

# TALLAHASSEE WEEKLY REPORT

## March 21-25, 2011

### Session Week 3 Issues

The following issues of relevance to Miami-Dade County were taken up during the third week of the legislative session:

- **Miami-Dade County Home Rule Charter** – HB 1321 by Rep. Lopez-Cantera passed out of the House Economic Affairs Committee. The bill proposes an amendment to the Constitution to authorize amendments of revisions to Miami-Dade County Home Rule Charter by special law, and requires that such special law be proposed and approved at meeting of a the Miami-Dade Legislative Delegation and filed by a member of the delegation. The bill will now be heard in the State Affairs Committee before reaching the House floor. The Senate version, SB 1954 by Sen. Garcia, will be taken up in the Senate Community Affairs Committee on Monday.
- **Pension Reform** – HB 1405 by Rep. Workman was passed by the House State Affairs Committee. The bill was amended so that state workers, teachers, and county employees would have to contribute three percent of their salaries. It was also amended to keep accrual rates for employees at the current rate and keep intact the retiree health insurance subsidy. The bill also includes language closing the Deferred Retirement Option Program (DROP) to new hires. The amendments to the House bill push it closer to the Senate's proposal. While the Senate bill has a tiered contribution system, Sen. JD Alexander, Chair of the Senate Budget Committee, has stated he would like to see the contribution rate at three percent.
- **Jackson Funding** – Senate President Mike Haridopolos sent Governor Rick Scott a letter this week asking that he release \$35 million that had been set aside for Jackson Hospital in the FY 2010-2011 budget. The issue centers on whether Jackson met requirements laid out in the budget proviso in order to receive the money. While the Senate says it has, the House believes it has not. Senator Nan Rich, the Senate Minority Leader and a member of the Miami-Dade Legislative Delegation, held a meeting in her office with representative from the Governor's office, the Agency for Healthcare Administration, and Jackson in which she was informed that the hospital had met all the requirements laid out in the budget language. The Governor's office is not satisfied with this and

wants Jackson to restructure itself in an effort to run more efficiently before the money is released. President Haridopolos is also concerned with the management of the hospital, but feels the Governor should “help out an organization that is having difficulty”.

- **Medicaid Reform** – The House amended its Medicaid reform proposal this week, including the addition of lawsuit protections for health care providers, a priority of Senate President Mike Haridopolos. The new amended version limits noneconomic damages in personal injury and wrongful death cases arising out of medical negligence to \$300,000 per claimant. The House bill also makes changes to Low Income Pool (LIP) funding, by giving additional LIP dollars to statutory teaching, rural and children’s hospitals, requiring that 35 percent of the available dollars go to these facilities, a 20 percent increase of a previous version of the bill. The amended version also lowers the percent of inpatient Medicaid days a hospital must provide as a share of its total inpatient days to 9 percent. The Senate version has set the Medicaid inpatient requirements at 11 percent.
- **Environmental Permitting** – The House Rulemaking and Regulation Committee passed HB 991 by Rep. Patronis this week, which would limit the number of requests that permitting agencies can make for additional information, rewrite wetlands mitigation rules, and prohibit local governments from requiring state and federal permits to local approval. The bill was amended with language specific to Miami-Dade County, stating that proceeds from the water treatment plant upgrade fee that currently goes to Miami-Dade Water and Sewer would now go to fund seepage mitigation/flood control projects in West Miami-Dade.

## Week 4 Preview

The following issues of relevance to Miami-Dade County are scheduled to be taken up during the fourth week of the legislative session. Further items will be taken up as calendars continue to be released.

- **SB 1954, Miami-Dade Home Rule Charter, Sen. Garcia** - Proposes an amendment to the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors. Provides requirements for a bill proposing such a special law. **MONDAY IN SENATE COMMUNITY AFFAIRS**
- **SB 426, Service of Process, Sen. Latvala** - Authorizes certified process servers to serve writs of possession in actions for possession of residential property. Authorizes a landlord to select a certified process server to serve a writ of possession. Requires a

certified process server to provide notice of the posting of the writ to the sheriff.  
**MONDAY IN SENATE COMMUNITY AFFAIRS**

