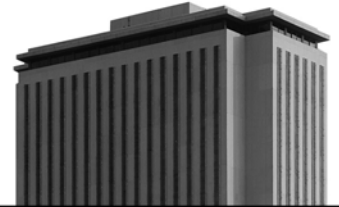




LEGISLATIVE ALERT



BILLS THAT PASSED/FAILED

TO: Members of the Florida League of Cities

FROM: Rebecca O'Hara, Legislative Director

DATE: May 5, 2008

RE: Key Bills that Passed/Failed

The Legislative Session adjourned Friday, May 2nd at 6:02 p.m. Summarized below are major bills affecting municipal interests that passed or failed. A comprehensive Legislative Final Report will be printed in the next few weeks. Should you have any questions or require additional information, please contact the League's Policy and Political Affairs Department at (800) 342-8112.

BILLS THAT PASSED

Amendment 1 Implementing Bill

SB 1588 (Haridopolos) addresses issues identified by the Department of Revenue ("DOR") necessary to implement Amendment 1, passed by the voters on January 29, 2008. The bill specifies additional data to be included on tax rolls and on assessment rolls reported to DOR. It clarifies the rules under which the Save-Our-Homes differential may be transferred to a new homestead, procedures for its application, and appeals by taxpayers. The bill clarifies requirements relating to the new \$25,000 tax exemption for tangible personal property. In addition, it specifies that the supermajority vote requirement necessary to exceed the maximum millage rate is based on the total membership of the governing body rather than the membership present at the meeting. It provides for the appropriation of funds for fiscally constrained counties to offset reductions in ad valorem revenue resulting from Amendment 1. Under current law, local governments are allowed, if they choose, to levy a millage rate in FY 2008-09 to recover the losses from the reduced tax base caused by Amendment 1 by a simple majority vote. SB 1588 now requires a 2/3 vote to recover the loss. If local governments do not exceed the limitation imposed by this 2/3 vote requirement, the statewide ad valorem tax loss for FY 2008-09 is estimated to approximate \$1.1 billion. SB 1588 Effective upon becoming law except as otherwise specified.

Administrative Procedures Act

SB 704 (Bennett) revises the guidelines for the construction of statutory language granting rulemaking authority. It provides additional procedures for rule adoption hearings. It authorizes the Joint Administrative Procedures committee to request from

an agency information to examine “unadopted agency statements”. Effective July 1, 2008, except as otherwise provided.

Asphalt or Cement Plants/Restrictions

CS/CS/SB 682 (Bullard) became the Department of Transportation’s legislative package for 2008. Included in the bill is a provision that states a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer. A narrow grandfather provision is provided for Highlands County, which appears to be the only local government entity owning such a plant. Effective upon becoming law.

Automated External Defibrillators

SB 564 (Constantine) revises provisions relating to maintenance of and training requirements for the use of automated external defibrillators. It also revises the requirements for civil immunity for the use or attempted use of a defibrillator on a perceived victim. Effective July 1, 2008.

Beach Management

HB 1427 (Mayfield) establishes requirements relating to the quality and quantity of dredged sand placed on certain beaches. HB 1427 also requires estimation of requisite quantity of beach-quality sand by the Department of Environmental Protection. The bill also applies requirements for dredging and for certain inlet management projects and activities. The Department of Environmental Protection is required to establish funding priorities for certain inlet management projects and activities. HB 1427 is effective July 1, 2008.

Brownfield Redevelopment

HB 527 (Williams) provides a one-time, 25% tax credit of up to \$500,000 for the construction and operation of new health care facilities or health care providers on brownfield sites, and allows both existing affordable housing and the proposed health care tax credit certificates to be awarded for sites where the work is “substantially complete”. The bill revises the provisions required for applicants to claim the solid waste removal tax credit, as well as the criteria and requirements for the Department of Environmental Protection’s (DEP) review of tax credit applications and the issuance of tax credit certificates. The bill revises the local government resolution and site redevelopment agreement requirements to require that the person responsible for the brownfield site rehabilitation certify that he or she has consulted with the local government and that the local government approves of the project. The bill provides limited application of Brownfield Areas Loan Guarantee Program grants to the construction and operation of new health care facilities and health care providers. HB 527 is effective upon becoming law and operates retroactively to January 1, 2008

Building Codes

HB 697 (Aubuchon) provides discretionary power to the Florida Building Commission to implement recommendations regarding cost-effective, energy-efficiency standards for construction of all new residential, commercial, and government buildings by amending

the Florida Efficiency Code for Building Construction. The League worked with the sponsor to remove a portion of the bill that would have required the creation of a separate energy element within local government comprehensive plans. Instead, the language asks local governments to consider energy efficiency and conservation measures within existing elements of their comprehensive plans. The bill states that the general provisions of the building code do not apply to commercial wireless communications towers when such provisions are inconsistent with provisions of the code controlling radio and television towers. Local building departments will have to consider refunding fees for services that were provided by private building inspectors and not provided by the local government. This legislation has an effective date of July 1, 2008.

