

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: LEGISLATIVE BRIEFING

DEPARTMENT: County Manager's Office **DIVISION** Steve Lee **EXT.** 5741
AUTHORIZED BY: Kevin Grace **Contact:** Sally A. Sherman **EXT.** 7224

Agenda Date 03/22/05 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

Information Current As Of 3/11/05

Regular Legislative Session – March 8 – April – May 6, 2005

Top Legislative Priorities

1. **Deferred Compensation/Govt. Employee - S1254** by Constantine Companion Bill HB 787 by Mealor to Support Deferred Compensation Plan ; - provides that deferred compensation plan or plans established by Chief Financial Officer apply to employees of governmental entities other than state. Amends 112.215. EFFECTIVE DATE: 10/01/2005. SB1254 and HB787. (Bill previously provided)

SENATE 02/09/05 Filed

02/18/05 SENATE Referred to Governmental Oversight and Productivity; General Government Appropriations; Ways and Means

03/08/05 SENATE passed out of the Senate Governmental Oversight And Productivity Committee

HOUSE 02/10/05 Filed

02/18/05 HOUSE Referred to Governmental Operations (SAC); Local Government Council; Fiscal Council; State Administration Council

03/08/05 HOUSE Introduced, referred to Governmental Operations (SAC); Local Government Council; Fiscal Council; State Administration Council -HJ 00073

2. **Car Rental Surcharge** – Support adoption of a new per diem charge as a local option (including a referendum requirement, if necessary, in order to secure passage of the bill).

Draft Language– Metro Plan – Currently seeking a sponsor for this bill. (Previously provided)

- Imposes a surcharge not to exceed \$2.00
- On Rental or leased agreements and apply on to the first thirty days.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: [Signature]
CM: [Signature]
File No. LEG 1

- County may retain 3% of collections for Administrative Cost for record keeping requirements.
 - Proceeds of the surcharge are limited to Funding transportation projects listed in the long range plan of the Metropolitan Planning Organization for the County.
 - Requires all three Counties (Seminole, Orange, Osceola) to obtain approval by a referendum.
3. Support inclusion of a **Local Sources First Policy** in Florida Statutes, Chapter 373 – Oppose any amendment to Florida’s Water Resource Policy which allows, encourages, or promotes water transfers.

No proposed bill to date.

4. Oppose any attempts at shifting the costs of Government services and programs from the state to counties, such as:

Department of Juvenile Justice (DJJ) Cost - SB 4A- by Justice Appropriations Committee Senators Christ, Lynn, and Villalobos. (Bill previously provided)

5. FEMA Hurricane Related Issues

- a) Reimbursement for debris removal in gated subdivisions and on private roads.
- b) Timing of reimbursements to offset impact on local budget.

6. **Other Items of Interest**

A. **Wekiva Parkway & Protection Act - S908** by Constantine/H1013 by Brumer - Wekiva Parkway & Protection Act; clarifies that requirements for local government to develop master stormwater management plan & wastewater facility plan apply only to that portion of local government located within the Wekiva Study Area; requires local governments hosting interchange on said parkway to adopt interchange land use plan within 1 year after interchange location is established, etc. Amends 369.319,.320,.321,.324. (Bills previously provided)

SENATE 01/26/05 Filed

02/09/05 SENATE Referred to Environmental Preservation; Community Affairs

02/15/05 SENATE On Committee agenda-- Environmental Preservation, 02/22/05, 2:00 pm, 401-S

02/22/05 SENATE Favorable with 1 amendment(s) by Environmental Preservation; YEAS 6 NAYS 0

02/23/05 SENATE Now in Community Affairs

03/08/05 SENATE Introduced, referred to Environmental Preservation;

Community Affairs -SJ 00058; On Committee agenda-- Environmental Preservation, 02/22/05, 2:00 pm, 401-S; Favorable with 1 amendment(s) by Environmental Preservation; YEAS 6 NAYS 0 -SJ 00101; Now in Community Affairs -SJ 00101

03/10/05 SENATE On Committee agenda-- Community Affairs, 03/15/05, 9:00 am, 401-S

HOUSE 02/22/05 Filed

03/07/05 HOUSE Referred to Growth Management (SIC); Transportation & Economic Development Appropriations (FC); State Infrastructure Council

03/08/05 HOUSE Introduced, referred to Growth Management (SIC); Transportation & Economic Development Appropriations (FC); State Infrastructure Council -HJ 00089

