trust Fund.

1. Ludlam Trail (County Priority): \$3 million to Miami-Dade County;
2. The Underline (County Priority): \$2 million;
3. Black Creek Trail: \$200,000;
4. Biscayne-Everglades Park-to-Park Greenway: \$1.5 million. The City of Homestead secured this funding. These issues (numbers 1 and 2) were County priorities and the subject of Resolutions No. 1130-14 and No. R-155-15.

6. **Affordable Housing (County Priority) -FUNDED-** Affordable Housing is funded at \$175 million statewide. This amount includes \$105 million for the State Housing Initiatives Partnership (SHIP) Program, from which \$4 million is set aside for affordable housing services for the homeless. Proviso language requires local governments to use a minimum of 20 percent of SHIP funds to serve person with special needs, with first priority to persons with developmental disabilities with an emphasis on home modification. The \$175 million total amount for affordable housing also includes \$48 million for the State Apartment Incentive Loan (SAIL) Program and \$10 million to fund a competitive grant program for housing developments targeted at the persons with developmental disabilities. This issue was the subject of Resolution R-57-15.

7. **Florida Shared-Use Nonmotorized Trail Network -FUNDED-** The Conference Report on SB 2514-A, which is a budget conforming bill, includes \$25 million in funding for the Florida Shared-Use Nonmotorized Trail Network. Funding increased from \$17.5 million to \$25 million in the closing hours of budget conference negotiations. In addition, it's important to note that this will be recurring funding, not limited to state fiscal year 2015-16. One of Senate President Andy Gardiner's priorities is the Coast-to-Coast Connector, a 275-mile trail from Titusville to St. Petersburg. This project is likely to consume significant portion of this funding in the initial years of the program. This issue was the subject of Resolution R-176-15.

8. **State Transportation Trust Fund (STTF) -APPROVED-** Both the Senate and House budgets approved by the respective Chambers included historic funding for the State Transportation Trust Fund and held it harmless by not diverting excise tax on documents funding to satisfy Amendment 1 funding.

9. **MPO Board Restructuring -DIED-** HB 7039, an omnibus House transportation package, was amended on the House floor by Rep. Jeanette Nunez (R–Miami) with language to restructure the Miami-Dade Metropolitan Planning Organization (MPO). HB 7039 passed the House by a vote of 104 yeas, 8 nays, but died in messages to the Senate. Senator Rene Garcia filed a similar MPO amendment to SB 1554, an omnibus Senate transportation package, but the Senate Appropriations Committee held two hearings with SB 1554 on the agenda, but never took up the bill or the amendment. This issue was the subject of Resolution No. R-826-14.

10. **Medicaid Expansion (County Priority) -DIED-** SB 7044 by the Senate Health Policy Committee chaired by Senator Aaron Bean (R–Jacksonville) died on the Senate floor calendar. SB 7044 was the Senate's Medicaid Expansion proposal that would have created the Florida Health Insurance Affordability Exchange (FHIX) Program and extended health care coverage to an estimated 800,000 uninsured, low-income Floridians in households earning less than 138 percent of the federal poverty level who are not currently eligible under the Medicaid program. There was no House companion bill.

During the special session the Senate suggested changing the LIP funding model and instituting a private sector alternative to Medicaid expansion to help make up some of the funding gap created with LIP's discontinuation. The House's health care funding plan didn't include either, leaving the chambers \$4 billion apart. When lawmakers returned for the special session, news broke that the federal government would in fact extend the program, but at a lower funding rate. With the question over LIP answered, lawmakers reconciled and were able to pass a health care budget that included using some state funds to "backfill" the existing gap between current and future funding for the program. The House and Senate then took different approaches to addressing the remaining issues with health care costs in the state but both chambers rejected each other's proposals before the end of the special session. This issue was a County priority and was the subject of Resolution No. R-1126-14.

**11. MDX Board Restructuring -DIED-** SB 1276 by Senator Anitere Flores (R – Miami) and HB 989 by Rep. Jeanette Nunez (R–Miami) would have restructured the Miami-Dade Expressway Authority (MDX). SB 1276 died when the Senate Rules Committee did not hear the bill, and HB 989 died on the House floor. Senator Flores filed the MDX language as a Senate floor amendment to SB 1024, but later withdrew the amendment.

**12. Elder Meals Program - FULLY FUNDED** - Elder meal programs are fully funded at \$108 million, with a large share of this funding coming to Miami-Dade County. In addition to full funding, the following programs within Miami-Dade County received the following additional amounts:

1. City of Hialeah Gardens - Hot Meals: 200,000;
2. Little Havana Activities Center Meals Program: 500,000;
3. Little Havana Activities Center Adult Day Care: 1,200,000;
4. City of Hialeah Meals Program: 900,000.

