2018 Florida Legislative Preview

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- Founded in 1986, 1000 Friends of Florida is a 501(c)(3) nonprofit membership organization.
- We work to save special places and build better communities.
- We educate, advocate and negotiate to protect Florida’s high quality of life.
- Our bipartisan board of directors includes advocates and experts from across the state.
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First Secretary of the Florida Department of Community Affairs

His accomplishments recognized with the John M. DeGrove Eminent Scholar Chair in Growth Management and Development at Florida Atlantic University

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Each has been approved for professional certification credits for Planners (AICP CM) and Certified Floodplain Managers. 1000 Friends has applied for credits for Florida attorneys (CLE) and Florida Environmental Health Professionals but cannot guarantee they will be offered.

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- January 24, 2018, Noon to 1:30 -- Planning for Community Resiliency in Satellite Beach: Laying the Groundwork
- February 21, 2018 NOTE TIME: 2:00 – 3:30 p.m. -- Planning for Community Resilience in Satellite Beach: Stormwater Infrastructure and LDRs
- March 21, 2018, Noon to 1:30 p.m. -- 2018 Florida Legislative Wrap Up

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Check out our Legislative Webpage!

Available at: www.1000friendsofflorida.org/2018-florida-legislative-session-custom/

This site is:
- Updated weekly (or more often as needed)
- Includes Growth Management, Transportation and Conservation Legislation
- Includes links to the bills
Lester Abberger

- Board Member Emeritus and past Chairman of 1000 Friends of Florida.
- Chairman of The Trust for Public Land (TPL) Florida Advisory Council, and serves on the TPL National Leadership Council.
- Chairs the Florida Conservation Campaign, and is a director and chair of the Finance Committee.
- Past Chair of Leadership Florida, The Seaside Institute, and the City of Tallahassee Urban Design Commission.
- A graduate of Davidson College, where he serves on the Board of Visitors.
- A Knight Fellow at the University of Miami School of Architecture.
Thomas Hawkins

- Policy and Planning Director for 1000 Friends of Florida
- Teaches courses in land use law at University of Florida Levin College of Law and College of Design, Construction and Planning
- Holds Juris Doctor from Emory University School of Law and Master of Science in Real Estate from University of Florida Hough Graduate School of Business
Gladys Delgadillo

- Administrator of the Florida Conservation Coalition since August 2015
- Previously policy intern with the Conservancy of Southwest Florida
- Graduated from Stanford University with a B.S. in Earth Systems
Session Overview

Lester Abberger
Board Member Emeritus & Past Chairman,
1000 Friends of Florida
Budget

- Revenue
- Expenses
- Structural Imbalances
- Hurricane Recovery Costs
- Tax Cuts
Political Environment

- United States Senate
- Governor
- Attorney General
- Chief Financial Officer
- Commissioner of Agriculture
Conservation Funding
Constitutional Revision Commission

- 37 members
- 1400 proposals as of 1 October 2017
Committees

- Bonding and Investment
- Declaration of Rights
- Education
- Ethics and Elections
- Executive
- Finance and Tax
- General Provisions
- Judicial
- Legislative
- Local Government
Committee Meetings

- January 11-12
- January 18-19
- January 25-26
- February 1-2
Public Comment Sessions

Locations TBD

Weeks of:
- 5 February
- 19 February
- 26 February
- 12 March
Growth Management and Planning

Thomas Hawkins, JD, AICP, Policy & Planning Director
1000 Friends of Florida
Municipal Conversion of Independent Special Districts

- SB 84
- 1000 Friends SUPPORTS
- Closes loophole in state law that allows some Independent Special Districts to convert to municipalities without complying with typical requirements for municipal incorporation.
- Referred to Community Affairs; Ethics and Elections; and Rules Committees.
SB 292
1000 Friends SUPPORTS
Exempts property owners who produce renewable energy and distribute it to users on their property from being defined as a public utility.
Referred to Communications, Energy, and Public Utilities; Community Affairs; and Rules Committees.
Impact Fees

