

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Legislative - Agenda 2006 (State)

DEPARTMENT: County Manager's Office/County Attorney's Office **DIVISION:** _____

Susan Dietrich Ext. 7254

AUTHORIZED BY: J. Kevin Grace **Contact:** Sally A. Sherman Ext. 7224

Agenda Date 12/20/05 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

STATE – Top Legislative Priorities*

1. Oppose - Shifting the costs of Government services and programs from the state to counties
2. Support - Annexation reform
3. Support - **Car Rental Surcharge Tax Support** –adoption of a new per diem charge as a local option.

H207 GENERAL BILL by Quinones

Local Option Surcharge/Motor Vehicle; authorizes certain counties to impose by ordinance surcharge on rental or lease of motor vehicles; provides limitations; provides for collection, administration, & enforcement of surcharge by DOR; provides duties of department; requires referendum; provides for uses of surcharge proceeds; provides for application of certain rules of department. Creates 212.0607.

Effective DATE: 07/01/2006.

10/06/05 HOUSE Filed

10/13/05 HOUSE Withdrawn prior to introduction (**Previously Provided**)

H301 GENERAL BILL by Quinones (Similar H 0207)

Local Option Surcharge/Motor Vehicle; authorizes certain counties to impose by ordinance surcharge on rental or lease of motor vehicles; provides exception; provides limitations; provides for collection, administration, & enforcement of surcharge by DOR; provides duties of department; requires referendum; provides for uses of surcharge proceeds; provides for application of certain rules of department. Creates 212.0607. EFFECTIVE DATE:

07/01/2006.

10/31/05 HOUSE Filed (**Attachment A-Page 7**)

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: SS
CM: [Signature]

File No. LEG84

4. Support - Deferred Compensation/Government Employees –deferred compensation plan or plans apply to employees of governmental entities other than state

5. **Support - Growth Management**

S126 GENERAL BILL by Bennett

Growth Management; expresses legislative intent to revise laws re growth management. EFFECTIVE DATE: Upon becoming law.

09/08/05 SENATE Filed (**Previously Provided**)

10/26/05 SENATE Referred to Community Affairs; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; Rules and Calendar

S130 GENERAL BILL by Bennett

Growth Management; expresses legislative intent to revise laws re growth management. EFFECTIVE DATE: Upon becoming law.

09/08/05 SENATE Filed

10/26/05 SENATE Referred to Community Affairs; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; Rules and Calendar (**Previously Provided**)

6. **Support - Seminole Community College** - increased funding and capital needs.

7. **Support - University of Central Florida Medical School**

8. **Support - Sexual Predator Legislation**

H91 GENERAL BILL by Goldstein (Compare H 0083)

Residence of Sexual Offenders; prohibits sexual predators from establishing or maintaining residence within 2,500 feet of specified locations; provides for county or municipal ordinances that restrict residence of sexual offenders; revises provisions re residence of specified sex offenders; revises requirements for location of public school bus stops in relation to permanent residence of specified sexual offenders, etc. Amends 775.21, 794.065, 947.1405, 948.30. EFFECTIVE DATE:10/01/2006.

08/24/05 HOUSE Filed

09/22/05 HOUSE Referred to Criminal Justice (JC); Justice Appropriation (FC); Justice Council

11/21/05 HOUSE On Committee agenda-- Criminal Justice (JC),

12/07/05, 9:15 am, 404-H

12/07/05 HOUSE Favorable with CS amendment by Criminal Justice (JC); YEAS 6 NAYS 0 --Preliminary (**Previously Provided**)

H165 GENERAL BILL by Legg

Sheltering of Sex Offender/Predator; prohibits sheltering of sexual offenders & designated sexual predators in public hurricane evacuation shelters; requires each county to provide for sufficient separate & exclusive shelter space for such sexual offenders & predators; prohibits sexual predators from seeking shelter in public hurricane evacuation shelters used by general public; provides finding of important state interest, etc. Creates 252.386, amends 775.21; 943.0435. EFFECTIVE DATE: 01/01/2007.