This issue was the subject of Resolution No. R-1129-14.

**13. Low Income Pool/Jackson Health System -FUNDED-** Hospitals are funded through the Low Income Pool (LIP) and additional funding in the total amount of \$2 billion, generally consisting of two parts:

1. \$1 billion in LIP funding, consisting of \$395 million in local intergovernmental transfers (IGTs – largely Miami-Dade and Broward) and \$405,000 in state funds that draws down \$604 million in federal LIP match funding and
2. \$1 billion in additional hospital funding, consisting of \$400 million in state general revenue 'backfill' funding that will draw down an additional \$620 million in federal funds. This additional funding will be used for Medicaid rate increases, per the guidance Florida received from the federal government on how to draw down additional federal funds.

The \$2 billion brings FY 2015-16 hospital funding close to the \$2.1 billion in LIP funding from the current fiscal year, despite LIP funding being reduced by the federal government by approximately 50 percent for the upcoming fiscal year. Jackson Health System is estimated to

receive \$481.2 million of this total \$2 billion and a net payment of \$263.8 million after IGTs. Funding for Jackson is approximately \$7 million less than the current fiscal year.

**B. Library, Cultural Affairs and Parks & Recreation**

**14. Libraries -FUNDED-** State aid to local libraries is funded in the amount of \$24.4 million, which consists of \$22.3 million in state funds and \$2.1 million in federal grants. House and Senate conferees agreed not to fund a Senate offer to increase funding for State Aid to Libraries by \$1 million. The \$24.4 million amount for library funding represents a reduction from current state fiscal year library funding of \$27.4 million.

**15. Cultural/Museum Grants:** \$14.8 million **APPROVED**. Of this amount, \$5 million is recurring funding and \$7.8 million in nonrecurring funds are provided to fund the ranked list of programs in its entirety. In addition, funding for the following programs within Miami-Dade County are provided through nonrecurring funds:

- Museum of Contemporary Art: **VETOED** \$49,000;
  - Community Theater of Miami Lakes: **VETOED** \$40,000;
  - Adrienne Arsht Center: **VETOED** \$150,000;
  - Bay of Pigs Museum: **APPROVED** \$150,000;
  - Miami Contemporary Dance Company: **VETOED** \$200,000.
- **Culture Builds Florida** – \$1.52 million. **APPROVED** this amount funds the ranked list of programs in its entirety.
  - **Cultural Facilities** – \$36.3 million **APPROVED**. \$18.8 million in nonrecurring funding funds the ranked list of programs in its entirety. In addition, funding for the following programs within Miami-Dade County are provided through nonrecurring funds:
    - Seminole Theater - Homestead: \$250,000 **VETOED**.
  - **Cultural Endowments** – \$1.7 million **APPROVED**.

**16. City of Opa Locka Multi-Purpose Cultural Facility -VETOED-** A multi-purpose cultural facility for the City of Opa Locka is funded at \$1 million.

**17. Vizcaya Museum and Gardens Trust, Inc. -VETOED-** There is funding for Vizcaya Museum and Gardens Trust, Inc. at \$400,000.

**18. West End Tech Center -VETOED-** The West End Tech Center at FIU is funded at \$500,000. The Senate had proposed funding earlier in conference, but conferees agreed not to fund this program.

**19. Miami Military Museum -VETOED-** The Miami Military Museum adjacent to Zoo Miami is funded in the amount of \$1 million through cultural facilities grants and aid. This issue was the subject of Resolution No. R-772-13.

**D. Transportation & Economic Development Issues**

**20. Co-designation of Curtiss Parkway/Virginia Gardens Boulevard -DIED-** This co-designation was included in both SB 388 and HB 7093, the respective Chambers road designation vehicles. SB 388 died in Messages to the House and HB 7093 died on the House Second Reading Calendar. This issue was the subject of Resolution No. R-395-14.

**21. Advanced Traffic Management Systems (ATMS) -APPROVED-** Both the Senate and House budgets approved by the respective Chambers included funding for the Advanced Traffic Management System through the State Transportation Trust. \$15 million dollars was requested for the planning, land acquisition, construction, and implementation of a Traffic Control Center for the management and operation of the ATMS. \$6.3 million dollars was appropriated for the planning, development, and implementation of a reliable, high-speed communications infrastructure for the management and operation of the 4,500 traffic signals and school crossing flashing lights in Miami-Dade County.

**22. Quiet Zones – All Aboard Florida -VETOED-** \$10 million in funding is provided for a grant program for quiet zone improvements related to All Aboard Florida.

**23. Economic Development Transportation Projects -ALL VETOED-** In addition to the Florida Department of Transportation 5-Year Work Program, which was fully funded, \$35 million is provided for specific economic development transportation projects. From this amount, the following projects within Miami-Dade County were funded:

1. NE 163rd St/35th Ave Texas U-Turn/North Miami Beach: 1,000,000;
2. 174th St Pedestrian Bridge/Sunny Isles: 1,000,000;
3. Intelligent Transportation System/Miami Beach: 100,000.