- SB 324/HB 697
  - Sets uniform time for local governments to levy impact fees.
  - Could make development approval process uniform across jurisdictions, removing incentives for annexation. May delay funding for needed infrastructure improvements.
- SB 324 referred to Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations Committees. *SB 324 heard December 5 in Community Affairs.*
- HB 697 referred to Local, Federal and Veterans Affairs Subcommittee; Ways and Means Committee; and Government Accountability Committee.
SB 362/HB 207
1000 OPPOSES
Would require local government adoption of a private property rights element into their comprehensive plan.
HB 207 referred to Agriculture and Property Rights Subcommittee; Local, Federal and Veterans Affairs Subcommittee; and Commerce Committee.
SB 362 referred to Agriculture and Property Rights Subcommittee; Local, Federal and Veterans Affairs Subcommittee; and Commerce Committee.
Community Redevelopment Agencies

- SB 432/HB 17
  - Would revise governance of Community Redevelopment Agencies including providing provisions for existing CRAs to expire and new reporting requirements for existing CRAs.
  - HB 17 referred to Government Accountability Committee. HB 17 passed the Government Accountability Committee 20-1.
  - SB 432 referred to Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations; and Rules Committees. SB 432 passed the Community Affairs Committee 5-1.
SB 494/HB 405

- Clarify that the Public Service Commission, and not local governments, has sole authority over siting certain utility infrastructure.
- Would remove local government comprehensive planning authority over utility siting.
- SB 494 referred to Communications, Energy, and Public Utilities; and Community Affairs Committees. SB 494 passed the Communications, Energy, and Public Utilities 7-0. SB 494 heard December 5 in Community Affairs Committee.
- HB 405 passed the Energy and Utilities Subcommittee 11-1. HB 405 heard December 6 in Natural Resources & Public Lands.
SB 542

1000 Friends SUPPORTS

Requires construction contractors to conduct a sea level impact projection study, considering sea level rise and increased storm risk over the next 50 years, before beginning work on coastal projects that are funded in whole or part by the State of Florida.

The study must assess the flooding, inundation, and wave action damage risks to the project; potential public safety and environmental impacts resulting from damage to the structure; and ways to mitigate and reduce risk, including siting the project in a different location.
SB 574/HB 521

1000 Friends OPPOSES

Would preempt to the state the regulation of the trimming, removal, or harvesting of trees on private property so that no local government may regulate tree removal.

Representative Edwards (sponsor of HB 521) has indicated openness to significant amendment

SB 574 referred to Community Affairs; Environmental Preservation and Conservation; and Rules Committees.

HB 521 referred to Local, Federal and Veterans Affairs Subcommittee; Agriculture and Property Rights Subcommittee; and Government Accountability Committee.
SB 116/HB 117
1000 Friends SUPPORTS
Would make changes to motor vehicle code designed to improve safety for bicycle operators.
HB 117 referred to Transportation and Infrastructure Subcommittee; and Government Accountability Committee.
SB 116 referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations Committees.
Traffic Infraction Detectors

- SB 176/SB 548/HB 6001
- Would prohibit use of traffic infraction detectors to enforce traffic laws (i.e., red light cameras).
- HB 6001 passed the House Appropriations Committee 16-0.
- SB 176 referred to Transportation; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations Committees.
- SB 548 referred to Transportation; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations Committees.
Electric Vehicles

- SB 384
- 1000 Friends SUPPORTS
- Requires Florida Transportation Commission to author report on transportation infrastructure funding in light of declining fuel tax revenue.
- SB 384 referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations Committees. 

SB 384 heard December 5 in Transportation Committee.
High-Speed Passenger Rail

- SB 572/HB 525
- 1000 Friends SUPPORTS
- Create safety provisions related to operation of High Speed Passenger Rail including requirements that rail operators pay certain operational and safety expenses.
- SB 572 Referred to Transportation; Community Affairs; Appropriations. SB 572 passed the Transportation Committee 6-0.
- HB 525 referred to Transportation and Infrastructure Subcommittee; Transportation and Tourism Appropriations Subcommittee; and Government Accountability Committee.

Senator Mayfield
▪ HB 535
▪ Would rename the Florida Rail Enterprise the Statewide Alternative Transportation Authority and dedicate $25 million in annual funding to the Tampa Bay Area Regional Transit Authority and $35 million in annual funding to other local governments for the construction of non-road transportation systems including high-speed rail.
▪ HB 535 referred to Transportation and Infrastructure Subcommittee; Transportation and Tourism Appropriations Subcommittee; and Government Accountability Committee.
SB 852/HB 633
1000 Friends SUPPORTS
Would create a $15 million grant program within the Department of Transportation to implement innovative transportation projects including autonomous vehicles, plug-in hybrid vehicles and shared mobility services.

