

BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

NO. 013-2020

To: Mayor Gabriel Groisman and Members of the Village Council

From: Jorge M. Gonzalez, Village Manager 

Date: January 31, 2020

Subject: **Legislative Session Week 1 and 2 Report - January 13, 2020 and January 20, 2020**

The purpose of this Letter to Council (LTC) is to transmit the attached Legislative Session Week 1 and 2 Report provided by Ron L. Book.

If you have any questions or need any additional information, please feel free to contact me. please feel free to contact me.

JMG/MH



Ronald L. Book, P.A.

PROFESSIONAL ASSOCIATION

Session 2020 Weeks 1 and 2 Report

Enclosed is our Session Report for weeks 1 and 2 which includes an update on our funding request and legislative issues. Please let us know if you have questions on issues included in this report, or on any other issue of concern. We will be happy to provide further information.

➤ **FUNDING REQUEST UPDATE:**

- **Bal Harbour Village Storm Water System Improvements (HB 2877/LFIR #1114) Sponsors:**
Senator Pizzo, Representative Geller

We have worked with Senator Pizzo and Representative Geller to have the Bal Harbour funding request filed in both the House and Senate, and heard in the House Agriculture and Natural Resources Appropriations Subcommittee. This is the process that allows a funding request to be eligible for the House budget (the Senate process does not require a hearing). We have had multiple meetings with both the House and Senate chairwomen of the House and Senate appropriations subcommittees to push for funding. The budget Chairs and staff are working to release their first spreadsheet of the budget subcommittee proposal during week 3 or early week 4.

➤ **SESSION UPDATE:**

The 2020 Legislative Session officially began on Tuesday, January 14th and as is custom, each Session Opening Day includes speeches by the Senate President, the Speaker, and the Governor outlining their priorities for the Legislative Session. In his second State of the State address, the Governor focused largely on Education, the Speaker of the House on health care regulation, and the Senate President on working together to build a consensus on the challenges facing the State. Below are highlights of issues that are key for leadership in the House and Senate as well as for the Governor.

Teacher's Pay: The Governor's proposal includes setting the minimum pay for teachers at \$47,500, which would be a significant pay increase for a large number of teachers across the state, totaling approximately \$600 million.

House leadership has moved closer to that goal in their recommendation is to reallocate funding within the Education budget area to be used for teacher raises. According to the House Pre K – 12 Appropriations Subcommittee Chair, the House would shift approximately \$462 million in funding to go into the base student allocation to be directed toward teacher pay. The shift in the majority of this amount would come from the Best and Brightest teacher bonus (\$284.5 million), supplemental academic instruction funds (\$150

million) and funding compression appropriations (\$54.2 million). This is a first offer in a long and arduous budget process that will continue through to the last day of Session, March 13.

Oil Drilling in the Florida Everglades: Governor Ron DeSantis announced this week that the State will buy 20,000 acres of land in the Everglades for approximately \$18 million to prevent oil drilling in the Everglades. The purchase would be from Kanter Real Estate LLC, the owner, who in recent weeks been approved for exploratory oil wells in the Everglades.

Access to Health Care: Speaker Oliva addressed his main priority in revamping the health care system in Florida, which is to allow advanced nurse practitioners to practice independently will lower costs and increase access to care.

Environment: in his speech the Governor also wants a policy to address the algae problem with the goal of reducing fertilizers and nutrients flowing into the state's waterways. He continues the environmental focus with the logical connection to Florida's economy as he notes that clean water is central to our tourism industry, whether it is beaches, fishing, or boating.

➤ **LEGISLATIVE ISSUES:** Below are several bills of interest to local governments. As we progress through Session, we will add legislation that is moving through committees.

Communications Services Tax: (HB 701:by Fischer and SB 1174 by Hutson) This legislation would reform the communications services tax (CST) reduce the local CST rate to 5% or less by January 1, 2021 and 4% or less by January 1, 2022. The bills also reduce the state CST rate from 4.92% to 4.9% and the noncharter county CST rate to 2% by January 1, 2022. The bills repeal the local option sales surtax conversion that is levied on communications services.