**24. Miami-Dade Economic & Advisory Trust – South Dade Culinary Project - Funded-** The South Dade Culinary Project of the Miami-Dade Economic & Advisory Trust is funded at \$100,000.

**25. Gaming/Destination Casinos -DIED-** HB 1233 by Rep. Dana Young (R–Tampa) initially would have authorized two destination resort casinos in Miami-Dade and Broward Counties. The bill was amended in committee to remove the destination resort casino provision and eventually died in the House Appropriations Committee. There was no Senate companion bill.

**26. Miami-Dade Economic & Advisory Trust – South Dade Culinary Project - VETOED-** The South Dade Culinary Project of the Miami-Dade Economic & Advisory Trust is funded at \$100,000.

**27. Employ Miami-Dade -VETOED-** The Employ Miami-Dade initiative is funded in the amount of \$100,000 through workforce projects grants and aid.

**28. Port Miami -APPROVED-** The Conference Report on SB 2500A includes the following funding for Port of Miami:

- \$40.2 million – Intrastate Highway Construction/Traffic Engineering (Port of Miami Tunnel to Port Miami to SR 836/I-395)
- \$2.6 million- Seaport Grants (Port of Miami South Fisherman’s Channel)

**29. Aviation -APPROVED-** The Conference Report on SB 2500A includes the following for airport funding:

- \$25.1 million – Aviation Development Grants (Specific to Miami-Dade County)

**30. Economic Development Funding -APPROVED-** The Conference Report on SB 2500 includes the following funding for economic development activities:

Department of Economic Opportunity \$1.1 Billion Total Budget

- Community Development Block Grant Program \$36.5 M
- Weatherization Grant Program \$2 M
- Low Income Energy Assistance Grant Program \$16 M
- Community Services and Energy Assistance \$100 M
- Skills Assessment and Training/Ready to Work \$4 M
- Regional Planning Councils \$2.5 M
- Quick Response Training \$12 M
- Fund Regional Workforce Boards \$283.4 M
- Economic Development Incentives \$43 M
  - Quick Action Closing Fund Program
  - Qualified Targeted Industries Program
  - Qualified Defense Contractors Program
  - Brownfield Bonus Program
  - High Impact Performance Incentive Program
  - Brownfield Redevelopment Program
  - Innovation Incentive Program
- Black Business Loan Program\$2.2 M
- Hispanic Business Initiative \$1.5 M
- Space Florida \$19.5 M
- Enterprise Florida \$25 M
- Visit Florida \$74 M
- FL Housing Finance Corporation\$175 M
  - SAIL \$48 M
  - SHIP \$105 M
- Vacant Position Reductions-\$215.6K (2 FTE)
  - Film Office Marketing

## **E. Public Safety, Regulatory, Animal Services & Procurement**

**31. Code Enforcement -DIED-** HB 345 by Representative Burton (R-Lakeland); SB 708 by Senator Simpson (R-New Port Richey). These bills would have required training for code enforcement officers. As drafted, the term “code enforcement officer” was very broad and included animal control offices, police, fire, and building inspectors – all professions that are otherwise already trained. The sponsors were willing to narrow the scope of the bill, but neither bill received a hearing.

**32. Low Voltage Alarm Systems -PASSED-** HB 413 by Representative B. Cortes (R-Maitland); SB 466 Senator Flores (R-Miami). SB 466 by Senator Flores passed both chambers and goes next to the Governor for final action. It provides that a permit is not required for wireless alarm systems and reduces the maximum price for permit labels for alarm systems.

**33. Certified Public Expenditure/Fire-Rescue Emergency Medical Services - APPROVED-** The state budget includes funding authority in the amount of \$15 million for a Medicaid Certified Public Expenditure (CPE) program for emergency medical care/transport reimbursement, along with proviso language directing the state Agency for Health Care Administration (AHCA) to develop a state Medicaid plan amendment to draw down federal funding for emergency medical care/transport reimbursements. This was a departmental request from Miami-Dade Fire/Rescue.

**34. Police Body Camera Public Records Exemption -PASSED-** SB 248 by Senator Chris Smith (D–Fort Lauderdale) passed both the House and Senate and is now pending approval by the Governor. SB 248 provides a public records exemption for police body camera video taken in (1) the interior of a private residence, (2) the interior of a hospital or other health care or social services facility or (3) a place that a reasonable person would expect to be private. Both a person recorded and the owner of the private residence where the recording took place will have access to the video. Otherwise a court order is required. This issue was the subject of Resolution No. R-152-14.