HB 727 (Gibson) provides that the owners of specified structures with truss-type construction must post a sign, approved by the state fire marshal, warning of the truss-type construction. This legislation has an effective date of July 1, 2008.

Concealed Weapons/Guns at Work

HB 503 (Evers) was signed into law by the Governor on April 15, 2008. Employees who have a concealed weapons permit can keep a gun locked in their vehicles at work, even if the employer wants to ban guns on the property. The bill also provides several exceptions, allowing defense and military contractors, corrections facilities and schools to continue to ban the weapons. Effective July 1, 2008, and shall apply to causes of action accruing on or after that date.

Criminal Activity

HB 43 (Snyder) requires certain felons whose offenses related to criminal gangs to register; redefines criminal street gangs as criminal gangs; and prohibits certain actions relating to criminal gang activity. Effective October 1, 2008, except as otherwise provided.

Department of Environmental Protection Reauthorization

SB 1294 (Saunders) reauthorizes the Department of Environmental Protection under Florida's Sunset Review Act. Additionally, SB 1294 authorizes the Environmental Resource Permit fees to be adjusted every 5 years to reflect changes in the Consumer Price Index and increases the statutory millage cap for the Northwest Florida Water Management District from .05 mills to .2 mills contingent upon the passage of a constitutional amendment. The bill allows the Committee on Landscape Irrigation and Florida-Friendly Design Standards to review the landscape irrigation and xeriscape design standards for new construction. Dry-cleaning facilities must register with the Department of Environmental Protection and show proof of registration prior to purchasing any dry-cleaning solvents and prohibits the use of perchloroethylene (PERC) in Florida after January 1, 2015. SB 1294 is effective upon becoming law unless otherwise provided.

Driving Under the Influence/ High Occupancy Vehicle Lanes

SB 1992 (Baker) amends numerous provisions relating to the Department of Highway Safety and Motor Vehicles (DHSMV). The bill address DUI penalties, utilization of high occupancy vehicle lanes, provisions relating to drag racing, ignition interlock devices, school zone speeding fines and other issues. SB 1992 is effective July 1, 2008.

Elderly Persons & Disabled Adults/Abuse & Neglect

SB 366 (Margolis) reclassifies the offense of aggravated abuse of an elderly person or disabled adult from a second-degree felony to a first-degree felony. Effective July 1, 2008.

Elections/Governmental Entity Telephone Solicitation

CS/CS/SB 866 (Constantine) is a comprehensive bill relating to various elections matters. The bill clarifies that a local government is not required to offer early voting for a bond referendum that is not held in conjunction with a county or state election. The bill reorganizes and updates the recall provisions for municipal or charter county officials. The bill provides that notwithstanding any provision of local law or municipal charter, the governing body of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any state-wide or county-wide election. The ordinance is also to specify the dates for qualifying and when the office shall commence. The bill clarifies that current law relating to filing reports with the state does not prohibit the governing body of a political subdivision, by ordinance or resolution, from imposing upon its own officers and candidates electronic filing requirements. Expenditures of public funds for electronic filing purposes is deemed to be a valid public purpose. Any telephone solicitation which is an electioneering communication and is paid for with public funds must include a disclaimer containing the words "paid for by (name of the government entity paying for the communication)." Except as otherwise expressly provided for in the bill, effective January 1, 2009.

Eminent Domain/Cemetery Lands

CS/HB 853 (Troutman) states that except for road systems, transportation corridors, or rights-of-way, property dedicated for cemetery purposes may not be taken by eminent domain if the area of the property to be taken is one contiguous acre or greater in size, unless the taking entity determines in a public hearing that no reasonable alternative exists except to use cemetery property for the project. Also, a governmental entity may not require the transfer of property dedicated for cemetery purposes as a condition of obtaining regulatory approval under chapter 497, Florida Statutes. Effective July 1, 2008.

Energy

HB 7135 (House Environment and Natural Resources Council) requires an ad valorem tax exemption for a period of 10 years for any property on which a renewable source energy device is installed. The bill provides a multitude of incentives for the sale, use, and production of renewable fuel sources, and imposes requirements for the implementation of "green" construction standards for state and local government buildings. The original provision required new construction and renovation of local

government buildings to achieve a Leadership in Energy and Environmental Design (LEEDS) silver standard. The League was able to soften this provision. Instead, the language requires local government buildings to achieve the lowest level of certification offered by LEEDS, Golden Globes, Florida Green Building Council, or any other nationally recognized “green” building standard. Also, the bill amends provisions of the Transmission Line and Power Plant Siting Act, including a preemption of local government land use authority. The bill expanded the Department of Transportation’s (DOT) authority to grant access for the placement of aerial transmission lines on property adjacent to DOT rights-of-way. In addition, the bill contains a prohibition on local government regulation of plastic shopping bags and includes a requirement that 5-10% of all local government organic waste be composted by the year 2010. This legislation has an effective date of July 1, 2008.