HB 701 was referred to Ways and Means Committee; Energy and Utilities Subcommittee; Appropriations Committee and SB 1174 was referred to Innovation, Industry, and Technology; Community Affairs; Appropriations. Neither bill was heard during week 1 or 2.

Vacation Rentals: (SB 1128 by Diaz and HB 1011 by Fischer) the bills are identical at this time and do the following:

- Preempt to the state the regulation of vacation rentals, including licensure and inspections
- Require that any local ordinance must be applied uniformly to all residential properties
- Clarify that local regulations cannot prohibit all rentals locally, can impose occupancy limits on rental properties, or require inspections or licensing of rentals
- Preempt all regulation of vacation rentals to the state with local ordinances in place before June 1, 2011 exempt.

SB 1128 passed its first committee on 1/13 with an 8-2 vote. HB 1011 also passed its first committee, 10-5.

Sovereign Immunity: (SB 1302/Flores No House companion bill) The bill passed the Judiciary committee with language lowering from the original bill, proposed increases in the per-occurrence liability cap to \$500,000 from \$1 million. The bill now does not expand the liability of a government entity for damages resulting from the actions of a state employee acting in bad faith, with a malicious purpose, or in a manner exhibiting wanton and willful disregard for human rights (the underlying bill stated that the state would be liable for these damages in excess of the statutory caps).

SB 1302 passed its first committee, 5-0.

Legal Notices: (HB 7 by Fine and SB 1340 by Gruters) The bill now clarifies that a governmental agency must provide annual notice in a newspaper or other publication of the ability to receive notices by email or first-class mail only if the governmental agency uses a publicly accessible website to publish notices. It also provides that notices for public-private partnership projects must be published in the Florida Administrative Register and in each county where the project is located

HB 7 passed its first committee, 7-5. SB 1340 has not been heard to date.

Local Government Officials/Weapons and Firearms: (SB 1524 by Gainer and HB 183 by Ponder) This bill authorizes city and county commissioners who are licensed to carry a concealed weapon or firearm, to carry their weapon to a meeting of the governing body of which he or she is a member.

HB 183 was referred to the Criminal Justice Subcommittee; Local, Federal and Veterans Affairs Subcommittee; Judiciary Committee. SB 1524 was referred to Infrastructure and Security; Judiciary; Rules.

Neither has been heard to date.

Local Government Fiscal Transparency Act: (SB 1702: by Diaz and HB 1149 by DiCeglie) This bill addresses increased fiscal transparency for local governments and would require the following:

- Public access to voting records of local governing body members related to tax increases and the issuance of tax-supported debt
- Online access to truth-in-millage (TRIM) notices and a four-year history of property tax rates and total revenue generated by each local government
- Public meetings and expanded public notice requirements for local option tax increases and the issuance of new long-term, tax-supported debt;
- Require local governments to conduct a debt affordability analysis prior to issuance of new long-term, tax-supported debt
- Allows the Auditor General to request evidence of corrective action from local governments found not to be in compliance with the Act and to report those who fail to do so to the Legislative Auditing Committee.

SB 1702 has been referred to Community Affairs; Commerce and Tourism; Appropriations. HB 1149 has been referred to Local, Federal and Veterans Affairs Subcommittee; Ways and Means Committee; State Affairs Committee. The Senate bill has passed its first committee and will be heard in its second, on 1/27.

Red Light Cameras Prohibition: (HB 6083 by Ingoglia and Rodriguez (Ant)) This bill would repeal the authorization for local governments to use red light cameras within their jurisdiction.

This bill has been referred to Referred to Transportation and Infrastructure Subcommittee, Appropriations Committee, and the State Affairs Committee, but has not been heard to date.

➤ Session Dates: January 14, 2020 through March 13, 2020.