**35. Police Body Camera Policy/Two-Party Consent -DIED-** HB 57 by Rep. Shevrin Jones (D–West Park) passed the House by a vote of 113 yeas, 0 nays, but died in messages. SB 7080 by the Senate Criminal Justice Committee was on the Senate floor calendar for Thursday, April 30, but the Senate did not return to session beyond Wednesday. This pair of bills would have required law enforcement agencies that permit law enforcement officers to wear body cameras to develop certain policies and procedures governing the proper use, maintenance, and storage of body cameras and recorded data. HB 57 and SB 7080 also would have exempted body camera recordings from the requirements of Chapter 934 related to two-party consent for recording. This exemption would have further clarified that law enforcement officers wearing body cameras would not have to inform each individual with which

they make contact that they are being recorded. This issue was the subject of Resolution No. R-152-14.

**36. Single-Sex Public Facilities/Transgender Ordinance Preemption -DIED-** HB 583 by Rep. Frank Artiles (R-Miami) died in the House Judiciary Committee. SB 1464 by Senator Charlie Dean (R-Inverness) died in the Senate Criminal Justice Committee when the committee did not hear the bill despite being on two committee agendas. HB 583 would have required single-sex public facilities to be restricted to persons of the sex for which the facility is designated and preempt local laws that purport to permit or require owners of public accommodations, schools or places of employment to permit use of single-sex public facilities by persons whose biological sex is different from the sex for which such facilities are designated. SB 1464 included no preemption language, and provided that a person who knowingly and willfully enters a public facility with the intent to harass or engage in harassment, lewd behavior, assault, battery, molestation, rape, or voyeurism commits a felony of the second degree.

**37. Companion Animals -DIED-** HB 497 by Representative B. Watson (D-Miami Gardens); SB 1234 by Senator Abruzzo (R-Wellington). These bills would have created the "Companion Animal Rescue Act." Some animal advocacy groups were concerned that the bills were cost-prohibitive and restrictive in nature and would not result in better treatment for animals. Neither bill received a hearing.

**38. Pets Trust -DIED-** HB 207 by Representative B. Watson (D-Miami Gardens); SB 670 by Senator Bullard (D-Cutlerbay). These bills would have authorized counties to create independent special districts for pet services and advocacy programs. They also would have required Miami-Dade County to create a Pets Trust due to the passage of a straw ballot on the issue locally. Some stakeholders were concerned that the council required by the bills was not properly balanced. Additionally, local governments already have the authority to create an independent special district under current law, with fewer restrictions. Neither bill received a hearing.

**39. Juvenile Justice Cost Shift -DIED-** The statewide county juvenile justice cost share is budgeted at \$60.1 million. Proviso language was included in the budget that would direct the Florida Department of Revenue to withhold revenue sharing from any county that does not timely pay to the state its juvenile justice cost share. Proviso language is also included requiring the state Department of Juvenile Justice (DJJ) to conduct a comprehensive statewide review of county-level implementation of juvenile justice policies related to prevention, diversion, and rehabilitation. Conferees did not adopt a Senate proposal to include language in the budget implementing bill that would have provided a statutory 43 percent state/57 percent county share of juvenile justice detention costs.

**40. Local Government Cleanup Contracting -APPROVED-** The local government cleanup contracting program was funded at \$14M, almost doubling the amount of funding over

last year. This increased funding will allow for an enhanced level of contracting between the County and the Department of Environmental Protection (DEP).

**41. Hazardous Walking Conditions -PASSED-** SB 154 by Senator Alan Hays (R-Umatilla) requires any governmental entity with jurisdiction over a road with a hazardous walking condition to correct the condition or inform the local school district and Florida Department of Education.

**42. Transportation Network Companies (Uber/Lyft) Preemption -DIED-** HB 817 by Rep. Matt Gaetz (R-Shalimar) died on the floor of the House when the House temporarily postponed it a number of times. HB 817 would have preempted local regulation of transportation network companies. SB 1298 by Senator David Simmons (R-Altamonte Springs) passed the Senate by a vote of 28 yeas, 12 nays, but died in messages to the House when the House didn't take it up. SB 1298 imposed minimum insurance requirements on transportation network companies, but did not include preemption language.

**43. Local Preference Preemption -PASSED-** SB 778 by Senator Alan Hays (R - Umatilla) passed both the House and Senate and is now pending approval by the Governor. The House companion bill was HB 113 by Rep. Keith Perry (R-Gainesville). SB 778 prohibits the application of local preference when a project includes 50 percent or more state funding. As initially filed, the bill would have prohibited local preference if a project had 20 percent or more state funding.