911 Emergency Dispatchers/Voluntary Certification

CS/SB 1694 (Aronberg) provides a voluntary certification process for 911 emergency dispatchers. The Department of Health is to establish the standards for certification and administer the certification program. Effective October 1, 2008.

Environmental Budget Issues

- **Florida Forever** - \$300 million in bonds for land acquisition and conservation of unique natural resources.
- **Everglades Restoration** - \$50 million for the Comprehensive Everglades Restoration Plan (CERP); the Lake Okeechobee Estuary Recovery Plan; and the Caloosahatchee River and St. Lucie River watersheds. The state funding is matched dollar-for-dollar by the South Florida Water Management District.
- **Drinking & Wastewater Revolving Loan Programs** - \$67.7 million for the drinking water revolving loan program and \$117.8 for the wastewater revolving loan program. These programs provide low interest loans to local governments for building safe drinking water and wastewater facilities.
- **Water Resource Protection & Restoration**- This includes \$66.5 million for statewide water restoration and wastewater projects, \$18 million for Total Maximum Daily Load requirements; \$10 million for the Disadvantaged Small Community Wastewater Grant Program, \$15 million for the Southern Use Caution Area of the state, \$7.7 million for Alternative Water Supply, and \$9.2 million for lake restoration projects.
- **Florida Recreational Development Assistance Program (FRDAP)** - \$24.5 million for grants to local governments to construct baseball fields, bike paths, and playgrounds for public outdoor recreation.
- **Solid Waste Grants** - \$9.4 million in grants to small local governments for managing solid waste and recycling operations, and \$2 million for the Innovative Waste Reduction grants program.
- **Land Reclamation** - \$7.2 million for the Non-mandatory Land Reclamation program that restores eligible phosphate lands mined before July 1975.
- **Beach Restoration** - \$21.9 million to restore and protect Florida’s beaches on both the Gulf and Atlantic coasts.

- **Derelict Vessel Removal** - \$1.6 million for the removal of damaged vessels obstructing the waterways.

Finance & Taxation

HB 909 (Nehr) requires the Department of Revenue to develop procedures for use in value adjustment board proceedings. It deletes provisions authorizing the county attorney to be counsel to the value adjustment board, and revises requirements and procedures for the use of special magistrates. It revises requirements for the publishing of information relating to the tax impact of the value adjustment board. In addition, it requires property appraisers to consider the legally permissible uses of property, zoning, concurrency and other permitting requirements necessary to achieve the highest and best use, in determining the just valuation of property. Effective September 1, 2008.

Florida Department of Transportation Legislative Package

SB 682 (Bullard) is the 2008 omnibus transportation package. Among the key provisions contained in the bill is language prohibiting a local government from owning or operating an asphalt or concrete batch plant. SB 682 also creates a process for local governments to provide input to the Department of Transportation relating to projects being considered for deletion or deferral from the 5-Year Work Plan. SB 682 requires the Department of Transportation to complete a study of transportation alternatives for the travel corridor parallel to Interstate 95. The bill authorizes the Florida Expressway authority to index tolls based on the consumer price index. Port-related industrial or commercial projects and facilities located within 3 miles of (or in) a port master plan area which rely upon the utilization of port and intermodal transportation facilities are exempt from the Development of Regional Impact (DRI) process. The bills also include language requiring local governments to amend their comprehensive plans to address airport land use compatibility by June 2011. Current law relating to transportation concurrency backlog authorities (authorities) is amended to authorize the issuance of bonds as well as increase the amount of ad valorem tax increment the authorities are authorized to collect. The Department of Transportation is directed to establish an approved transportation methodology which recognizes that a planned, sustainable development of regional impact will likely achieve an internal capture rate greater than 30 percent when fully developed. The bills include language revising provisions relating to outdoor advertising; the placement of public pay phones containing advertising signs on public rights of way; the "logo sign" program for the interstate highway system; and the relocation of utility facilities. SB 682 is effective upon becoming law.

Florida Forever/Land Acquisition

SB 542 (Saunders) amends and reauthorizes the Florida Forever program. SB 542 requires the Division of State Lands to determine the value of carbon capture and carbon sequestration with respect to state lands and to provide an inventory to the board of trustees. It also requires the priority purchase of conservation and recreational lands that have high concentrations of population, spring sheds, access to waterways, and certain agricultural lands. The bill increases appraisal thresholds, requires bond money to be spent for capital improvements under certain conditions, and authorizes

alternatives to fee simple purchases. Notably, the bill does not transfer Florida Communities Trust to the Department of Environmental Protection or any other state agency. The program will remain within the Department of Community Affairs. The bill changes the current Florida Forever distribution formula to reduce from 35% to 30% the amount allocated to the water management districts and increasing from 35% to 40% the amount given to the Department of Environmental Protection for acquisitions from the Florida Forever priority list. A requirement is also added that a minimum of 3% of the funds allocated be used for capital expenditures to expedite public access to waterfront facilities including boat ramps, and associated parking and other support facilities needed to ensure access to land and water by the public. Finally, the bill allows the Florida Recreation and Development Program to annually accept up to 3 grant applications by any single local government and increases the maximum grant that may be awarded from \$200,000 to \$500,000. SB 542 is effective July 1, 2008

Florida Retirement System/Contribution Rates

HB 5063 (Grant) revises the payroll contribution rates for membership classes of the Florida Retirement System for state fiscal years effective July 1, 2008 and July 1, 2009. Effective July 1, 2008.