09/20/05 HOUSE Filed

10/03/05 HOUSE Referred to Domestic Security (SAC); Criminal Justice Local Government Council; Justice Appropriations (FC); State Administration Council (**Bill previously provided**)

9. Driver Education

***Opposition/support is subject to bill language.**

Funding Request

A. Lockhart-Smith Canal Regional Stormwater Facility	\$6,675,680	
B. Regional Alternative Water Supply Testing Program	\$2,400,000	
C. Cross Florida Greenways Trail - Seminole County/ Winter Springs Connection	\$2,500,000	
D. SR 46- Regional Evacuation Route (SR 415 to US 1)	<u>\$8,000,000</u>	
	TOTAL	\$19,575,680
E. Middle St. John's River Basin Initiative- Support the District in pursuing state funding)	\$4,000,000	
F. Lake County Community Budget Request Funding for design, construction and connection of utility lines to convey portable water off SR 46 (Support Lake County in pursuing state funding)	\$8,000,000	

State – Issues for Monitoring

1. Funding increase or no reduction in the following programs:
 - State aid to Library Programs
 - Florida Recreation Development Assistance Program (FRDAP)
 - Florida Institute of Food and Agricultural Sciences
 - Medicaid
 - Environmental Health Fees
 - Preservation 2000 (P2000) & Florida Forever.
2. Department of Juvenile Justice Issues
3. Florida Hometown Democracy efforts
4. Trauma Center
5. Efforts to Privatize the Florida State Retirement System
6. Games of Chance
7. Article V

8. Wireless Communications

9. Library Internet Filtering

10. Charter County Form of Government - (Attachment B-Page 12)

Items of Interest

- Seminole County Legislative Delegation Meeting -
Held November 15, 2005, BCC Chambers, 3:00 pm (Attached C)
- Special Session – Tallassee - December 5th -9th, 2005
- Seminole County Day - February (TBD), 2005
- Regular Session – Begins March 7, 2006 - Ends May 5, 2006
- State lobbyist – Brantley and Associates

Special Session Report**S2-B GENERAL BILL/CS/1ST ENG by Health Care; Peaden; (CO-INTRODUCERS) Carlton; Atwater (Identical 2ND ENG/H 0003-B)**

Medicaid; adds duty to Medicaid Disproportionate Share Council; creates Medicaid Low-Income Pool Council; authorizes AHCA to contract with comprehensive behavioral health plans in separate counties within or adjacent to AHCA area; provides certain requirements for managed care plans providing benefits to TANF & SSI recipients; provides for capitation rates to be phased in; provides exception for high-risk, specialty populations, etc. Amends FS. EFFECTIVE DATE: Upon becoming law.

12/02/05 SENATE Filed

12/05/05 SENATE Introduced, referred to Health Care; Ways and Means -SJ 00002; On Committee agenda-- Health Care, 12/05/05, 2:00 pm, 412-K -SJ 00004; CS by Health Care; YEAS 10 NAYS 0 -SJ 00029; CS read first time on 12/07/05 -SJ 00029; Now in Ways and Means -SJ 00029; On Committee agenda-- Ways and Means, 12/07/05, 11:30 am, 412-K -SJ 00004

12/07/05 SENATE Favorable with 8 amendment(s) by- Ways and Means; YEAS 10 NAYS 5 -SJ 00029; Placed on Calendar, on second reading -SJ 00029; Placed on Special Order Calendar -SJ 00029; Read second time -SJ 00026; Amendment(s) adopted -SJ 00026; Amendment(s) failed -SJ 00028; Ordered engrossed -SJ 00029

12/08/05 SENATE Read third time; Substituted HB 3-B -SJ 00043; Laid on Table, Link/Iden/Sim/Compare passed, refer to HB 3-B

S6-B GENERAL BILL/1ST ENG by Sebesta (Linked 1ST ENG/S 0040-B, Similar H 0063-B, Compare 1ST ENG/H 0065-B)

Lobbying; amends provisions re registration & reporting requirements for legislative lobbyists & lobbyists of executive branch & Constitution Revision Commission; requires each principal upon registration of principal's lobbyist to identify principal's main business; prohibits lobbying expenditures, except for certain floral arrangements & celebratory items, etc. Amends 11.045, .40, 112.3215; creates 11.0455, 112.32155. EFFECTIVE DATE: 01/01/2006 except as otherwise provided.