B. Wireless Emergency Telephone System - H305 by Littlefield Companion Bill SB 620 by Bennett - removes annual audit of Wireless

Emergency Telephone System Fund from duties of Auditor General; revises fee schedules for providers of interexchange telecommunications services; provides standards for local governments to follow when regulating placement, construction, or modification of wireless communications facility; directs how county may use funds derived from E911 fee, etc. (Bill previously provided)

HOUSE 01/12/05 Filed

02/01/05 HOUSE Referred to Utilities & Telecommunications (CC); Local Government Council; State Administration Appropriations (FC); Commerce Council

03/08/05 HOUSE Introduced, referred to Utilities & Telecommunications (CC); Local Government Council; State Administration Appropriations (FC); Commerce Council -HJ 00033; On Committee agenda--

Utilities & Telecommunications (CC), 03/10/05, 1:45 pm, 404-H

03/10/05 HOUSE Favorable with CS amendment by Utilities & Telecom. (CC); YEAS 11 NAYS 0 -Preliminary

SENATE - 01/10/05 Filed

01/28/05 SENATE Referred to Communications and Public Utilities; Community Affairs; Governmental Oversight and Productivity; Government Efficiency Appropriations

03/08/05 SENATE Introduced, referred to Communications and Public Utilities; Community Affairs; Governmental Oversight and Productivity;

Government Efficiency Appropriations -SJ 00041

03/10/05 SENATE On Committee agenda--Communications and Public Utilities 03/15/05, 9:00 am, 301-S

C. Growth Management - Sen. Bennett has filed a shell bill (SB 360)

The proposal for the shell bill includes changes to Florida's growth management laws/rules. First, the Department of Community Affairs has issued two draft documents: one addressing general growth management issues under Ch. 163 and Rule 9J-5, while the other addresses changes in the Development of Regional Impact (DRI) process under Ch. 380, F.S.

The two latest draft growth management bills were provided via the internet. The first was the revision of DCA's original draft; the second was a proposed committee bill for the Senate Comprehensive Planning Committee and addresses local funding, and other issues. -SPB 7048

SENATE (SB 360)12/02/04 Filed

12/17/04 SENATE Referred to Community Affairs; Transportation and Economic Development Appropriations; Ways and Means (Reference Correction)

03/08/05 SENATE Introduced, referred to Community Affairs; Transportation and Economic Development Appropriations; Ways and Means

SENATE (SPB 7048) 01/31/05 Submitted for consideration by Community Affairs; On Committee agenda-- Community Affairs, 02/08/05, 9:00 am, 401-S

02/08/05 SENATE Submit as committee bill by Community Affairs (SB 1886)

S1886 GENERAL BILL by Community Affairs (Compare S 1940)

Local Government; revises various provisions of Local Government Comprehensive Planning Certification Program; specifies duties of state land planning agency rather than DCA in order to conform to other provisions governing planning & development; revises requirements for local government to obtain certification under program; requires that local government develop map, certain plans, & disaster strategies, etc. Amends FS. EFFECTIVE DATE: 07/01/2005.

02/28/05 SENATE Filed (SB 1886 Attachment A- Page 9)

- D. **Private Fire Hydrants** – Sen. Miller S748 companion HB0267 by Carroll requires owners of private fire hydrants to test hydrants in accordance with national standards and to contract with licensed professionals or local fire- control authorities to inspect & service such hydrants; authorizes local fire officials to contract with said owners to maintain such hydrants; provides fines for noncompliance.

Rep. Carroll's bill on fire hydrants, as amended by our proposed language, (HB 267) passed unanimously out of the House Insurance Committee on February 22, 2005. (Bills previously provided)

SENATE 01/14/05 Filed

01/28/05 SENATE Referred to Banking and Insurance; Community Affairs

03/08/05 SENATE Introduced, referred to Banking and Insurance; Community Affairs -SJ 00048

03/11/05 SENATE On Committee agenda-- Banking and Insurance, 03/16/05, 9:00 am, 412-K

HOUSE 01/10/05 Filed

02/01/05 HOUSE Referred to Insurance (CC); Local Government Council; Commerce Council

02/11/05 HOUSE On Committee agenda-- Insurance (CC), 02/22/05, 9:00 am, Morris Hall

02/22/05 HOUSE Favorable with CS amendment by Insurance (CC); YEAS 18 NAYS 0

03/03/05 HOUSE Pending review of CS under Rule 6.3(b); Now in Local Government Council