**44. Public Works Projects/Preemption Responsible-Living Wage/CSBE/ Training Programs -DIED-** SB 934 by Senator Jeff Brandes (R-St. Petersburg) died in the Senate Community Affairs Committee on a vote of 1 yeas, 6 nays. Senator Miguel Diaz de la Portilla debated strongly against the bill in the committee. HB 527 by Rep. Charles Van Zant (R-Palatka) died when it did not get a hearing in the House State Affairs Committee following the Senate bill dying in committee. This pair of bills would have preempted local governments that contract for construction, maintenance, repair, or improvement of public works from requiring that a contractor, subcontractor, or material supplier:

1. Pay employees a predetermined amount of wages or wage rate;
2. Provide employees a specified type/amount/rate of employee benefits;
3. Control or limit staffing;
4. Recruit, train, or hire employees from a designated or single source;
5. Designate any particular assignment of work for employees;
6. Participate in proprietary training programs; or
7. Enter into any type of project labor agreement.

**F. Housing, Health & Human Services**

**45. Community Mental Health Grants -FUNDED-** Community mental health grants are funded \$271.8 million.

**46. Sober Homes -PASSED-** HB 21 by Rep. Bill Hager (R-Boca Raton) passed both the House and Senate and is now pending approval by the Governor. The Senate companion bill was SB 326 by Senator Jeff Clemens (D-Lake Worth). HB 21 would create a voluntary certification program for recovery residences or "sober homes" that function as halfway houses for persons struggling with addiction, and prohibits licensed substance providers from referring patients to recovery residences which are not certified or not owned and operated by a licensed substance abuse provider.

**47. Mental Health & Substance Abuse -DIED-** SB 7068 was an omnibus mental health and substance abuse bill by Senator Rene Garcia(R-Hialeah). Both the House and Senate passed versions of the bill, but the bill died when the Senate did not concur in House amendments and the House had adjourned sine die.

**48. Farm Share -APPROVED-** In the initial budgets put forward, Farm Share received \$1.5M in the House and \$1.2M in the Senate. The Food Bank program received identical allocations.

**49. Homeless Housing Assistance Grants -APPROVED-** Homeless housing assistance grants are funded at \$2.5 million statewide.

**50. Crisis Outplacement/Homeless Trust -VETOED-** Crisis Outplacement Beds for the Miami-Dade County Homeless Trust are funded at \$189,794. The House provided this funding through its supplemental funding list.

**51. Homelessness -DIED-**The Senate and House proposed budgets each contained \$3.8 million in non-recurring funds for Challenge Grants. Additionally, Senator Latvala (R-Clearwater) filed SB 1214, a comprehensive bill that addressed various issues pertaining to homelessness. SB 1214 made a number of changes to the state's economic development and housing and community development programs to provide more flexibility in programs, and to increase transparency and accountability across those programs. This bill would have allowed local governments to use SHIP funding for rental assistance in cases of homelessness and disability, and would have removed the requirement to allocate 65 percent of funds to home ownership. It would have required the Office of Homelessness to administer Challenge Grants, and have had award levels consider degrees of homelessness, rather than just consider population. The House bill was not heard.

**52. Juvenile Detention Costs -DIED-**SB 1414 by Senator Bradley (R-Jacksonville), and HB 5201 by Representative Metz (R-Groveland), attempted to address the issue by setting forth several variations on the division of cost to detain juveniles. Neither bill passed. These

bills originally split the cost in a 60% - 40% breakdown, with the state paying the lower percentage. The final iteration of this bill put the breakdown at a 57% - 43% split. The House companion contained the same percentages.

**53. Marchman Act Involuntary -DIED-** Assessment SB 7068 sponsored by Senator Garcia (R-Hialeah) fell victim to the early adjournment of the House. Prior to its sudden adjournment, the House amended the comprehensive Mental Health and Substance Abuse bill that would have essentially removed provisions that merged the Baker Act with the Marchman Act, among other issues that the Senate would not support. Senator Garcia, as sponsor, and the Senate as a whole, refused to concur with this amendment, and therefore the bill was temporarily postponed and did not pass.

**54. Assisted Living Facilities -APPROVED-** HB 749 and HB 1001 reform the so-called continuing care communities and assisted living facilities. HB 1001 by Representative Ahern (R-Seminole) adds protections to mental health residents in assisted living facilities, makes changes to the state long-term care ombudsman program, updates facility licensure, and creates a consumer information website. HB 749 by Representative Van Zant (R-Palatka) revises requirements for continuing care contracts and communities to make it easier for former residents to receive refunds. This issue was the subject of Resolution No. R-864-13.