12/02/05 SENATE Filed - Subject to Motion to Introduce Outside the Call of the Governor

12/05/05 SENATE Considered outside purview of the Call -SJ 00002; Introduction allowed -SJ 00002; Introduced, referred to Ethics and Elections -SJ 00003; On Committee agenda-- Ethics and Elections, 12/05/05, 5:15 pm, 412-K --Temporarily postponed -SJ 00004; On Committee agenda-- Ethics and Elections, 12/06/05, 12:45 pm, 412-K

12/06/05 SENATE Favorable with 1 amendment(s) by- Ethics and Elections; YEAS 5 NAYS 0 -SJ 00029

12/07/05 SENATE Placed on Calendar, on second reading -SJ 00029; Placed on Special Order Calendar -SJ 00029

12/08/05 SENATE Placed on Special Order Calendar -SJ 00029; Read second time

-SJ 00033; Amendment(s) adopted -SJ 00034; Read third time
-SJ 00042; Passed as amended; YEAS 36 NAYS 3 -SJ 00042
12/08/05 HOUSE In Messages; Received -HJ 00048; Read second time -HJ 00048;
Considered outside purview of the Call -HJ 00048;
Introduction allowed -HJ 00048; Read third time -HJ 00048;
Passed; YEAS 112 NAYS 6 -HJ 00048
12/08/05 SENATE Ordered enrolled -SJ 00055
12/12/05 Signed by Officers and presented to Governor

**S10-B GENERAL BILL/1ST ENG by Atwater; (CO-INTRODUCERS) Klein; Aronberg
(Similar 1ST ENG/H 0015-B)**

Ad Val Property Tax/Payment Discount; allows governing body of county
that has been declared major disaster area to adopt ordinance extending
time in which property tax payments made by individuals qualify for
early-payment discounts; provides options that counties may choose;
provides for implementation by tax collector; provides that additional
tax notices are not required; provides for expiration of act. EFFECTIVE
DATE: Upon becoming law.

12/01/05 SENATE Filed - Subject to Motion to Introduce Outside the Call of
the Governor
12/05/05 SENATE Considered outside purview of the Call -SJ 00002, -SJ 00003;
Introduction allowed -SJ 00002, -SJ 00003; Introduced,
referred to Ways and Means -SJ 00003; On Committee agenda--
Ways and Means, 12/07/05, 11:30 am, 412-K -SJ 00004
12/07/05 SENATE Favorable with 4 amendment(s) by- Ways and Means; YEAS 15
NAYS 0 -SJ 00029; Placed on Calendar, on second reading
-SJ 00029; Placed on Special Order Calendar -SJ 00029; Read
second time -SJ 00026; Amendment(s) adopted -SJ 00026;
Ordered engrossed -SJ 00026
12/08/05 SENATE Read third time; Substituted HB 15-B -SJ 00053; Laid on
Table, Link/Iden/Sim/Compare passed, refer to HB 15-B

HB 301 2006

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

hb0301-00

Page 1 of 4

FLORIDAHOUSEOFREPRESENTATIVES

1 A bill to be entitled

2 An act relating to a local option surcharge on rentals or

3 leases of motor vehicles; creating s. 212.0607, F.S.;

4 authorizing certain counties to impose by ordinance a

5 surcharge on rental or lease of motor vehicles; providing

6 an exception; providing limitations; providing for

7 collection, administration, and enforcement of the

8 surcharge by the Department of Revenue; providing duties

9 of the department; requiring a referendum; providing for

10 the uses of surcharge proceeds; providing for application

11 of certain rules of the department; providing an effective

12 date.

