



Manasota League of Cities, Inc.

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EXCERPTS FROM DISCUSSIONS IN MANASOTA LEAGUE OF CITIES MEETING HELD JULY 14, 2016 RE: 2017 LEGISLATIVE PRIORITIES

Presentation Re: Legislative Update – Representative Julio Gonzalez, Florida House of Representatives, District 74

Discussion regarding anticipated 2017 legislative priorities as presented by Representative Gonzalez and discussion about future legislative priorities of Manasota League of Cities (MSLC):

- local government authority to regulate vacation rental homes
- water concerns and Lake Okeechobee algae bloom intrusion into Gulf and local waters
- mental health funding and programs
- protection and purchase of environmentally sensitive lands
- funding of Firefighter and Police Officer pension plans
- infrastructure needs and environmental issues caused by increased tourism
- House Bill (HB) 1021 filed by Representative Greg Steube in the 2016 Legislative Session that addressed awarding of attorney fees in public records law suits.

Presentation Re: Legislative issues for 2017 – Legislative Director Scott Dudley, FLC

Discussion regarding anticipated FLC 2017 legislative priorities as presented by Scott Dudley:

- water concerns, Lake Okeechobee algae bloom intrusion, septic tanks, and regulation of fertilizer usage
- local government authority to regulate vacation rental properties
- protection and purchase of environmentally sensitive lands
- regulation of transportation network companies such as Uber and Lyft
- role of local government to regulate commercial drones
- transportation issues and funding to replace aging infrastructure
- Workers' Compensation insurance costs
- variety of gun issues
- oil fracking and governance by local government land decisions
- encouraging use of reclaimed water when appropriate
- local government contracts with waste collection and recycling companies
- local level citizen input on Community Redevelopment Areas (CRA), economic development, and incentive programs
- sales tax on commercial leases
- homestead assessment issues
- encouraging citizens to learn about candidates running for local office.



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2016 MAJOR LEGISLATIVE PRIORITIES

RELOCATION OF UTILITIES

OPPOSE legislation that mandates local government bear the cost of relocating utility equipment when the equipment is located within a public utility easement and needed to be relocated for transportation purposes or for non-transportation purposes regardless of the location.

VACATION RENTALS

SUPPORT legislation that repeals the state preemption of the regulation of vacation rental properties to allow local governments to regulate such properties to protect the health and welfare of residents, visitors and businesses. SUPPORT changes to existing State law relating to vacation rentals that permit grandfathered local governments to modify existing short term vacation rental regulations.

WATER QUALITY & QUANTITY AND SEA LEVEL RISE

SUPPORT legislation that provides a recurring funding source for programs and projects for water quality preservation and enhancement.

SUPPORT legislation that encourages vulnerability assessments, coordinates resources and supports efforts of local governments to mitigate and adapt to the impact of sea level rise.

ECONOMIC DEVELOPMENT

SUPPORT increased funding for the Community Development Block Grant (CDBG) program which funds local community development activities such as affordable housing, anti-poverty programs and infrastructure development.

LOCAL GOVERNMENT REVENUE

OPPOSE legislation that restricts or eliminates municipal revenues generated under the Communication Services Tax and the Local Business Tax.

SUPPORT the preservation of the Communication Services Tax and Local Business Tax.

MENTAL HEALTH INITIATIVES

SUPPORT legislation that plans and adequately funds basic mental health facilities and programs in Florida including additional psychiatric beds.

PUBLIC PENSIONS

SUPPORT the codification of the Florida Department of Retirement's interpretation of minimum benefits under Florida Statutes Chapter 175 and 185 Firefighter and Police Officers' municipal pension plans that was issued in 2012 and that provides local governments with flexibility in the use of insurance premium tax revenues.

SOBER HOMES

SUPPORT legislation that defines and establishes minimum regulatory standards for Sober Home facilities and allows for more stringent local regulations of these facilities.

BILLS THAT PASSED AND FAILED 2016 SESSION

ITEM 5.

RELOCATION OF UTILITIES

PASSED

- **CS/SB 416 (Flores) – (Preemption)** requires local governments, and not utilities, to bear the cost of relocating a utility's equipment if such equipment is located within a public utility easement.

VACATION RENTALS

FAILED:

- **HB 4045 (Richardson) and SB 1598 (Margolis)** would have repealed the **preemption** currently prohibiting local governments from regulating duration, frequency or location of vacation rentals.
- **HB 1295 (Trumbull) SB 1158 (Latvala)** - Listings for Vacation Rental Property
- **SB 348 Vacation Rentals (Altman)** - **Revising the permitted scope of local laws, ordinances, and regulations** with respect to vacation rentals
- **HB 1287 (Moraitis) SB 1568 (Altman) Vacation Rental Units** - Provides criteria for **licensure** as vacation rental unit; requires DBPR's Division of Hotels & Restaurants to suspend license for failure to meet all criteria.

