

# Broward SLI

State Legislative Information

March 14, 2014

Week 2 - 2014 Session

## Week 2

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## **Mayor Sharief Heads to Tallahassee for Tri-County Mayor's Compact**

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On February 14, 2014, the three Mayors from Broward, Miami-Dade and Palm Beach Counties met to discuss several important issues that impact each county. The meeting lead to the creation of the 2014 Southeast Tri-County Mayor's Compact. On March 13, 2014, the Mayors traveled to Tallahassee to officially sign the compact before members of each Legislative Delegation and lobby members of the Legislature on behalf of the compact.

Mayor Barbara Sharief, Mayor Carlos Gimenez and Vice-Mayor Paulette Burdick (representing Mayor Priscilla Taylor) had several meetings at the Capital. The Mayors met with several appropriations and policy chairs from across the state advocating for regional concerns. The group also advocated before the Governor's Office to ensure executive support when appropriations and legislation reach the Governor's desk. Overall, the Mayors were extremely well received and several members were encouraged to see such a powerful area of the state working collaboratively.

The 2014 Southeast Tri-County Mayor's Compact covers significant issues: Regional Transportation, Economic Development and Natural Resources. The signed compact is provided here: [2014 Southeast Tri-County Mayor's Compact](#).

## **Broward County Civil Citation Bill Passes Delegation**

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This Wednesday, the Broward Legislative Delegation approved [HB 1439](#) – Relating to Broward County/Juvenile Civil Citation Process which will mandate that police officers issue civil citations to juveniles who commit first time misdemeanor offenses. Under the bill, an officer must issue a citation in lieu of arrest if the juvenile admits to the act and agrees to enroll in an intervention program. The bill does allow exceptions for domestic violence, dating violence and exceptional circumstances to protect the public or the juvenile. The bill was widely supported by the delegation and is set to be heard in the Local and Federal Affairs Committee.

## **House Considers New Gaming Oversight**

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While the Senate Gaming Committee wants to allow for new casinos in Miami-Dade and Broward counties, the House Select Committee on Gaming will only examine new oversight of existing pari-mutuel facilities. [HB 1383](#) - Gaming essentially moves all gambling regulatory oversight to a new gaming control commission. Currently, oversight

of gaming is done by the Department of Business and Professional Regulation, but the idea is to create a more powerful and autonomous agency to police the profession.

While the bill was only work-shopped, committee members were very interested at “decoupling” gaming licenses from required events. One of the biggest complaints comes from greyhound tracks which run races simply to satisfy statutory requirements necessary to their permits. Representative Matt Gaetz called these races and Jai-Alai competitions “shams.” The committee will make changes to HB 1383, but any expansion of gaming is unlikely to happen during the 2014 Legislative Session.

### **Bill Affecting Local Control of Fuel Terminal Planning Passes**

On Wednesday March 12, 2014, the Senate Community Affairs Committee passed [SB 1070](#) – Relating to Fuel Terminals. The bill defines a fuel terminal as a “storage and distribution facility for fuel, supplied by pipeline or marine vessel.” The bill would prevent local governments from amending their comprehensive plans to reclassify existing fuel terminals as a non-permitted use. Currently, there are 42 terminals across the state which fall under the protection of this bill, and 12 of those are located in Broward County. While supporters of the bill stated that changing the classification of a terminal is unfair after a company invests capital (which could be wiped out by a comprehensive plan amendment), it is clear there are significant concerns about local governments losing control of land planning.

### **Ethics Amendment Impacting County Commissioners Ability to Advocate Adopted**

During the March 13, 2014, Senate Appropriations Committee a broadly drafted ethics amendment was adopted to [SB 846](#) which relates to governmental ethics. SB 846, a large ethics package that originally did not have significant county government implications, was amended to include a prohibition on county commissioners (and other local elected constitutional officers) from lobbying or registering to lobby the Legislature or state agencies on behalf of any entity other than their political subdivision. The language prohibits “lobbying” which pursuant to the definition in s. 11.045(e), F.S., is not tied to compensation.

Despite serious concerns the amendment would prohibit commissioners from lobbying on behalf of the Florida Association of Counties or any other trade or charitable association they may affiliate with in which they receive no compensation for their efforts, the amendment was adopted and the bill earned an 18-0 positive vote. City commissioners, councilmen and councilwomen are exempted from the prohibition.

### **Cremation Permit Unfunded Mandate Legislation Up in Smoke**

Companion measures in the House and Senate that would disallow counties from charging for cremation permits were both temporarily postponed by their respective committees after significant debate about each measure. [HB 301](#) and [SB 584](#) – Medical Examiners, faced stern criticism and probing questions by lawmakers in their respective committees of reference. State law requires local medical examiners to review death certificates when a body is to be cremated, buried at sea, or moved out of state. This requirement ensures that any question of foul play is determined before permanent disposal of a body. The statute associated with this requirement allows a county medical

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examiner to charge a reasonable fee, as established by the Board of County Commissioners, for the review and any related investigation associated with issuance of the permit.

Supporters of the measure argued that local medical examiners saw a windfall after the state instituted a state-wide electronic death reporting system. Unfortunately, the system only interfaces with Miami-Dade and Pinellas County, so such windfalls do not exist and counties insist the bills represent a clear unfunded mandate. As the bills were both temporarily postponed, they will likely be considered again next week.

## House Appropriations Allocations Announced

On Thursday, March 13, 2014, the Florida House of Representatives announced the appropriations subcommittee allocations for the development of the 2014-2015 General Appropriations Act. The allocation totals \$27,896,500,000. This is \$1,206,329,046 more than the 2013-2014 Fiscal Year actual expenditures, while dedicating over \$1,000,000,000 for General Revenue reserves. Below is a table outlining the allocation per subject matter area or subcommittee jurisdiction. The Senate subcommittee allocations are expected next week and both chambers plan to engage in budget action on their respective floors in week six of the Session.

### Fiscal Year 2014-15 ALLOCATION (Millions of Dollars)

GENERAL REVENUE FUND	Recurring	Non-Recurring
Pre K-12 Education	\$10,717.6	\$77.8
Higher Education	\$3,538.1	\$39.6
Health Care	\$8,026.6	\$169.4
Justice	\$3,818.5	\$28.1
Transportation & Economic Development	\$65.3	\$71.1
Agriculture & Natural Resources/General Government	\$197.8	\$270.0
Government Operations/General Government	\$230.8	\$67.2
Administered Funds-Statewide Issues (includes Education FCO)	\$250.2	\$328.6
<b>Total General Revenue Fund Allocations</b>	<b>\$26,844.7</b>	<b>\$1,051.8</b>

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