#### **G. Agriculture, Environment & Land Use**

**55. Miami-Dade Lake Belt Water Treatment Fee -PASSED-** HB 359 by Rep. Manny Diaz (R-Hialeah) passed both the House and Senate and is now pending approval by the Governor. The Senate companion bill was SB 510 by Senator Rene Garcia (R-Hialeah). HB 359 reinstates a 6 cent fee per ton of mined rock for water treatment plant upgrades for three years until July 1, 2018. The final bill eliminates a 5 cent environmentally endangered lands (EEL) fee that was previously in both the House and Senate bills. HB 359 also directs the State Fire Marshal to conduct a study of blasting within the Lake Belt area, with the study funded through 2 cents of the water treatment plant upgrade fee up to \$300,000.

**56. Comprehensive Water Policy -DIED-** Both the House and Senate had comprehensive water policy bills that included springs protection, but both bills died. The House passed its bill, HB 7003 which was a committee bill by the House State Affairs Committee, by a vote of 106 yeas, 9 nays. The Senate amended HB 7003 to replace the House language with the substance of the Senate bill, SB 918 by Senator Charlie Dean (R-Inverness), and sent HB 7003 back to the House after the House has adjourned sine die.

**57. Amendment One Land Acquisition -FUNDED-** Land acquisition pursuant to Amendment One/Water & Land Conservation is funded at a total of \$55 million, which includes \$17.4 million for environmental endangered lands). No additional funding is expressly provided for land acquisition south of Lake Okeechobee for Everglades protection.

**58. Amendment One Implementation -PASSED-** SB 2516A implements the recent constitutional initiative approved by the voters relating to water and land conservation. The amendment requires that 33 percent of documentary stamp taxes collected be distributed to the Land Acquisition Trust Fund (LATF) and prohibits funds from the LATF from being used for other than a specified list of purposes and prohibits the commingling of the LATF with the General Revenue Fund. The bill restructures existing trust funds, including the LATF, in order to implement these requirements. This legislation did not address funding for any programs. Funding was addressed in the budget and will continue to be determined annually by the Legislature.

Notable funding for environmental programs includes:

- **Everglades Restoration** - \$58.9M in LATF funds and \$22.9 in GR. This includes funding for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan, the Lake Okeechobee Protection Plan, The Caloosahatchee and St. Lucie River Watershed Protection Plan components, and water quality enhancement projects identified in the state's long-term plan.
- **Beaches** - \$25.1M in LATF funds and \$7.1M in GR for statewide beach projects.
- **Land Acquisition** - \$17.4M in Florida Forever Trust Funds for the statewide acquisition of environmentally endangered, unique and irreplaceable lands.
- **Kissimmee River Restoration** - \$20M in LATF funds.
- **Conservation and Rural Land Protection Easements and Agreements** - \$15M in LATF funds.
- **Water Projects** - \$73.4M in GR for water projects in local communities. Many of these projects were vetoed by the Governor.
- **Springs** - \$38.6M in LATF funds and \$6.4M in GR for land acquisition to protect springs and capital projects that protect the quantity and quality of water that flow from springs.

**59. Water Projects** -Water projects were (**VETOED**) funded at \$73.3 million, which is a \$15.1 million reduction from last year. Water projects were initially funded at \$50 million, and an additional \$23.3 million in water project funding was provided through both House and Senate supplemental funding lists. Water projects are entirely funded through general revenue, no Amendment One/Water & Land Conservation funds were used. While six Miami-Dade County water projects were submitted for funding, none of our projects were funded. A number of city water projects within Miami-Dade County were funded, including:

1. Aventura NE 29 Place South Stormwater Retrofits: \$195,000 **VETOED**;
2. Bay Harbor Islands sewer manhole lining project: \$100,000 **VETOED**;
3. Coral Gables Miracle Mile/Giralda Ave. drainage improvement: \$200,000 **VETOED**;
4. Coral Gables wet well rehab: \$80,000 **VETOED**;
5. Doral Stormwater Improvement: \$325,000 **VETOED**;
6. Hialeah Gardens Water Conservation: \$300,000 **VETOED**;

7. Medley NW 87 Ave utility adjustments: \$300,000 **VETOED**;
8. Miami Beach Stormwater Project: \$750,000 **VETOED**;
9. Miami Gardens Stormwater Improvements/NW 13 Ave: \$175,000 **VETOED**;
10. Miami Lakes Canal Bank Stabilization Project Phase II: \$500,000 **VETOED**;
11. Miami Lakes Lake Sarah Drainage Improvements: \$300,000 **APPROVED**;
12. Miami Lakes West Lakes Drainage Improvements Phase B: \$300,000 **VETOED**;
13. Miami River Commission Miami River Environmental Restoration: \$150,000 **APPROVED**;
14. Miami Springs Study, Erosion Control & Stabilization of Drainage Canals: \$500,000 **APPROVED**;
15. North Miami Beach 19th Avenue Business District Sewer: \$425,000 **VETOED**;
16. North Miami Tressler Street Drainage Improvements: \$250,000 **VETOED**;
17. Opa-Locka Canal Improvements: \$250,000 **VETOED**;
18. Palmetto Bay Drainage Sub0Baisin No, 59 & 60 **VETOED**;
19. South Miami Twin Lakes Sanitary Sewer Expansion: \$200,000 **VETOED**;
20. South Miami Twin Lakes Stormwater Drainage Phase III: \$200,000 **VETOED**;
21. Sweetwater Stormwater Improvements: \$250,000 **VETOED**;
22. Village of Biscayne Park Stormwater Master Plan: \$150,000 **APPROVED**;
23. Virginia Gardens VG-66 Avenue Storm Drain, ADA, and Road Widening: \$350,000 **APPROVED**.