Florida Retirement System/Forensic Discipline Members

CS/HB 531 (Weatherford) revises the criteria under which employees of a local government law enforcement agency or medical examiner's office engaged in forensic disciplines are eligible for membership in the Special Risk Class. These members are authorized to purchase additional retirement credit to upgrade prior service to Special Risk Class service. Effective July 1, 2008.

Growth Management

SB 1706 (Margolis) provides extensions for all development order phase, buildout, commencement, and all local related local government approvals for projects that are developments of regional impact (DRI) or Florida Quality Developments. A statutory exemption from the DRI process is provided for developments which provide office or laboratory space for medical or biotechnology applications in counties with populations of over 1.25 million. This legislation has an effective date of July 1, 2008.

Health Insurance Claim Payments

SB 1012 (Gaetz) prohibits health insurance contracts and health maintenance organization contracts from prohibiting or restricting insureds from assigning plan benefits to noncontract providers for covered services. This bill allows for direct payment for hospital, ambulance, and medical services. Effective November 1, 2008.

Homeowners Associations/Display of Flags

CS/SB 1378 (Fasano) provides that a homeowner's association cannot prohibit a homeowner from displaying a United States or various armed services related flags not larger than 4 1/2 feet by 6 feet. Homeowners may also erect a freestanding flagpole no more than 20 feet high under specified conditions to display the flags. Effective July 1, 2008.

Intergovernmental Cooperation/Use of School Properties

CS/SB 1070 (King) authorizes the parties to an interlocal agreement to provide for the use or maintenance of facilities or equipment of either party on a cost-reimbursement basis. The bill further authorizes district school boards to perform certain functions by means of an interlocal agreement, such as the use of school properties, buildings, or busses. Effective upon becoming law.

Murder of Law Enforcement Officers

HB 321 (Snyder) requires that a defendant be sentenced to imprisonment for life without eligibility for early release upon findings beyond a reasonable doubt that the defendant committed a specified murder offense or attempted murder offense against a law enforcement officer, part-time law enforcement officer, or auxiliary law enforcement officer who is engaged in the lawful performance of a legal duty. Effective October 1, 2008.

Onsite Sewage Treatment and Disposal Systems

SB 1318 (Gaetz) provides that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation. Effective July 1, 2008

Onsite Sewage Treatment Systems

HB 5001 (House Policy and Budget Council) included \$1 million from the Water Protection and Sustainability Program Trust Fund to fund a study by the Department of Health to further develop cost-effective nitrogen reduction strategies. The Department of Health is directed to contract for Phase I of an anticipated 3-year project to develop passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. Effective upon becoming law.

Pedestrian Safety

SB 154 (Fasano) requires drivers to yield the right of way to pedestrians crossing the roadway at crosswalks and intersections. The bill clarifies these requirements by requiring drivers at both signal-controlled and unsignalized intersections to stop for pedestrians currently legally in the roadway. The vehicle must remain stopped for any pedestrians who step into the roadway after the vehicle stops, if the pedestrian is on the same half of the road as the vehicle, or if the pedestrian is coming so close, from the other half of the road, as to be in danger. Effective July 1, 2008

Public Library Grants

SB 82 (Fasano) amends the State Aid to Libraries grant program by revising eligibility criteria and changing the formula for multicounty and equalization grants. Most (but not all) libraries receiving only operating grants, such as municipal libraries, would see an increase in the amount of their estimated operating grant. Effective July 1, 2008.

Public Records/Victims of Sexual Violence

HB 1141 (Jenne) contains public record exemptions for HB 489 (Jenne), to which it is linked. HB 489 requires the submission of specified documentation in order for an employee to seek leave from his or her employer in connection with an incident of sexual violence. The bill makes confidential and exempt from s. 119.07(1), F.S., and article I, s. 24(a) of the Florida Constitution, personal identifying information that is contained in records documenting an act of sexual violence that are submitted to a public agency by an agency employee. Effective July 1, 2008.

Secondary Metals Recycling

HB 105 (Troutman) relating to secondary metals recyclers and revising recordkeeping requirements for purchase transactions, is awaiting signature by the governor. Effective October 1, 2008.