HB 633 referred to Transportation and Infrastructure Subcommittee; Transportation and Tourism Appropriations Subcommittee; and Government Accountability Committee.

SB 852 referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations Committees.
- Removes provisions for substantial deviation process for permitted Developments of Regional Impact (DRIs). Allows local governments to amend DRIs consistent with local ordinances.
- Amends process for abandonment of DRI development orders to require local governments to abandon development orders when developer has provided mitigation for at least that portion of the DRI which is built.
- Makes substantial other modifications to s. 380.06 that repeal much of the remaining DRI rule and expand exemptions to the DRI rule.
Conservation

Gladys Delgadillo, Administrator
Florida Conservation Coalition
Land Acquisition Trust Fund (LATF)

• Funding for the LATF comes from the 1/3 of documentary stamp tax dollars set aside by the Water and Land Conservation Amendment (Amendment One) in 2014.

• The primary purpose of the Water and Land Conservation Amendment is to restore funding for conservation and recreation land acquisition.

• Funds from the LATF have been dedicated to Everglades restoration (0.25% or $200 M/year) + 64M), Springs (7.6% or $50 M/year), and Lake Apopka ($5 M/year).
Less than 4% of LATF dollars have been allocated to statewide land conservation through Florida Forever, FCT, & RFLPP from 2015-2018.

### Approximate 2015-2018 LATF Allocations

<table>
<thead>
<tr>
<th>Category</th>
<th>2015-2018 $ Million</th>
<th>% of Total LATF after Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service</td>
<td>537.1</td>
<td>N/A</td>
</tr>
<tr>
<td>Existing Agency Ops.</td>
<td>578.1</td>
<td>31.43%</td>
</tr>
<tr>
<td>Everglades</td>
<td>449.8</td>
<td>24.45%</td>
</tr>
<tr>
<td>Land Management</td>
<td>377.8</td>
<td>20.54%</td>
</tr>
<tr>
<td>Springs</td>
<td>138.6</td>
<td>7.54%</td>
</tr>
<tr>
<td>Regulatory</td>
<td>118.4</td>
<td>6.44%</td>
</tr>
<tr>
<td>Beach Management</td>
<td>75.7</td>
<td>4.12%</td>
</tr>
<tr>
<td>Rural &amp; Family Lands</td>
<td>50</td>
<td>2.72%</td>
</tr>
<tr>
<td>Florida Forever Priority List</td>
<td>30.4</td>
<td>1.65%</td>
</tr>
<tr>
<td>Florida Comm. Trust</td>
<td>10.4</td>
<td>0.56%</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>9.7</td>
<td>0.53%</td>
</tr>
<tr>
<td>Water Projects</td>
<td>.3</td>
<td>.02%</td>
</tr>
<tr>
<td>Total</td>
<td>2376.3</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
6 bills have been filed thus far in the 2018 session which require annual appropriations from the LATF to specific resources or areas of the state. 1 of these bills has been withdrawn.

If all 5 active bills pass, a total of nearly $600 million will be dedicated annually from the LATF when existing legislation is taken into account.
Current projections estimate there will be approximately $700 M in the LATF, after debt service, for the 2018-2019 fiscal year.

Funds in the LATF are projected to grow each year, with a projection of 1.4 billion after debt service by the year 2034-2035.

A presentation during the 11/15 Senate Appropriations Committee showed a deficit of approximately $200 million in the LATF if all the proposed bills this session passed and their allocations were added to the LATF base budget.
Land Conservation Programs Should Be Priority

• Florida 2070: If we continue to fail to fund land conservation programs, over the next 50 years, an additional 5 million acres of natural and working lands will be lost forever to development.

• Protecting natural and working lands protects our water supply, air & water quality, wildlife, climate, homes, quality of life, economy, military bases, and agricultural communities.

• Florida’s land conservation programs provide an objective way to distribute statewide funds. Land conservation helps to protect all the ecosystems we’re concerned about from the Everglades to the Springs.
1000 Friends strongly supports the Florida Conservation Coalition’s adopted position statement on land conservation:

• The primary reason the Water and Land Conservation Amendment was proposed and supported by Florida voters was to restore funding for Florida’s landmark conservation and recreation land acquisition programs, including Florida Forever.

• The Legislature should annually dedicate the largest share of funds in the LATF to the acquisition of natural areas, working farms and ranches, and close-to-home recreational areas through the Acquisition and Restoration Council’s Florida Forever Priority List, Rural and Family Lands Protection Program, & the Florida Communities Trust Program.