**60. Mining -PASSED-** HB 359 by Representative Manny Diaz (R-Hialeah); SB 510 by Senator Garcia (R-Hialeah); HB 359 passed both chambers and was approved by the governor. The bill was amended by Representative Trujillo on the floor to redirect the County fee in the bill to WASD from the EEL Program and to raise the fee from 5 to 6 cents. However, the fee will sunset in 2018 under the bill as amended. Also, the County is required to submit reports documenting how the money has been spent to date as well as how future monies collected will be spent. It further contains legislative intent which indicates that the best available science shows that there is no connection between mining activity and any potential need to upgrade the water treatment plant in the Miami-Dade County Lake Belt Mining Area. Additionally, it provides for a blasting study, and provides that 2 of the 6 cents will pay for the study through 2016 or until \$300,000 is collected for the study, whichever is earlier.

**61. Water and Environmental Resources -DIED-** SB 918 by Senator Dean (R-Inverness); HB 7003 by the State Affairs Committee and Representative Caldwell (R-Lehigh). Compare HB 653 by Representative Pigman(R-Sebring); SB 714 by Senator Grimsley (R-Sebring). Both the House and Senate put forward comprehensive water and environmental policy bills this session, and they differed significantly. SB 918 focused heavily on springs and trails, while HB 7003 focused heavily on water supply issues. Additionally, as the bills progressed, the Senate amended provisions relating to the creation of a Florida Water Resources Advisory Council and a pilot project program for the largest three water management districts that were opposed by the House. Because SB 918 and HB 7003 were stalling, near

the end of session the House amended some of the key provisions of its proposal (with some changes in an effort to compromise with the Senate) on HB 653. However, this bill ultimately stalled as well, and the House adjourned before any final passage could occur on any major water or environmental legislation.

**62. State Lands -DIED-**HB 7135 by the House State Affairs Committee and Representative Caldwell; SB 7086 by the Senate Environmental Preservation and Conservation Committee. These bills would have required local governments to provide information regarding local land acquisitions and easements so that the state can complete an inventory of publicly owned lands. They also would have allowed for low-impact agriculture under certain circumstances. HB 7135 passed the House. SB 7086 ultimately stalled in the Senate amid concerns that the bill would have been costly and difficult to implement, so these bills did not pass. The amendments to HB 653 included the state lands legislation; however, this bill also stalled and did not pass amid the unexpected events of this week.

**63. Sea Level Rise/Peril of Flood -PASSED-**HB 895 by Representative Larry Ahern (R-Seminole); SB 1094 by Senator Jeff Brandes (R-St. Petersburg). SB 1094 passed both chambers and goes next to the Governor for final action. Among other provisions, the bill requires local governments to address flood risk related to sea level rise in the coastal element of their comprehensive plans.

**64. Agritourism -DIED-** HB 569 by Representative Neil Combee (R-Auburndale); SB 594 by Senator Stargel (R-Lakeland). These bills would have prohibited a local government from enforcing an ordinance, regulation, rule or policy that prohibits, restricts, regulates or otherwise limits an agritourism activity on land classified as agricultural land. HB 569 died in Senate messages and SB 594 died on the Special Order calendar in the Senate.

**65. Growth Management - PASSED-** SB 1216 by Senator Wilton Simpson (R- New Port Richey) passed both the House and Senate and is now pending approval by the Governor. SB 1216 provides, among other provisions, that new developments will not be subject to DRI review, and instead requires a comprehensive plan amendment related to a development that qualifies as a DRI, to be reviewed under the State Coordinated Review Process. The final version of SB 1216 does not include a provision in earlier versions that would have required local governments to include a property rights element that protects private property rights as part of the local government's comprehensive plan.

**66. Private Property Rights -PASSED-** HB 383 by Rep. Katie Edwards (D- Sunrise) passed both the House and Senate and is now pending approval by the Governor. The Senate companion bill was SB 284 by Senator Miguel Diaz de la Portilla (R-Miami). HB 383 creates a cause of action to recover damages for landowners where local and state governmental entities impose conditions that rise to the level of unconstitutional exactions.