13

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

15

16 Section 1. Section 212.0607, Florida Statutes, is created

17 to read:

18 212.0607 Local option surcharge on the lease or rental of
19 motor vehicles.--

20 (1) Subject to this section, any county in this state that
21 is a member of a metropolitan planning organization designated
22 under s. 339.175 may impose a surcharge not to exceed \$2 per
day

23 or any part of a day upon the lease or rental of a motor
vehicle

24 licensed for hire and designed to carry fewer than nine
25 passengers, regardless of whether such motor vehicle is
licensed

26 in this state. The surcharge may apply only to the first 30
days

27 of the term of any lease or rental. The surcharge shall not
28 apply to the lease or rental of a motor vehicle by a person
for

HB 301 2006

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hb0301-00

Page 2 of 4

FLORIDAHOUSEOFREPRESENTATIVES

the 29 period of time required to have a motor vehicle owned by
the

30 person undergo maintenance or repair. The person must provide
a

31 receipt for the cost of the maintenance or repair services and
32 documentation that the person owns the motor vehicle
undergoing

33 maintenance or repair. The surcharge is subject to all

34 applicable taxes imposed by this chapter. The surcharge is
35 designated as the "Local Option Rental Car Surcharge."
36 (2) (a) The surcharge shall be imposed pursuant to an
37 ordinance enacted by a majority vote of the governing board of
38 the county. Such ordinance shall designate the Department of
39 Revenue as the agency that shall collect the surcharge and to
40 which surcharge proceeds shall be remitted.
41 (b) 1. The department shall collect, administer, and
42 enforce the surcharge as provided in this chapter.
43 2. The department shall require dealers to report
44 surcharge collections according to the county to which the
45 surcharge was attributed. For purposes of this section, the
46 surcharge shall be attributed to the county in which the
rental
47 agreement was entered into.
48 3. Dealers who collect the surcharge shall, on a timely
49 filed return for each required reporting period, report to the
50 department all surcharge revenues attributed to the county in
51 which the rental agreement was entered into. The provisions of
52 this chapter that apply to interest and penalties on
delinquent
53 taxes shall apply to the surcharge. The surcharge shall not be
54 included in the calculation of estimated taxes pursuant to s.
55 212.11. The dealer's credit provided in s. 212.12 shall not
56 apply to any amount collected under this section.

HB 301 2006

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hb0301-00

Page 3 of 4

FLORIDAHOUSEOFREPRESENTATIVES

57 4. The department shall distribute proceeds of the
58 surcharge to the county to which the surcharge was attributed.
59 5. A portion of the surcharge collected may be retained by
60 the department for costs of administration, but such portion
61 shall not exceed 3 percent of collections.
62 (3) The ordinance shall provide that it shall not become
63 effective until approved by a majority vote of the electors of
64 the county voting in a referendum on the local option rental
car
65 surcharge and until a local option rental car surcharge is
66 approved by referendum in each of the member counties of the
67 metropolitan planning organization. Such referendum shall be
68 conducted in accordance with applicable laws of this state. If
69 approved by such referendum, a certified copy of the ordinance
70 that authorizes the imposition of the surcharge shall be
71 furnished by the county to the department within 10 days after
72 such approval.
73 (4) All proceeds of the surcharge received pursuant to
74 this section by a county imposing the surcharge shall be used
by
75 the county solely to provide funding on an annual basis for

76 those transportation projects listed in the long-range
77 transportation plan of the metropolitan planning organization
78 encompassing that county, as specified in s. 339.175(6),
79 provided, at the discretion of the county, a portion of such
80 proceeds may be used on an annual basis to provide funding for
81 designated public transportation facilities and public
82 transportation systems within that metropolitan planning
83 organization's urbanized area. For purposes of this
subsection,
84 the term "proceeds of the surcharge" means all funds collected
HB 301 2006

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hb0301-00

Page 4 of 4

FLORIDAHOUSEOFREPRESENTATIVES

85 and received by the department under this section, including
86 interest and penalties on delinquent surcharges.

87 (5) For purposes of administering the surcharge, all rules
88 adopted by the department for administering the rental car
89 surcharge established by s. 212.0606 shall apply, except the
90 ordinance enacted by the county may contain differing and
91 conflicting provisions, which shall prevail.

