

TALLAHASSEE WEEKLY REPORT

February 2-6, 2009

Below please find a summary of events and news from around the state from this past week.

Speaker Pro Tempore Larry Cretul named House Republican Leader

On Monday evening, the House Republican Conference voted unanimously to name Representative Larry Cretul as their Republican Leader. This move paves the way for him to be voted Speaker of the House by the full membership of the Florida House on the Opening Day of the 2009 Legislative Session. Speaker Ray Sansom resigned his post last week on the heels of an investigation into his dealings with Northwest Florida State College.

Representative Cretul represents District 22, which encompasses parts of Alachua, Levy and Marion counties. He is a 61 year old Vietnam veteran and Ocala real-estate agent. He describes himself as a “team player”, saying his only agenda would be confronting the budget challenges facing the Legislature in the upcoming session. When asked about his priorities, he replied: “The budget, the budget, the budget, and I must say, the budget”.

Cretul made several moves this past week in an effort to position his staff and House leadership for the upcoming session.

- Former Representative Dudley Goodlette was named Chief of Staff of the Florida House. Goodlette is an attorney from the Naples area, who served in the House from 1998-2006.
- Mike Hansen, the Chief of Staff under Sansom, was moved to a budget position in the Speaker’s office
- Representative Ron Reagan will replace Cretul as Speaker Pro Tempore
- Representative Dean Cannon will chair the newly created Select Policy Council on Strategic and Economic Planning
- Representative Ellyn Bogdanoff will chair the Finance and Tax Council, which was previously chaired by Cannon
- Representative Bill Galvano, the House Rules Chair, will now chair the Select Committee on Seminole Indian Compact Review, which Cretul had previously chaired. Representative Sandy Adams replaces Galvano as Vice-Chair of this committee
- Representative Ray Sansom will replace Bogdanoff as Chair of the Policy Council. Cretul also named Sansom to the Rules and Calendar Council and the Finance and Tax Council

OIA maintains close relationships with the members listed above, and has already spoken to Speaker Cretul's office in an effort to sit down with him to go over the county's priorities for the upcoming session.

Interim Committee Meetings

The Florida Legislature held committee meetings this week, in which several issues related to Miami-Dade County were discussed. OIA was present in Tallahassee throughout the week covering the meetings.

The House Roads, Ports and Bridges Policy Committee listened to a presentation from Secretary Kopelousos of the Department of Transportation on the department's outlook for the upcoming session. When asked about the Port of Miami Tunnel, the Secretary mentioned that she is continuing working on this issue and would update the committee as the process continues. Representative Planas explained the importance of the tunnel to our region, emphasizing the traffic situation it would help alleviate. He asked the Secretary for a commitment from FDOT to use the funds to help alleviate the traffic if the tunnel project is not feasible, to which she answered that they would work to help solve the traffic situation whether the tunnel is done or not.

The Senate Select Committee on Florida's Economy workshopped a version of the Growth Management bill that will likely be fast-tracked through the Senate. Some of the key points of the legislation are as follows:

- **Transportation Concurrency:** the language provides that local governments that have an average of at least 1,000 people per square mile are considered "Transportation Concurrency Exception Areas".
- **Expedited State Review of Map Amendments:** this would apply the alternative state review process to map amendments in jurisdictions where the local government has an average of at least 1,000 people per square mile and to map amendments in Rural Areas of Critical Economic Concern if certified by the Office of Tourism, Trade and Economic Development (OTTED) as furthering economic objectives.
- **Transportation Concurrency and SIS:** creates a waiver of transportation concurrency for traffic impacts on the Strategic Intermodal System (SIS) where there is an OTTED job creation project.
- **DRIs:** eliminates the development-of-regional-impact (DRI) program in local governments that have an average of at least 1,000 people per square mile.
- **Financial Feasibility Deadline:** extends the compliance deadline for local governments to submit their financial feasibility report for their capital improvements element to December 1, 2011.
- **School Concurrency:** eliminates one of the penalties for failure to adopt school concurrency into the comprehensive plan.

- **Comprehensive Plan Amendments:** limits local government comprehensive plan text amendments to once a year.
- **Impact Fees:** eliminates certain impact fees on a discretionary basis immediately. While this provision is not in the bill as of yet, it is highly likely to be included. The committee members, as well as business interests that testified, showed considerable support for eliminating impact fees.