Speeding Fines/Penalties

HB 137 (Lopez-Cantera) significantly enhances penalties for persons convicted of exceeding the speed limit by 50 miles per hour and also requires motorcycle and moped riders to keep both wheels on the ground unless road conditions dictate otherwise. The first conviction for either offense described above is a \$1,000 fine; the second conviction results in a \$2,500 fine and loss of license for one year; any subsequent offense results in a \$5,000 fine and loss of license for ten years. Effective October 1, 2008

State Board of Administration/Local Government Investment Pool

CS/SB 2422 (Alexander) relates to the Local Government Investment Pool ("LGIP") of the State Board of Administration. The bill provides for various fiduciary, ethical, transparency, and communication requirements for the LGIP. Before local governments may participate in the LGIP, the governing body of the local government must compete and submit enrollment materials. The bill provides for an Investment Advisory Council and a Participant Local Government Advisory Council. Any reserve fund or amount must be fully disclosed to participants and any change in the reserve amount must have a reasonable notice period to allow participants to withdraw from the fund. The market value of the LGIP is to be calculated daily. Interest is to be distributed monthly to participants and interest cannot be used to make up investment losses. The bill provides a detailed process by which either the SBA or the trustees may limit withdrawals or contributions to the LGIP. The Auditor General is to conduct an annual financial audit of the LGIP, to include testing for compliance with the investment policy. The bill creates a separate trust fund known as the "Fund B Surplus Funds Trust Fund." The new trust fund is designed to maximize the payout of principal on invested surplus funds of the local governments currently in Fund B. The trust fund is designed to be self-liquidating. The bill provides for various standards and requirements for the operation of the new trust fund. HB 7097 (Domino) formally creates the Fund B Surplus Funds Trust Fund. Both bills are effective upon becoming law.

Theft of Copper

HB 799 (Adams) prohibits knowingly and intentionally taking copper or other nonferrous metal from utility or communications services provider causing damage to facilities of utility or communications services provider or interrupting or interfering with utility or communications services. Effective October 1, 2008.

Wastewater Disposal/Ocean Outfalls

SB 1302 (Saunders) requires the South Florida Wastewater Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan. This bill also provides for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration and prohibits the new construction of an expanded discharge to ocean outfalls. Effective July 1, 2008.

Water Pollution Control

HB 547 (Kreegel) provides requirements for basin management action plans and allows these plans to take into account benefits of pollutant load reduction achieved by point or nonpoint sources. The Department of Environmental Protection is required to adopt the plan or any related amendments by secretarial order. The bill specifies that the department's rule relating to equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which certain basin management plan has been adopted. Furthermore, the bill requires water quality protection programs to include trading of water quality credits but limits the water quality credit trading pilot project to the Lower St. Johns River Basin. Effective July 1, 2008

Workplace Safety/Task Force

CS/CS/HB 967 (A. Gibson) creates a fifteen member Florida Public Task Force on Workplace Safety to develop findings and issue recommendations regarding innovative ways by which the state may effectively ensure that the state and county and city governments are complying with various Occupational Safety and Health Administration Standards. The task force is to submit a report on or before January 1, 2009. Effective upon becoming law.

BILLS THAT FAILED

Ad Valorem Tax Collection

SB 2542 (Posey) would have substantially amended multiple provisions of chapter 197, F.S., relating tax collection. SB 2542 died in committee.

Affordable Housing

HB 699 (Aubuchon) would have provided a special assessment for property receiving low-income housing tax credit; defined the term "community land trust"; and provided for assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by community land trusts and used to provide affordable housing. Additionally, the bill would have provided for conveyance of structural improvements,

condominium parcels and cooperative parcels subject to certain conditions; would have specified criteria to be used in arriving at just valuation of structural improvement, condominium parcel, or cooperative parcels; would have provide additional criteria for determining whether certain affordable housing property owned by certain exempt organizations would be entitled to a tax exemption; and would have provided an ad valorem taxation exemption for not-for-profits providing affordable housing. This was addressed in several different bills that all failed. HB 699 died on the House Calendar.

Affordable Housing/Community Land Trust

HB 431 (Fitzgerald), as well as parts of HB 699 (Aubuchon), HB 796 (Bennett) and SB 1490 (Bennett) would have provided a special assessment of property receiving low-income housing tax credits; defined the term "community land trust"; provided for the assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by community land trust and used to provide affordable housing and would specify criteria to be used in arriving at just valuation of structural improvement, condominium parcel, or cooperative parcels. HB 431 died on the House Calendar.

Affordable Housing Land Use Regulations

SB 2592 (Gaetz) as well as portions of SB 474 (Garcia) would have required counties to adopt local land development regulations to incentivize the development of affordable housing. It would have also required expedited state and regional review of proposals for affordable housing developments and required that certain counties and municipalities amend their local comprehensive plans by a certain date to include criteria for such reviews. SB 2592 died in committee and SB 474 died on the Senate Calendar.