92 Section 2. This act shall take effect July 1, 2006.

SS copy

SARASOTA COUNTY GOVERNMENT
Office of the County Administrator

INTEROFFICE MEMORANDUM

TO: Charter Administrators and Managers
Chris Holley, Executive Director, FAC

FROM: James L. Ley, County Administrator

DATE: October 24, 2005

SUBJECT: November 30 Charter Administrator's Meeting

The Florida Association of Counties has announced a half-day CCC Program course on Charter Government & Home Rule. This course will be taught on November 30 at the Hutchinson Island Marriott, coincident with FAC's Legislative Conference being held on December 1 - 3 at the same location.

I urge each of you to journey to Stuart/Hutchinson Island and attend a Charter Administrator's meeting in the afternoon of that same day - November 30. Please plan on attending. Chris Holley and I have discussed this group - the Charter Administrators - and Chris has assured me that he wants us to be a formal and official subgroup of FAC. We will no longer be "pirates" outside the formal FAC structure.

We have urgent issues to discuss. Most critical is a rumor I have heard that the League of Cities will launch an all-out assault on the Charter form of county government in Florida in the upcoming 2006 Legislative Session. The various proposals to manage development within city boundaries appear to have been the tipping point. Sarasota County has been a member of the League of several years because we felt that being in the conversation, even if our points of view are different, was a means to keep communications open and productive. That goal does not seem to be mutually held by our city counterparts so we will be withdrawing from the League for this coming year.

Now you may laugh, but think about it. To state that the counties, collectively, have a lousy relationship with the Legislature is not to overstate the present situation. The fact is that we have been in a defensive position and that perspective is not likely to change over time. With the collective intelligence and experience that exists among we Charter Administrators, please let us come together to discuss and vet this issue out. Understand that the League has the resources and the stamina to continue this attack over as many sessions as it takes to finally achieve their purpose - which, succinctly stated, is to have only one form of local government that has home rule - and it isn't us.

And, as if that isn't enough to cause you to look outside your borders, there are other nearly equal issues - things like growth management, eminent domain, impact fees, fixing the state sales tax (by eliminating exemptions and/or implementing a real internet sales tax collection process) to keep us busy all afternoon.

Let's begin to make a difference!

Seminole County Legislative Delegation

Meeting Agenda

Tuesday, November 15 2005

3:00 P.M.

Seminole County Commission Chambers

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Invocation
- 4 Roll Call
- 5 Election of New Officers
- 6 Dr. Dan Holsenbeck Vice President & Sr. Counsel to President Hitt – UCF Brief Remarks & Overview
- 7 Mr. Larry Dale Sanford Airport Authority Airport Auth. Priorities/ Master Growth Plan
- 8 Mr. Larry Birch The Grove Counseling Ctr. Youth Substance Abuse
- 8.5 Dr. Ann McGee President, Community College SCC Priorities
- 9 Mr. Bob O'Malley Metroplan Orlando Transportation Regional issues
- 10 Mr. Charles Carmen Epilepsy Association Epilepsy Services Program
- 11 Mr. Robert King Friends of Lake Jessup Basin Status/ update on restoration
- 12 Mr. Jim Berko Seminole County Mental Health Community Treatment Outreach Program

- | | | |
|----|--|----------------------------------|
| 13 | Ms. Linda Watson
LYNX | 2006 Legislative Priorities |
| 14 | Dr. Bill Vogel
Superintendent,
Seminole County Schools | School Board issues |
| 15 | Ms. Nancy Christman
St. John's River Water Mgt. | Middle SJR Basin Initiative |
| 16 | Karen Willis, CWDP
Early Learning Coalition of Seminole | Funding for Subsidized Childcare |
| 17 | Willie Newman, MD
Seminole County Medical Soc. | Medical Legislative Issues |
| 18 | Gerald Seeber
City of Oviedo | City Issues |
| 19 | Public Comment | |
| 20 | Other business | |
| 21 | Chairman Closing Remarks | |
| 22 | Adjournment | |