

Broward SLI

State Legislative Information

March 21, 2014

Week 3 - 2014 Session

Week 3

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Early County Budget Priorities

With each passing week of the 2014 Legislative Session, the FY 2014-2015 budget becomes clearer. Several items identified as priorities in the Broward County 2014 Legislative Program have been secured in early budget proposals. The first House Healthcare Appropriations Subcommittee proposal grants an increase of \$2.8 million for Child Protection Teams (CPT). \$16.6 million for Port Everglades projects, including the Southport Turning Notch, are secured as both chambers fully fund the Department of Transportation's Work Program. Broward County's Shore Protection Project Segment II is funded in the Senate but not in the initial House proposal. Both chambers have proposed \$4.5 million for the Florida Network of Children's Advocacy Centers. With respect to affordable housing, the House Transportation and Economic Development Appropriations Subcommittee's initial budget proposal provides \$44.65 million for the State Housing Initiative Program (SHIP), \$44.65 million for the State Apartment Incentive Loan (SAIL) Program, and the Senate appropriates the full amount of the housing trust fund to affordable housing, which equates to about \$158.5 million for SHIP and \$67.7 million for SAIL.

Sober Homes Legislation Advances

This week, both HB – 479 and SB 582 – Substance Abuse Services unanimously passed the House Healthy Families Subcommittee and the Senate Community Affairs Committee, respectively. The bills, however, take different approaches to regulating sober homes. CS/SB 582 requires “sober house transitional living homes” to register with the Department of Children and Families (DCF) and provides criminal sanctions for operating without a certificate of registration or for misrepresentation in advertising. Under the bill, DCF may conduct inspections of facilities, employees must be screened with a level 2 background check, and all facilities must be listed on DCF's website.

HB 479 establishes a voluntary certification system for “recovery residences” and requires DCF to select a credentialing entity to develop and administer the program. The bill establishes criteria for selecting the credentialing entity and standards for certifying recovery residences including yearly inspections and level background screens for staff. HB 479 also creates a voluntary certification program for recovery residence administrators through a credentialing entity to be selected by DCF.

SB 582 heads to the full Senate Appropriations Committee, its last committee of reference, while HB 479 still has two more stops - the Health Care Appropriations Subcommittee and Health and Human Services Committee.

House Tax Package Workshopped

On Thursday, March 20, 2014, the House Finance and Tax Committee Subcommittee work shopped its draft tax cut and economic development package. The draft proposal encompasses multiple tax reduction and economic development investment concepts. The proposal includes a sales tax reduction on commercial electricity from seven to four percent, four separate sales tax holidays (back-to-school, hurricane preparedness, energy efficient appliances, and physical fitness facility membership), and changing the definition to prepaid calling arrangements to broaden the exemptions from the state and local communication services tax. The total tax reduction package has a one-time nonrecurring impact of \$11.2 million as well as an ongoing negative fiscal impact of \$32.6 million statewide.

Elections Reform Stalls

SB 1660 – Elections, was temporarily postponed by the Ethics and Elections Committee on Monday, March 17, 2014. The bill makes substantial changes to the elections code. Most notably, the bill requires the Division of Elections to develop an online voter registration system, clarifies that absentee ballots may be dropped-off at an early voting location site, and makes numerous technical changes to the election code.

Wage Theft Preemption Moves Again

HB 926 – Local Regulation of Wage Theft, was temporarily postponed after time ran out before the committee could consider the measure. The bill preempts the regulation of wage theft to the state. However, local wage theft ordinances adopted prior to January 1, 2014 (e.g., ordinances in Alachua, Broward and Miami-Dade Counties) are considered “grandfathered.” The bill is on the agenda for March 25, 2014. The House companion, which also includes the grandfathering clause, must be heard in the two remaining committees of reference.

Elections Residency Requirement

A bill which would codify residency requirements for elected officials was not considered by the Senate Judiciary Committee. SB 602 – Residency of Candidates and Public Officers, would require a candidate or public officer to reside in a specific geographic area and have only one domicile at a time. The bill also lists a number of factors to consider when determining the public officer’s residency. Both Senate and House versions have to get through two committees of reference before being heard on the floor.

Commercial Parasailing Ready for the Floor in Senate

HB 320 – Commercial Parasailing by Senator Sachs, passed unanimously through the Senate Community Affairs Committee. The bill would impose minimum insurance coverage requirements, prevent parasailing activity during severe weather patterns, and require weather documentation before each sail. The bill has passed its final committee and will be heard on the floor on March 26, 2014. HB 347, the House companion measure has one last committee stop in the Regulatory Affairs Committee.

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Gaming Movement

The House Select Committee on Gaming unanimously passed HB 1383 – Gaming, which would shift regulatory oversight of pari-mutuel facilities, slot machines, cardrooms, and arcades from the Department of Business and Professional Regulation to the newly created Department of Gaming Control. Unlike the Senate version, the bill does not add new licenses for resort style destination casinos. Legislative leaders are hand-tied as renegotiation of the Seminole Compact is a prerequisite to any expansion of gaming. If the Governor’s office does not come to an agreement with the Tribe, the 5-year authorization of banked card games, such as blackjack and baccarat, will expire.

Fuel Pump Assistance Ordinance Grandfathering Amendment Fails but Preemption Advances

An amendment filed in the House Regulatory Affairs Committee to HB 185 - Gasoline Stations that would have grandfathered in current ordinances requiring fuel pump assistance for the disabled, failed in a very close vote. HB 185, heard on Thursday, March 20, 2014, has a strict preemption of local ordinances that require gas stations to provide fueling assistance to disabled individuals. The bill was opposed by disability advocates and local governments because it will prevent local governments from going beyond the minimal standard established in the bill.

Before approving the bill 17-1, the Committee approved an amendment that would prohibit local governments from regulating the supply of air and vacuum supply services at gas stations. The amendment supersedes all existing and proposed ordinances on the subject. The bill now moves to the House Floor for consideration. The Senate companion, SB 1272, has two more stops in appropriations committees before reaching the Senate Floor.

Prohibition on Public Officers Lobbying Clarified in Amendment

On March 20, 2014, the Senate considered and adopted an amendment to clarify SB 846’s proposed restriction on public officers’ lobbying activities, which had been adopted when the Senate Appropriations Committee passed the bill a week earlier. The bill, which concerns governmental ethics, originally prohibited county commissioners and county constitutional officers (but not city officials) from lobbying or registering to lobby the Legislature and state agencies on behalf of any entity other than their own political subdivision. This prohibition would have prevented public officers from lobbying on behalf of any trade or professional associations he or she belonged, including FAC. As adopted, the amendment narrowed this restriction and now only prohibits a local officer from registering to lobby the Legislature or state agencies. This will allow public officers to advocate for their trade and professional associations and/or nonprofits, so long as such officers do not represent those entities for compensation, which triggers the registration requirement. There is no similar bill filed in the House.

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