Affordable Housing Preservation

SB 1362 (Fasano) would have created the Florida Housing Preservation Program. The Florida Housing Finance Corporation was to use state funds for financing to preserve and rehabilitate affordable multifamily rental housing properties that were 15 years old or older, as well as mobile home parks for low-income, very-low-income, and extremely-low-income persons and families. SB 1362 died in committee.

Affordable Housing/State Housing Initiative Partnership (SHIP) program

SB 482 (Garcia) would have revised the purposes for which State Apartment Incentive Loans would be used. In addition, the bill included plans to revise requirements for distribution of funds in the Local Government Housing Trust Fund and would have required local housing assistance plans to address the special housing needs of persons with disabilities. Lastly, SB 482 would have authorized and limited the percentage of funds from the local housing distribution that could be used for certain manufactured housing. SB 482 died in House Messages.

Affordable Housing for Seniors

HB 561 (Vana) and SB 2014 (Deutch) would have authorized local governments to include an affordable senior housing element in comprehensive plans. The bills died in committee.

Affordable Housing for Veterans

HB 1471 (Bucher) and SB 1020 (Geller) would have increased the amount of documentary stamp tax distributed to State Housing Trust Fund in order to fund loans to veterans for affordable housing through the Florida Homeownership Assistance Program. The bills died in committee.

Aggregate Mining-Preemption

SB 774 (Baker), HB 7155 (House Environment and Natural Resources Council) and SB 2406 (Bennett) addressed local government regulation of activities relating to limerock mining. SB 2406 and HB 7155 specified that a local government cannot enact or enforce any regulation or take other action that would interfere with or prohibit limerock mining activities. Both SB 2406 and HB 7155 included a complete preemption of local government land use and environmental regulations. SB 774 required a super-majority vote of the local government commission to deny any application for an aggregate materials mining site if the applicant received the appropriate approvals from the pertinent state agencies.

Building Florida's Future Trust Fund

SB 2712 (Fasano) was amended to SB 2778 (Fasano) an Economic Development package, and would have created the Building Florida's Future Trust Fund within the Office of Tourism, Trade, and Economic Development. The purpose of the fund was to provide funding for loans for construction and modernization of facilities and infrastructure. SB 2712 died on the House Calendar and SB 2778 died in returning Messages from the House.

Building Florida's Future Guarantee Program

SB 2714 (Fasano) would have established a revolving loan program within the Office of Tourism, Trade, and Economic Development to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project. SB 2714 died on the Senate Calendar.

Cameras/Traffic Enforcement

SB 816 (Bennett) and HB 351 (Reagan) would have authorized the use of cameras at traffic intersections to enforce laws relating to the running of red lights. The bills would have preempted authority regarding the use of cameras at red lights to the state and required the Florida Department of Transportation to develop and implement comprehensive standards and specifications to be met by local governments if they opted to use cameras. Both bills died in the final committees they were referenced to in their respective chambers.

Citizen Participation at Public Meetings

HB 991 (Hukill) and SB 2276 (Lynn) would have established uniform requirements for citizen participation at local government meetings and workshops. HB 991 was

amended to allow local governments to adopt their own written policy on public participation. If the policies were not adopted by October 1, 2008, the local government would have been mandated to follow the uniform participation requirements in the bills. HB 991 died in Senate Messages and SB 2276 died in committee.

Code of Ethics for Public Officers and Employees

HB 1113 (Patterson) and SB 1220 (Constantine) would have made numerous changes to the code of ethics for public officers and employees. The bills would have prohibited solicitation of certain contributions, prohibited the appointment or advancement of relatives under specified circumstances, increased financial disclosure requirements, and made various other changes to the code of ethics. HB 1113 died in Senate Messages and SB 1220 died in committee.

Department of Transportation 5-Year Work Plan

SB 2512 (Dockery) requires the Florida Department of Transportation to submit to each member of the Legislature, a listing of any transportation project costing more than \$75 million. The list must include: the project's location; the total estimated cost of the project for all phases (including phases not included in the current work program); the proposed schedule for the entire project's completion; and, a description of the project's benefit to the state and its citizens. SB 2512 died in committee.

Discretionary Sales Surtax

HB 891 (Vana) and SB 2298 (Fasano) would have authorized certain counties to levy by ordinance a 1% surtax for emergency fire rescue services and facilities, if approved by voters in a countywide referendum. The bills provided that the governing authority of such county would be designated as the "regional service provider" for emergency fire rescue services within the county. The bills provided for a limited and unfavorable distribution of the proceeds of such surtax with municipalities and special districts pursuant to interlocal agreement, and would have required participating municipal fire departments to establish levels of service for personnel and equipment equal to or better than that of the county. The bills further specified that municipalities and special districts that did not participate in the interlocal agreement would be subject to the surtax but would not receive any of the proceeds. Both bills died in committee.

Expedited Permitting

HB 147 (Schenck) and SB 402 (Fasano) required the Department of Environmental Protection (DEP) and the water management districts to adopt programs that create a 45-day expedited wetland and environmental resource permitting process for businesses that have been identified by a municipality or county as a target industry business. HB 147 died in Senate messages and SB 402 died in committee.