This legislation will now go to the Senate Community Affairs Committee, likely during the week of February 16. Once it passes out of this committee it will go directly to the Senate floor for final passage sometime in mid-March. Since it is being fast-tracked, OIA is working closely with Assistant County Attorney Jess McCarty and the relevant county departments to identify how these issues affect Miami-Dade County in an effort to amend the bill in our favor before it reaches the Senate floor.

In the House Policy Council, the Florida Association of Counties, in conjunction with the Florida League of Cities, made a presentation on what local governments are doing to promote economic recovery and how the state could help accelerate those efforts. We have attached the presentation from both FAC and the League. (Attachment 1)

The Senate Finance and Tax Committee heard an explanation on the “Crescent Miami” loophole that currently exists in state law. Attached find the presentation as heard by the Committee. (Attachment 2) Miami-Dade County is addressing this issue in the legislation that has been filed in the House by Representative Lopez-Cantera and is soon to be filed in the Senate by Senator Gelber on the extension of the Miami-Dade Documentary Surtax.

The Legislature will be holding Interim Committee Meetings throughout the next 2 weeks. OIA will be present in Tallahassee to cover these meetings.

Southeast Florida Legislative Delegation

The Legislative Delegations of Miami-Dade, Broward, and Palm Beach Counties met in Tallahassee early this week to discuss issues of importance to the Southeast region.

Ron Book, on behalf of Miami-Dade County, reported to the delegation with an update on the meeting that recently took place at the Port of Miami regarding the Port Tunnel project.

OIA was present at this meeting.

Budget Update

Senator J.D. Alexander announced this week that tax revenues for December and January were expected to be \$224 million below predictions. This means that there is another hole in the budget just weeks after the Special Session in which a \$2 billion gap was filled.

Senator Alexander says the drop-off means lawmakers will have to make emergency cuts before the end of the fiscal year. This task is made difficult by the calendar, as there is only a few months left in the budget cycle. This means there is little spending left to be reduced and more money must be borrowed from already depleted savings accounts and trust funds.

Governor Crist reversed over \$360 million in cuts passed by the Legislature during the Special Session, basically eliminating extra money cut by the Legislature in anticipation of further declining tax revenues.

The revenue drops in December and January, if annualized over the next year, would create additional \$1.5 billion hole for the next fiscal year, in addition to the already expected \$2.5 billion shortfall.

Update on Legislation

HB 173 by Representative Adams related to Juvenile Justice passed out the House Public Safety and Domestic Security Policy Committee by a vote of 8-1 this past week. This is similar legislation filed by Representative Adams last session that Miami-Dade opposed due to some provisions related to local government. OIA will continue working with Representative Adams to address the County's issues. The Senate version, SB 654 by Senator Dean, has yet to be heard in committee.

SB 412 by Senator Crist related to Service of Process passed out of the Senate Judiciary Committee by a vote of 9-0 this week. This legislation increases the fees charged by a sheriff in connection with docketing and service of process in civil cases to \$40 from \$20. Commissioner Sally Heyman passed Resolution 1069-08 urging the Florida Legislature to increase the statutory fee for service of process to better reflect the actual cost of service of process. SB 412 will next be heard in the Senate Criminal Justice Committee. The House version, HB 113 by Representative Frishe, has yet to be heard in committee.

SM 1330 by Senator Jones and HM 753 by Representative Anderson related to the Silver Alert Grant Program were both filed this week in their respective chambers. This Memorial urges Congress to authorize the Silver Alert Grant Program to help establish and improve state-administered notification systems that assist in locating missing senior citizens and other individuals suffering from dementia-related disorders. Commissioner Rebeca Sosa passed Resolution 939-08 urging Congress and the Florida Legislature to pass legislation creating a Silver Alert program for missing elderly persons.

SB 1336 by Senator Fasano related to Discretionary Surtax on Documents was filed this week. This legislation takes our Miami-Dade Surtax and allows any county statewide to impose the surtax, but the revenue is not allowed to be used for affordable housing, but instead must be used for financing schools and transportation facilities. The bill also expands the 45 cent surtax to apply to residential property in addition to commercial property. This legislation allows Miami-Dade to impose the new surtax upon the termination of the Miami-Dade Affordable Housing Surtax, running counter to the Surtax legislation we are working to pass. There is no House companion as of yet.