03/08/05 HOUSE Introduced, referred to Insurance (CC); Local Government Council; Commerce Council; On Committee agenda-- Insurance (CC), 02/22/05, 9:00 am, Morris Hall; Favorable with CS amendment by Insurance (CC); YEAS 18 NAYS 0; Pending review of CS under Rule 6.3(b); Now in Local Government Council

- E. **Trauma Care & Rape Crisis Centers** – Sen. Lynn filed (SB 258) which authorizes DOH to adopt and enforce rules necessary to administer provisions re: trauma services; establishes task force on distribution of funds for trauma centers; provides additional civil penalties for certain traffic infractions and for such penalties to be used to fund trauma services; requires that funds credited to Rape Crisis Program TF include moneys appropriated by Legislature and grants from public and private entities, etc. (Bills previously provided)

SENATE 11/17/04 Filed

12/17/04 SENATE Referred to Health Care; Transportation; Government Efficiency Appropriations; Health and Human Services Appropriations; Transportation and Economic Development Appropriations

03/08/05 SENATE Introduced, referred to Health Care; Transportation; Government Efficiency Appropriations; Health and Human Services Appropriations; Transportation and Economic Development Appropriations -SJ 00021

- F. **Velez Memorial Traffic Safety Act - S1264 GENERAL BILL by Saunders (Similar H497 by Cannon; [CO-SPONSORS] Bucher; Flores; Glorioso; Legg; Lopez-Cantera; Reagan; Roberson)**; creates Anjelica & Victoria Velez Memorial Traffic Safety Act; revises penalty for moving violation of traffic control signal showing steady red indication; provides for distribution of moneys collected & of specified civil penalties (approximately half of the fines go to fund trauma centers based upon a distribution formula using case load volume and severity of injuries with a kicker for centers with local funding); requires driver improvement course for second moving violation

of traffic control signal showing steady red indication within specified time period, etc. Amends Chs. 318, 322, 395. EFFECTIVE DATE: Upon becoming law. (Bills previously provided)

SENATE 02/09/05 Filed

02/24/05 SENATE Referred to Transportation; Health Care; Government Efficiency Appropriations; Health and Human Services Appropriations
03/08/05 SENATE Introduced, referred to Transportation; Health Care; Government Efficiency Appropriations; Health and Human Services Appropriations -SJ 00078

HOUSE 01/24/05 Filed

02/07/05 HOUSE Referred to Transportation (SIC); Judiciary (JC); Finance & Tax (FC); State Infrastructure Council
02/11/05 HOUSE On Committee agenda-- Transportation (SIC), 02/22/05, 2:00 pm, 404-H
02/22/05 HOUSE Favorable with CS amendment by Transportation (SIC); YEAS 14 NAYS 0 --Preliminary
03/08/05 HOUSE Introduced, referred to Transportation (SIC); Judiciary (JC); Finance & Tax (FC); State Infrastructure Council -HJ 00049; On Committee agenda-- Transportation (SIC), 02/22/05, 2:00 pm, 404-H; Favorable with CS amendment by Transportation (SIC); YEAS 14 NAYS 0 -HJ 00156; Pending review of CS under Rule 6.3(b); Now in Judiciary (JC) -HJ 00156;
On Committee agenda-- Judiciary (JC), 03/10/05, 8:00 am, Morris Hall
03/10/05 HOUSE Favorable with CS amendment by Judiciary (JC); YEAS 12 NAYS 0 --Preliminary

- F. **Retirement/Emergency Dispatchers** - Sen. Alexander filed SB 1074 Companion Bill by Rep. Goldstein HB 693 which provides that emergency dispatchers and 911 operators employed by county or municipal law enforcement agency may participate as part of Special Risk Administrative Support Class and are eligible for special risk normal retirement date. Amends 121.0515.

