

# TALLAHASSEE WEEKLY REPORT

## November 14-18, 2011

### FAC Legislative Conference

The Florida Association of Counties (FAC) held its annual Legislative Conference in Destin this week. In attendance were Commissioners Bell, Edmonson, and Heyman, along with staff members, Assistant County Attorney Jess McCarty, and OIA Director Joe Rasco. Commissioner Heyman co-chairs FAC's Public Safety Policy Committee and Commissioner Bell co-chairs FAC's Growth, Environmental Planning and Agriculture Policy Committee. The conference provides an opportunity for FAC members to meet on various subject areas in order to craft the group's legislative priorities. The conference also included a discussion by gaming lobbyist Marc Dunbar.

Commissioner Edmonson presented her board-approved resolution (R 751-11) on scrap metals before the Public Safety Policy Committee, which the committee approved as part of its policy statement.

For information on priorities adopted by FAC for the upcoming session as a result of work done this past week at the conference, please click on the link below:

[http://www.fl-counties.com/NewsAndNotes/2011/FAC\\_Adopts\\_2012\\_Legislative\\_Priorities.aspx](http://www.fl-counties.com/NewsAndNotes/2011/FAC_Adopts_2012_Legislative_Priorities.aspx)

### Interim Committee Meetings

Below, please find a summary of relevant issues that were taken up this week in Tallahassee:

- HJR 349 by Rep. Lopez-Cantera, related to the Miami-Dade County Home Rule Charter, was unanimously passed by the House Economic Affairs Committee. The joint resolution would place on the 2012 ballot a measure creating the constitutional authority for Miami-Dade County's Home Rule Charter to be amended by a special law of the legislature, provided that such law be approved by the voters of Miami-Dade County. The bill will now go to the State Affairs Committee. The Senate companion, SB 720 by Sen. Garcia, has yet to be heard in committee. <http://www.flsenate.gov/Session/Bill/2012/0349>
- Legislation related to the Miami-Dade County Lake Belt passed their respective committees in the two chambers. SB 182 by Sen. Garcia unanimously passed the Senate Budget Subcommittee on General Government Appropriations and HB 377 by Rep. Nunez unanimously passed the House Agriculture and Natural Resources Subcommittee. The bills shift existing revenue from the Lake Belt water treatment upgrade fee to the South Florida Water Management District to

fund a seepage control project. The Senate bill now moves to the Senate Budget Committee, its final committee of reference. The House bill now moves to the Agriculture and Natural Resources Appropriations Subcommittee. <http://www.flsenate.gov/Session/Bill/2012/0377>

- The Senate Community Affairs Committee passed two bills related to property taxes. SB 312, by Sen. Simmons, rescinds HJR 381, which passed last session was to be placed on the 2012 ballot. <http://www.flsenate.gov/Session/Bill/2012/0312>. The second bill, SJR 314 by Sen. Simmons, seeks to replace HJR 381 on the 2012 ballot with a measure that prohibits increases in the assessed value of homestead and specified nonhomestead property if the just value decreases, reduces the limitation on annual assessment increases applicable to nonhomestead real property, and provides an additional homestead exemption. The language to appear on the 2012 ballot can be found at the end of the bill text, located on the following link: <http://www.flsenate.gov/Session/Bill/2012/0314>.
- The Senate Regulated Industries Committee held a workshop on destination gaming this past week. The committee heard testimony from various stakeholders, including Genting, Las Vegas Sands and Wynn, as well as those in opposition to the bill, such as pari-mutuels and the Florida Restaurant and Lodging Association. Members of the committee had an issue with the lack of parity, the legislation, as drafted, currently has a 10 percent tax rate for destination casinos, while keeping the existing pari-mutuels at 35 percent. Another workshop of the committee will take place next month to address the bill's effect on the state's compact with the Seminole Tribe of Florida.

## Bills of Interest Filed This Week

Below, please find a listing of bills of interest to Miami-Dade County filed this week for consideration during the 2012 legislative session:

- **HB 639, Reclaimed Water, Rep. Young** - Provides legislative findings relating to use of reclaimed water; provides that reclaimed water is an alternative water supply & eligible for such funding; specifies contract provisions; provides for determination of uncommitted reclaimed water capacity by certain utilities; prohibits water management districts from requiring permits for use of reclaimed water; authorizes permit conditions for certain surface water & groundwater sources; authorizes water management districts to require use of reclaimed water under certain conditions; prohibits water management districts from requiring or restricting services provided by reuse utilities; clarifies which permit applicants are required to submit certain information; requires DEP & water management districts to initiate rulemaking to adopt specified revisions to water resource implementation rule. <http://www.flsenate.gov/Session/Bill/2012/0639>
- **HB 641, Greyhound Racing, Rep. Young** - Provides that greyhound permitholder shall not be required to conduct minimum number of live performances; revises provisions relating to applications, converted permits & tax credits, tax exemptions or license fee credits, greyhound racing purses, intertrack

wagering, slot machine gaming licenses & gaming areas, & cardroom licenses.  
<http://www.flsenate.gov/Session/Bill/2012/0641>