WATER QUALITY & QUANTITY AND SEA LEVEL RISE

FAILED

- **CS/CS/SB 584 (Brandes) and CS/HB 929 (Ahern)**- Sea Level Rise/Flood Peril (FLC Priority/Support) - **would have authorized a matching grant program** to provide up to \$50 million in technical and financial assistance (subject to appropriations) to local governments to implement certain flood risk reduction policies and projects.
- **HB 1223 (Jacobs) and CS/SB 1544 (Clemens)** - Sea Level Rise (FLC Priority/Support) - would have created a "natural hazards" **interagency working group** for the purpose of state agencies sharing information and coordinating on current and potential impacts of natural hazards.
- **HB 877 (Albritton)** - Beach Management & Erosion Control (FLC Support) would have revised the criteria to be considered by the Department of Environmental Protection for **funding beach management and erosion control projects.**
- **HB 143 (Richardson) and SB 306 (Bullard) Disposable Plastic Bags (Support)** - would have authorized a "coastal" municipality to establish a pilot program to regulate or ban disposable plastic bags.

ECONOMIC DEVELOPMENT

PASSED

- **CS/SB 124 (Evers)** - Public-Private Partnerships (FLC Priority – Support) amends the statutory framework that local governments must adhere to when engaging in **public-private partnerships (P3s)**. The legislation **provides supplemental authority to local governments.**

FAILED

- **CS/HB 1325 (Boyd)** - Impact Fees (FLC Priority/Oppose/Preemption) included language that would have **prohibited local governments from imposing impact fees** or transportation concurrency on small businesses with 12 or fewer employees and buildings less than 6,000 square feet unless the impact fee is reinstated by a majority vote of the local governing body.

LOCAL GOVERNMENT REVENUE

FAILED

- **SB 256 (Hukill) - Reduction of the State Communications Services Tax (FLC Priority/Oppose/Mandate)** - would have reduced the state portion of the communications services tax (CST) rates by 2.0 percent. Did not include a "hold harmless" provision to protect local governments.
- **CS/SB 264 (Smith) and CS/HB 789 (Pilon) - Special Assessment for Law Enforcement Services** - Authorized municipalities to levy special assessments to fund the cost of providing law enforcement services. Also had provisions relating to municipal capital recovery.
- **CS/SB 1520 (Gaetz) and CS/CS/HB 1203 (Drake) - Tourist Development Taxes (FLC Support)** - allowed certain coastal counties to use tourist development tax (TDT) revenues to fund law enforcement and emergency medical services on a reimbursement basis to address impacts related to increased tourism. The bills died in committee, but a **similar provision passed in the Tax Reduction Package, HB 7099** (allows 3 counties, Bay, Walton and Okaloosa, to use the tourist development tax to fund public safety).

MENTAL HEALTH INITIATIVES

PASSED:

- **SB 12: Mental Health and Substance Abuse** Garcia (CO-INTRODUCERS) Galvano; Ring - services provided to treatment-based mental health programs within case management funded from state revenues as an element of the state courts system.
- **CS/CS/SB 1534 (Simmons) - Housing Assistance/Homelessness (FLC Support)** provides greater flexibility and increases accountability for programs receiving public funds to address homelessness.

PUBLIC PENSIONS

PASSED:

- **CS/HB 1297 (Cummings) - Pension Liability Discretionary Sales Surtaxes (FLC Support)** creates the Pension Liability Surtax, which can be used by a county to fund or amortize the unfunded liability of a defined benefit retirement plan or system except for the Florida Retirement System. The surtax must be approved by a majority vote of the electors and the rate cannot exceed 0.5 percent. The county can only impose the surtax under certain conditions. A pension liability surtax must terminate when the actuarial funding level of the plan reaches 100 percent.

FAILED

- **CS/SB 456 (Latvala) and HB 345 (Fitzenhagen) - Firefighter Cancer Disability Presumption (FLC Priority/Oppose /Unfunded Mandate)** - would have established a cancer disability presumption for firefighters (HB 345 also applied to paramedics). The bills grandfathered approximately 40,000 current local government firefighters from having to pass a physical examination. Would have resulted in significant increases in expenses for local governments for workers' compensation and disability pension benefits.

SOBER HOMES

FAILED

- **CS/SB 1138 (Clemens) - Sober Homes/Substance Abuse Services (FLC Support)** would have created civil and criminal penalties for unethical marketing practices by substance abuse treatment providers and operators of recovery residences.