The proposed amendment includes 911 Operators and Dispatchers in the Special Risk Category, but excluding other Public Safety 911 Operators and Dispatchers which creates an inequality in the system. It will negatively impact the County's efforts to maintain long term employees in the Emergency Communications Center, when they will be enticed to pursue employment with a law enforcement agency, and receive a better retirement rate. All qualifications being equal, it is recommended that the legislation include County and Municipal Public Safety (Fire and EMS) 911 Operators and Dispatchers. (Bill previously provided)

SENATE 01/28/05 Filed

02/18/05 SENATE Referred to Community Affairs; Governmental Oversight and Productivity; Ways and Means

03/08/05 SENATE Introduced, referred to Community Affairs; Governmental Oversight and Productivity; Ways and Means -SJ 00068

HOUSE 02/03/05 Filed

02/11/05 HOUSE Referred to Governmental Operations (SAC);
Local Government Council; Domestic Security (SAC); Fiscal Council;
State Administration Council

03/08/05 HOUSE Introduced, referred to Governmental Operations (SAC);
Local Government Council; Domestic Security (SAC); Fiscal Council;
State Administration Council -HJ 00066

- G. **Local Govt. Land Dev./Impact Fees** - H1173 GENERAL BILL by Clarke; (CO-SPONSORS) Planas; Rivera (Identical S 2302); provides legislative findings, declarations, & intent re local government impact fees; requires impact fees to be based upon certain available data; requires credit against impact fees for certain taxes, fees, assessments, liens, charges, or payments; specifies time period before collecting impact fee or fee increase; prohibits application of impact fee to certain building permits, etc. Creates 163.3219. EFFECTIVE DATE: 07/01/2005. (HB 1173 Attachment B- Page 10)

HOUSE 02/24/05 Filed

03/07/05 HOUSE Referred to Growth Management (SIC); Local Government Council; Finance & Tax (FC); State Infrastructure Council

03/08/05 HOUSE Introduced, referred to Growth Management (SIC); Local Government Council; Finance & Tax (FC); State Infrastructure Council -HJ 00101

03/11/05 HOUSE On Committee agenda-- Growth Management (SIC),
03/15/05, 1:45 pm, 12-H

SENATE 01/26/05 Filed

02/09/05 SENATE Referred to Community Affairs; Governmental Oversight and Productivity; Government Efficiency Appropriations

03/08/05 SENATE Introduced, referred to Community Affairs; Governmental Oversight and Productivity; Government Efficiency Appropriations -SJ 00059

- H. Medicaid Reduction – Presidents Budget – Proposes a \$60 billion reduction over the next 10 years.
- I. **Forcible Felony Violators** - SB 608 by Garcia; (Co-Sponsors) Crist; Lynn; Smith; Baker; Villalobos; Carlton; Campbell; Atwater; Peaden; Haridopolos; Argenziano; Sebesta; Fasano; Saunders (Compare H 0451) Offenders/Forcible Felonies; prohibits court from admitting offender who has committed forcible felony to bail or any other form of pretrial release under specified circumstances; provides certain exceptions; directs that 24 community sanction violation points be added to

offender's Criminal Punishment Code worksheet for violation involving forcible felony, etc. Creates 903.0351; amends 921.0024, 948.06. EFFECTIVE DATE: 07/01/2005. (SB 608 Attachment C- Page 11)
SENATE 01/10/05 Filed
 01/28/05 SENATE Referred to Judiciary; Criminal Justice; Justice Appropriations; Rules and Calendar
 03/08/05 SENATE Introduced, referred to Judiciary; Criminal Justice; Justice Appropriations; Rules and Calendar -SJ 00040HB 451

HOUSE 01/21/05 Filed
 02/07/05 HOUSE Referred to Criminal Justice (JC); Justice Appropriations (FC); Justice Council
 03/08/05 HOUSE Introduced, referred to Criminal Justice (JC); Justice Appropriations (FC); Justice Council -HJ 00046; On Committee agenda-- Criminal Justice (JC), 03/09/05, 10:00 am, 404-H
 03/09/05 HOUSE Favorable with CS amendment by Criminal Justice (JC); YEAS 7 NAYS 0 --Preliminary

7. Funding Request – Community Budget Request for 2005

a) I-4/Greenway Interchange - Construction Cost	\$4,000,000
Senate Sponsor – Baker / House Sponsor Hayes	
b) State Road 415 – Expand to 4-Lanes - Construction Cost	\$2,500,000
Senate Sponsor – Baker / House Sponsor Simmons	
c) State Road 46 – Expand to 4-Lanes - Design Cost	\$2,000,000
Senate Sponsor – Baker / House Sponsor Adams	
d) State Road 46 and I-4 - - ROW Cost	\$10,000,000
Senate Sponsor – Baker / House Sponsor Hayes	
e) State Road 434 and Interstate 4 Interchange – Interchange Reconstruction - Design Cost	\$3,500,000
Senate Sponsor – Constantine/ House Sponsor Meador	
f) Middle St. John's River Basin Initiative-	\$4,000,000
Senate Sponsor – Baker / House Sponsor Meador	
g) Regional Alternative Water Supply Testing Program -	\$2,400,000
Senate Sponsor – Baker / House Sponsor Meador	
h) Historical Museum Complex Expansion Project -	\$300,000
Senate Sponsor – Baker / House Sponsor Hayes	
TOTAL	\$28,700,000