**67. Fracking -DIED-** HB 1205 by Rep. Ray Rodrigues (R-Fort Myers) passed the House by a vote of 82 yeas, 34 nays, but died on the Senate floor. HB 1205 would have imposed state regulations on fracking and prohibited local governments from adopting or establishing programs to issue permits for fracking. SB 1582 by the Senator Garrett Richter (R-Naples) died in the Senate Appropriations Committee when the committee meeting did not reach the bill. SB 1582 would have created a public records exemption for proprietary business information related to fracking.

**68. Utility Relocation -DIED-** HB 391 by Rep. Clay Ingram (R-Pensacola) passed the House by a vote of 110 yeas, 5 nays, but died in messages to the Senate. SB 896 by the Senator Jeff Brandes (R-St. Petersburg) died in the Senate Appropriations Committee when the committee meeting did not reach the bill. This pair of bills would have prohibited local governments from requiring utilities to pay the costs of equipment relocation unless the utilities were in a right of way, as opposed to the current requirement for utility relocations occurring upon, over, under or along a roadway. The bills would have required local governments, and not the utilities, to bear the cost of relocating a utility's equipment if such equipment was located within a utility easement, regardless of the private or public nature of the easement.

**69. Historic Properties Grants** - Grants and aid to local governments and not-for-profits for restoration of historic properties is funded at \$12.1 million, of which \$6.8 million is funded through the Land Acquisition Trust Fund/Amendment One/Water & Land Conservation funding **APPROVED**. The Senate added \$5 million in nonrecurring funds through its supplemental funding list. Funding for the following projects within Miami-Dade County is provided through nonrecurring funds:

1. Miami Beach Holocaust Memorial: \$300,000 **VETOED**;
2. Fulford Fountain – North Miami Beach: \$112,500 **VETOED**;

**70. Laurel Wilt/Avocado Crop -VETOED-** \$150,000 is provided for the removal and destruction of infested avocado trees that are acting as hosts and breeding sources for laurel wilt disease.

**71. FIND Waterfront Access Study -VETOED-**The Florida Inland Navigation District Waterfront Access Study in Miami-Dade County is funded at \$70,000.

**72. City of Miami Design District Public Infrastructure Improvements -VETOED-** Design District public infrastructure improvements are funded at \$1 million to the City of Miami, but this funding is contingent on the City or Miami-Dade County providing a 50 percent match.

#### **H. Finance & Tax / Elections**

**73. Tax Package -APPROVED-** Gov. Rick Scott proposed a fiscal policy centered on more than \$673 million in tax cuts, including a \$470 million reduction in the Communications

Services Tax. When the Legislature reconvened for a special session in June, the two chambers agreed to scale down the tax cuts and eventually passed legislation (HB 33A) that trimmed about \$400 million from the state's revenues. Miami-Dade County fought against cuts to the CST.

**74. Value Adjustment Board -DIED-** HB 695 by Rep. Bryan Avila (R-Hialeah) passed the House by a vote of 81 yeas, 36 nays, but died in messages to the Senate. The Senate companion bill, SB 972 by Senator Anitere Flores (R-Miami) passed the Senate by a vote of 40 yeas, 0 nays, but died in messages to the House. As initially filed, HB 695 would have implemented a number of recommendations being pursued by the Miami-Dade School Board and Miami-Dade County to expedite the Value Adjustment Board (VAB) process. During the committee process, however, HB 695 was amended to include a number of other issues related to VABs statewide, some of which were controversial, including a provision that would have revised the VAB such that all 5 members would be appointed by the legislative delegation. On the House floor, HB 695 was amended to reduce the VAB to 3 citizens all appointed by the Governor (one homestead property owner, one commercial property owner and one licensed real estate appraiser). SB 972 had not been substantially amended and consisted solely of the language pursued by the Miami-Dade School Board and Miami-Dade County. This issue was the subject of Resolution No. R-67-15 Prime Sponsor Esteban Bovo.

**75. Florida Retirement System employer contribution rates -APPROVED-** Florida Retirement System (FRS) employer contribution rates are in the Conference Report on SB 2512-A, which is a budget conforming bill. The Conference Report on SB 2512-A increases FRS rates in the aggregate and also increases the retiree health insurance subsidy from 1.26 percent to 1.66 percent, both based on actuarial studies. These increases are estimated to have a \$64 million negative fiscal impact on all counties and a \$9 million negative fiscal impact on Miami-Dade County.

**76. Online Voter Registration -PASSED-** SB 228 by Senator Clemens (D-Lake Worth) passed both the House and Senate and is now pending approval by the Governor. SB 228 directs the State Division of Elections to develop an operational, online voter registration system by October 1, 2017. SB 228 may be susceptible to veto by the Governor. The House companion bill was HB 7143, a committee bill by the House State Affairs Committee.