Fertilizer

HB 1267 (Nelson/McKeel) and SB 2352 (Aronberg/Baker) addressed the use of consumer fertilizers by requiring local governments to adopt a model ordinance. By making it extremely difficult for a local government to adopt more stringent regulations

the bills included a “defacto” preemption of local government regulation of fertilizers. Both bills died in their last committee of reference.

Firefighter and Municipal Police Pensions

HB 171 (Hooper), HB 27 (D. Davis), SB 218 (Wise), and SB 976 (Jones) would have made various changes to chapters 175 and 185, Florida Statutes, regarding firefighter and municipal police pensions. The bills contained various provisions relating to plan member contributions and plan terminations, which were objected to by the League. HB 171 died pending review of CS. HB 27, SB 218, and SB 976 all died in committee.

Firefighter Cancer Disability Presumption

SB 2314 (Atwater) would have established a cancer disability presumption for firefighters and paramedics that would apply to ANY CANCER. SB 2314 died in committee.

Firefighter Standards

HB 1041 (L. Garcia) and SB 2388 (B. Saunders) would have made numerous changes to the training and responsibilities of firefighters and the activities of the State Fire Marshall. Both HB 1041 and SB 2388 died in committee.

Growth Management

Both HB 7129 (Economic Expansion and Infrastructure Council) and SB 474 (Garcia) died on the calendar of their respective chambers. Some very limited growth management policy relating to airport compatibility was included in the Transportation bill (SB 682). The following were concepts that were included in the growth management bills that the League expects to resurface next session.

SB 474 (Garcia) included a provision that would have prohibited local governing bodies in municipalities with populations of over 10000 from acting as the local land planning agency. It expanded the current “alternative state review” pilot program to all areas designated in a comprehensive plan for: urban infill and redevelopment, community redevelopment, and downtown revitalization. Transportation concurrency exception areas would have been established for the previously mentioned urban areas. It established a study group for the purpose of examining the use of a “mobility fee” to replace transportation concurrency and impact fees. HB 7129 (Economic Expansion and Infrastructure Council) died in on the House floor. The bill would have extended all DRI development orders, including all associated local government approvals, until 2011. It established transportation concurrency exception areas for all urban infill and redevelopment, community redevelopment, community redevelopment, and downtown revitalization. The Legislative Committee on Intergovernmental Relations would have been tasked with conducting a study on the implementation of a “mobility fee” to replace all transportation concurrency fees. A “mobility fee” pilot program would have been implemented in Duval, St. Johns, and Clay Counties, including all municipalities within those counties. Also, the bill included increases opportunities for citizen’s participation in the comprehensive plan amendment process by requiring developers to hold pre-application meetings with affected citizens. SB 474 (Garcia) died on the Senate floor.

SB 2246 (Baker) and HB 1173 (Mayfield) related to land development regulation. SB 2246 died on the Senate Calendar and HB 1173 died in Senate Messages.

Health Insurance/Local Government Officers and Employees

HB 315 (Meadows) and SB 410 (Justice) would have expanded eligibility for optional participation in the state group health insurance program and prescription drug coverage program to include all counties, cities, and other local governments. Both HB 315 and SB 410 died in committee.

Homestead Assessments & Exemptions

HB 1279 (Thompson, N.) & SB 2506 (Bennett) would have provided that if the just value of homestead property decreases, the assessment of such property must decrease by the same percentage. If the just value did not change, the assessment would not change. If the just value increased, the assessed value would be capped at the lesser of 3% or the percentage change in the Consumer Price Index. Both bills died in committee.

Hurricane Preparedness

HB 111 (Nehr) and SB 86 (Baker) would have provided a sales tax exemption for specified items of tangible personal property purchased June 1 – 12, 2008. HB 111 died on the House Calendar. SB 86 died in committee.

Illegal Immigration

HB 73 (Brown) relating to illegal immigration would have prohibited restrictions on the reporting of immigration status information by public employees and would have prohibited local government restrictions concerning immigration law enforcement. This bill died in State Affairs.

HB 159 (Adams) and SB 388 (Fasano) relating to the enforcement of immigration laws would have prohibited public employers from entering into contracts for physical performance of services with contractors not registered and participating in the federal work authorization program. HB 159 died in committee and SB 388 died on the Senate Calendar.

SB 540 (Baker) and HB 571 (Kravitz) would have required law enforcement officers, sheriffs, chief correctional officers, and clerks of the circuit court to report to Immigration and Customs Enforcement suspected illegal aliens who are arrested, detained, or convicted of a felony. The bills died in committee.