- **HB 651, Building Construction and Inspection, Rep. Davis** - Revises authorized methods of sending notices to violators of local codes; authorizes building code administrator or building official to approve electronic filing of building plans & related documents; revises definition of term "demolish" for purposes of describing scope of work of contractor to include all buildings or residences, rather than buildings or residences of certain heights; allocates portion of funds derived from surcharge on permit fees to Florida Building Code Compliance & Mitigation Program; exempts certain buildings or structures used for hunting from Florida Building Code.  
<http://www.flsenate.gov/Session/Bill/2012/0651>
- **HB 675, Credit Card Surcharges, Rep. Campbell** - Prohibits counties & municipalities from prohibiting owners or operators of certain passenger vehicles from imposing credit card surcharges on passenger fares; exempts certain passenger vehicle fares from prohibition on imposition of credit card surcharges.  
<http://www.flsenate.gov/Session/Bill/2012/0675>
- **HB 711, Sale or Lease of a County, District, or Municipal Hospital, Rep. Hooper** - Provides that sale or lease of county, district, or municipal hospital is subject to approval by registered voters or by circuit court; requires hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before sale or lease of such hospital; requires board to state in writing specified criteria forming basis of its acceptance of proposal for sale or lease of hospital; requires board to file petition for approval with circuit court & receive approval before any transaction is finalized; grants circuit court jurisdiction to approve sale or lease of county, district, or municipal hospital based on specified criteria; requires board to pay costs associated with petition for approval unless party contests action; provides exemption for certain sale or lease transactions completed before specified date.  
<http://www.flsenate.gov/Session/Bill/2012/0711>
- **SB 982, Tax on Sales, Use or Other Transactions, Sen. Bogdanoff** - Specifying a period during this year when the sale of clothing, wallets, bags, and school supplies are exempt from the tax; providing exceptions; authorizing the Department of Revenue to adopt emergency rules.  
<http://www.flsenate.gov/Session/Bill/2012/0982>
- **SB 992, Regulation of Hoisting Equipment Used in Construction, Demolition, or Excavation Work, Sen. Dean** - Defining the terms "hoisting equipment," "mobile crane," and "tower crane"; requiring an applicant for a building permit to submit certain information to a local building official; requiring radio communications between certain crane operators; requiring certain preparations for a hurricane or high-wind event; requiring a preparedness plan for certain cranes; requiring that hoisting equipment be secured in a specified manner under certain circumstances; providing penalties for violation of the act by certain licensed contractors; preempting regulation of hoisting equipment and persons operating the equipment to the state; providing that the act does not

apply to the regulation of elevators.  
<http://www.flsenate.gov/Session/Bill/2012/0992>

- **SB 1018, Resident Status for Tuition Purposes, Sen. Garcia** - Classifying as residents for tuition purposes a United States citizen who attends a Florida high school for at least 2 consecutive years and submits his or her high school transcript to and enrolls in an institution of higher education within 12 months after graduating from a Florida high school; requiring the State Board of Education to adopt rules and the Board of Governors of the State University System to adopt regulations. <http://www.flsenate.gov/Session/Bill/2012/1018>

## Elections

U.S. Senator Bill Nelson will receive a Senate committee hearing to discuss the issue of whether new restrictive voting laws that went into effect after last session are part of an orchestrated effort to suppress voter turnout in 2012. The committee of jurisdiction in this case is the Senate Judiciary Subcommittee on the Constitution and Civil Rights, chaired by Senator Richard Durbin of Illinois. Sen. Durbin said he will hold the hearing in Florida “to explore the impact of Florida’s law as well as the impact of similar laws recently passed in other states”.

As of yet, there are no details as to when or where the hearing will be held.

## Redistricting

The Senate is prepared to unveil its full redistricting proposal after the Thanksgiving holiday, after wrapping up its committee work, which consisted of hearings during its scheduled committee meetings in Tallahassee focusing on specific portions of the state. Senate President-Designate Don Gaetz, chair of the Senate Reapportionment Committee, said the proposal will be released on November 28, allowing one week of review before its December 6 committee meeting, at which point the maps will be debated and, possibly, voted on.

On the House side, it plans to unveil its proposals in December, with the possibility of holding committee votes during the first week of session, which begins in early January.