Attachment A

SB 1888 – Growth Management

Florida Senate - 2005 SB 1886

By the Committee on Community Affairs

578-1071B-05

1 A bill to be entitled

2 An act relating to local government; amending
3 s. 163.3246, F.S.; revising various provisions
4 of the Local Government Comprehensive Planning
5 Certification Program; specifying the duties of
6 the state land planning agency rather than the
7 Department of Community Affairs in order to
8 conform to other provisions governing planning
9 and development; revising the requirements for
10 a local government to obtain certification
11 under the program; requiring that the local
12 government develop a map, certain plans, and
13 disaster strategies; revising requirements for
14 public hearings; deleting provisions limiting
15 the number of certification agreements each
16 fiscal year; revising the requirements for
17 filing a petition for an administration hearing
18 concerning an agreement; providing that an
19 application for development approval within a
20 certified area is exempt from review as a
21 development of regional impact if a local
22 government does not request review of such
23 development in its application for
24 certification; deleting provisions requiring a
25 biennial report to the Governor and Legislature
26 by the state land planning agency; amending s.
27 212.055, F.S.; providing for the levy of the
28 local government infrastructure surtax pursuant
29 to an ordinance enacted by a majority of the
30 county governing body; authorizing a majority
31 of a county's governing body to levy the school

1

CODING: Words stricken are deletions; words underlined are additions.

Attachment B

HB 1173 – Impact Fees

CODING: Words stricken are deletions; words underlined are additions.

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FLORIDA HOUSE OF REPRESENTATIVES

A bill to be entitled 1

An act relating to local government land development 2
requirements; creating s. 163.3219, F.S.; providing 3
legislative findings, declarations, and intent relating to
4

local government impact fees; requiring impact fees to be 5
based upon certain available data; requiring a credit 6
against impact fees for certain taxes, fees, assessments, 7
liens, charges, or payments; providing criteria; 8
specifying a time period before collecting an impact fee 9
or fee increase; prohibiting application of an impact fee
10

to certain building permits; requiring local governments 11
to report certain impact fee information to the Auditor 12
General; limiting imposition of administrative fees; 13
requiring refund of an impact fee under certain 14
circumstances; providing criteria for payment of impact 15
fees; authorizing a local government to establish a 16
schedule of payments; providing an effective date. 17
18

Be It Enacted by the Legislature of the State of Florida:

19

20

Section 1. Section 163.3219, Florida Statutes, is created
21

to read: 22

163.3219 Local government impact fees; credits; reports; 23
application; payment.-- 24

(1) The Legislature finds and declares that there is a 25
lack of consistent criteria for the determination of the 26
appropriateness, amount, and collection of impact fees. 27

Consequently, there is a wide disparity developing in the

28

Attachment C

SB 608 – Forcible Felony Violators

Florida Senate - 2005 SB 608

By Senator Garcia

40-549-05

1 A bill to be entitled

2 An act relating to offenders who have committed

3 forcible felonies; creating s. 903.0351, F.S.;

4 prohibiting a court from admitting an offender

5 who has committed a forcible felony to bail or

6 any other form of pretrial release under

7 specified circumstances; providing certain

8 exceptions; amending s. 921.0024, F.S.;

9 directing that 24 community sanction violation

10 points be added to an offender's Criminal

11 Punishment Code worksheet for a violation

12 involving a forcible felony; amending s.

13 948.06, F.S.; defining the term "offender who

14 has committed a forcible felony"; prohibiting a

15 court from releasing an offender who is charged

16 with committing a nonmonetary violation of

17 probation or community control; requiring the

18 offender to remain in custody until resolution

19 of the charge of violating probation or

20 community control; requiring a court to hold a

21 hearing to determine whether the offender poses

22 a danger to the community; directing the court

23 to assess community violation sanction points

24 if the offender is a danger to the community;

25 providing an effective date.

26

27 Be It Enacted by the Legislature of the State of Florida:

28

29 Section 1. Section 903.0351, Florida Statutes, is

30 created to read:

31

1

CODING: Words stricken are deletions; words underlined are additions.