• Funding these scientifically-driven programs, rather than funding individual land acquisition projects, will ensure tax-payer dollars are expended effectively, protecting lands with the greatest conservation value.
• Dedicates $100 M annually from the LATF to the Florida Forever Trust Fund, regardless of outstanding debt service payments.


• Senator Bradley is the Chair of 2 of SB 370’s committees of reference: Environmental Preservation & Conservation Committee and the Senate Appropriations Committee

• SB 370 passed through it’s 1st committee of reference and is scheduled to be heard in the Appropriations Subcommittee on the Environment & Natural Resources tomorrow.

• No House Companion
Land Acquisition Expenditures vs Population Growth (2000-2016)
Other LATF Bills

• **SB 168/HB 145** - $300,000/year for 2 years for invasive species mitigation
  • HB 145 up in today’s Nat. Resources & Public Lands Subcommittee

• **SB 174/HB 131** – Lesser of 7.6% of LATF after debt service or $50 M annually for beach restoration
  • Passed 2/3 committees in the Senate

• **SB 204** - $50 M/year for St. Johns River or Keystone Heights Lake Region and lesser of 10.7% of LATF after debt service or $75 M annually for springs
  • Passed 1st committee and is scheduled to be heard tomorrow in the Appropriations Subcommittee on the Environment & Nat. Resources

• **HB 339/SB 786** – Lesser of 7.6% or $50 M annually for Indian River Lagoon, including septic to sewer conversions & stormwater management
  • Each bill has been referred to 3 committees. Neither has been scheduled.
“Fracking” Ban (HB 237/ SB 462)

• Sponsors: Sen. Young, Rep. Peters

• Bans “advanced well stimulation” techniques, including “fracking,” in Florida.

• Sponsored by 11 House Members & 9 Senators

• The House and Senate bills have been referred to 3 committees each. Neither has been scheduled for consideration.
Environmental Regulation Commission (SB 316/ HB 203)

• Sponsors: Sen. Stewart, Rep. Willhite

• Requires Governor to appoint new members to the ERC within 90 days of a vacancy.

• Requires 4 affirmative votes from ERC members to approve rules relating to air or water quality standards.

• Both the House & Senate bills have passed their first of 3 committees of reference.
Plastic Bag Pilot Program (SB 348)

• Allows coastal communities with populations below 100,000 to create temporary pilot programs regulating or banning disposable plastic bags
• Regulation cannot include new taxes or fees
• Programs can be in effect from January 1, 2019 – June 30, 2021
• Municipalities collect data on the effects of their pilot programs & create report for DEP/local public hearing

• SB 348 has been referred to 4 committees, and has not been scheduled for consideration.

• No House Companion
Plastic Bag Preemption (SB 1014/HB 6039)

• Sponsors: Sen. Stewart & Rep. Richardson

• Removes the preemption in existing law which forbids local governments from regulating auxiliary containers, wrappings, or plastic bags.

• Hasn’t been referred to any committees
Florida Communities Trust (SB 158)

• Allows flood mitigation projects to be funded through the Florida Communities Trust Program, which is known for helping local governments preserve open space for public recreation.

• Purpose of flood mitigation projects under the bill:
  ▪ Improve a community’s classification under the National Flood Insurance Program Community Rating System (CRS)
  ▪ Assist local governments in implementing flood reduction & mitigation plans

• 3 Committees of Reference. Hasn’t been Scheduled.

• No House Companion
• Allows local governments to request a hearing with the Public Service Commission (PSC) when a utility causes environmental damage within the municipality, county, or adjacent body of water.

• Hearing determines if the utility acted prudently leading up to the environmental damage AND if they acted prudently to remedy the damage.

• If the PSC determines the utility did not act prudently, the utility must remedy the damage without recovering their costs from ratepayers.

• 3 Committees of Reference. Hasn’t been Scheduled.

• No House Companion
“Regulatory Reform” (HB 791)

- Effort to reduce the total number of rules in the Florida Administrative Code (FAC)
- Total # of rules in effect = “regulatory baseline.” Agencies prohibited from exceeding this baseline with new rules.
- Requires agencies to prepare regulatory plans that list rules that may be repealed
- Establishes the Red Tape Reduction Advisory Council, charged with annually reviewing the FAC to determine if any rules are duplicative or obsolete, especially burdensome to businesses within the state, or disproportionately affect small businesses and should be amended or repealed.
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