- **SB 1722, Ad Valorem Taxation, Sen. Fasano** - Reduces the amount that any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year. Reduces the amount that any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year. Provides a first-time Florida homesteader with an additional homestead exemption. **MONDAY IN SENATE COMMUNITY AFFAIRS**
- **SB 592, Veteran's Property Tax Discount, Sen. Bennett** - Proposes an amendment to the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military. **MONDAY IN SENATE COMMUNITY AFFAIRS**
- **SB 1122, Growth Management, Sen. Bennett** - Extends the deadline for a local government to comply with the financial feasibility requirement for the capital improvements element of its comprehensive plan. Expands future land use categories to require the consideration of compatibility with adjacent lands, the preservation of recreational and commercial working waterfronts, public schools, and future municipal incorporation. Deletes consideration of future planned industrial use, based on certain criteria. Eliminates certain criteria specific to coastal counties. **MONDAY IN SENATE COMMUNITY AFFAIRS**
- **HB 613, Domestic Wastewater Discharged Through Ocean Outfalls, Rep. Trujillo** - Postpones dates by which domestic wastewater facilities must meet more stringent treatment & management requirements; provides exceptions & alternatives. **MONDAY IN HOUSE AGRICULTURE AND NATURAL RESOURCES SUBCOMMITTEE**
- **SB 714, Disabled Parking Permits, Sen. Margolis** - Provides for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities. Revises requirements for renewal or replacement of a disabled parking permit. Prohibits applying for a new disabled parking permit for a certain period of time upon a second finding of guilt or plea of nolo contendere to unlawful use of such permit. **MONDAY IN SENATE CRIMINAL JUSTICE**
- **SB 372, Pretrial Programs, Sen. Bogdanoff** - Requires each pretrial release program established by ordinance of a county commission, by administrative order of a court, or by any other means in order to assist in the release of a defendant from pretrial custody to conform to the eligibility criteria set forth by the act. Preempts any conflicting local ordinances, orders, or practices. Requires that the defendant satisfy certain eligibility

criteria in order to be assigned to a pretrial release program. **MONDAY IN SENATE CRIMINAL JUSTICE**

- **HB 1379, Pretrial Programs, Rep. Dorworth** - Provides state policy & legislative intent; requires each pretrial release program established by ordinance of county commission, by administrative order of court, or by other means to assist in release of defendant from pretrial custody to conform to eligibility criteria set forth by act; preempts conflicting statutes, local ordinances, orders, or practices; requires that defendant satisfy certain eligibility criteria to be assigned to pretrial release program; permits defendant to post surety bond pursuant to predetermined bond schedule; requires disclosure of certain fees; provides that act does not prohibit court from releasing defendant on defendant's own recognizance or imposing other reasonable condition of release; authorizes county to reimburse licensed surety agent for premium costs of bail bond for pretrial release of indigent defendant. **TUESDAY IN HOUSE CRIMINAL JUSTICE SUBCOMMITTEE**
- **HB 767, Local Government, Rep. Rooney** - Authorizes board of county commissioners to negotiate lease of certain real property for limited period; authorizes transfers of right-of-way between local governments by deed. **TUESDAY IN HOUSE COMMUNITY AND MILITARY AFFAIRS SUBCOMMITTEE**
- **HB 901, Household Moving Services, Rep. Horner** - Provides for biennial renewal of mover & moving broker registrations; authorizes DOACS to extend registration expiration dates in order to establish staggered dates; requires calculation of biennial registration fees based on annual rate; deletes provision requiring certain movers & moving brokers to obtain local license or registration & pay state registration fee; authorizes mover to exclude liability for household goods packed by shipper; authorizes mover to refuse to transport or ship household goods; prohibits mover or moving broker from conducting business without being registered with DOACS; preempts local ordinances & regulations except in certain counties; restricts levy or collection of local registration fees & taxes of movers & moving brokers; provides for local registration & bonding; exempts local business taxes from preemption. **TUESDAY IN HOUSE AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS SUBCOMMITTEE**
- **SB 296, Household Moving Services, Sen. Wise** - Provides for the biennial renewal of mover and moving broker registrations. Authorizes a mover to exclude liability for household goods packed by the shipper under certain circumstances. Authorizes a mover to refuse to transport or ship household goods under certain circumstances. Prohibits a mover or moving broker from conducting business without being registered with the Department of Agriculture and Consumer Services. **TUESDAY IN SENATE COMMERCE AND TOURISM**
- **SB 672, Uniform Traffic Control, Sen. Garcia** - Repeals a provision relating to the regulation of the use of cameras to enforce traffic laws being expressly preempted to

the state. Repeals a provision relating to the Mark Wandall Traffic Safety Program, a program to install and operate a system of traffic infraction detectors at red light intersections. Removes the provisions relating to the training and duties of traffic infraction enforcement officers. **TUESDAY IN SENATE TRANSPORTATION**

- **SB 468, Community Redevelopment, Sen. Bullard** - Expands the definition of the term "blighted area" to include land previously used as a military facility. **WEDNESDAY IN SENATE MILITARY AFFAIRS, SPACE AND DOMESTIC SECURITY**