Increased Disability Benefits for Firefighters, Police Officers, and EMTs

HB 57 (Attkisson), SB 294 (Fasano), HB 677 (Gardiner) and SB 1024 (Oelrich) would have amended provisions of the Florida Retirement System to state that a firefighter, police officer, emergency medical technician, and others who are injured in the line of duty and cannot continue to render service "in the position held," would be considered to be totally and permanently disabled. HB 57 died pending review of CS. SB 294, HB 677, and SB 1024 died in committee.

Law Enforcement Officers/Disciplinary Proceedings

HB 901 (L. Garcia) and SB 338 (Saunders) would have provided that if a law enforcement officer's rights in disciplinary proceedings are violated, the officer may recover a fine up to \$10,000 against the employing law enforcement agency or the person committing the violation. The bills died in committee.

Law Enforcement/Insurance Premium Revenues

SB 330 (Aronberg) would have provided that a municipality that has entered into an interlocal agreement to provide police protection services to another municipality, in its entirety, is eligible to receive the premium taxes reported for the other municipality after following a specified process. SB 330 died in committee.

Local Government Budgets

SB 2648 (Dean) would have required any taxing authority that obtains its revenues from ad valorem taxes to submit a line-item, zero-based budget to the county commission prior to the county commission's budget hearings. The bill was amended in committee with a strike everything amendment and to add local government budget transparency provisions identical to those in HB 7123 (Grant). SB 2648 died in committee. HB 7123 died in Senate Messages.

Local Government Budgeting/Transparency/Reserve Restrictions

HB 7123 and CS/SB 2648 would have required local governments to develop and provide information on local government budgets. The bills also would have placed limitations on local government revenue reserves. HB 7123 died in Senate Messages and CS/SB 2748 died in committee.

Local Government Spending/Transparency

HB 181 (Harrell) and SB 392 (Storms) would have required cities and other local governments to disclose spending activities under contracts with a value of \$5,000 or more. HB 181 died in committee and SB 392 died in Returning Messages.

Local Government Revenue Sources

HB 715 (Flores) and SB 2412 (Haridopolos) would have required a supermajority vote (3/5 or a majority plus one, whichever was greater) of the local governing body to levy new, increase existing, expand the tax base or area subject to, or to eliminate any exemptions from, taxes, special assessments, non-ad valorem assessments, or impact fees. The bills would have required a 3/5 vote of the electors voting in any referendum regarding the same. The requirements would not apply to any tax, fee or assessment increased for the exclusive purpose of repairing or replacing public infrastructure damaged in a disaster that resulted in a declaration of emergency by the Governor. Further, the bills would not have applied to ad valorem taxes, fees other than impact fees, license fees, penalties, fine or other charges for services. Both bills died in committee.

Mail Ballot Elections

SB 880 (Rich) and HB 429 (Fitzgerald) would have authorized a board of city or county commissioners to choose to have various elections by mail, including candidate elections, subject to specified requirements. Both SB 880 and HB 429 died in committee.

Maximum Ad Valorem Tax Limitation

HB 949 (Lopez-Cantera) and SB 2190 (Bennett) proposed a constitutional amendment that would have prohibited the total combined property taxes on any parcel from exceeding 1.35% of the parcel's highest taxable value. The bill language is identical to a proposed citizens' initiative. HB 949 died in Senate Messages. SB 2190 died in committee.

Meetings with Local Government Attorneys

SB 1510 (Geller) would have clarified the term "pending litigation" with respect to a public meetings exemption allowing officers of a governmental entity to meet with their attorney, to include any matter that is addressed in a mandatory notice of intent to initiate a tort claim against the governmental entity. SB 1510 died in committee.

Motor Fuel Taxes

SB 984 (Bennett) authorized counties to adopt an ordinance adjusting the rate of the ninth-cent fuel tax or the local option fuel tax based on the percentage change in the Consumer Price Index. SB 984 was never heard in the Senate and did not have a House companion.

Nonresidential Farm Buildings

HB 761 (Pickens) and SB 1376 (Dean) prohibited local governments from assessing stormwater fees and prohibited local governments from enacting or enforcing any regulations on land classified as agricultural if the activity is regulated by Best Management Practices, interim measures or regulations. The bills also attempted to expand the current exemption from the Florida Building Code for inspection fees for nonresidential farm buildings to exempt these structures from impact and permit fees. HB 761 died in Senate messages and SB 1376 died on the Senate calendar.

Onsite Sewage Treatment Systems

HB 975 (Nelson) and SB 1482 (Geller) required the Department of Health to conduct a study to develop and evaluate passive onsite wastewater nitrogen reduction systems. The study was to be funded by diverting up to money from the Water Protection and Sustainability Program Trust Fund that was created in 2005 to provide funding for water supply and water quality programs. HB 975 died in Senate messages and SB 1482 died in committee.

Partial Payment

HB 51 (McKeel) and SB 1004 (Fasano) would have required tax collectors to accept partial payment of property taxes due by the deadline specified in the tax notice.

Unpaid amounts remaining after the deadline would have been subject to penalties and interest. HB 51 died in Senate Messages. SB 1004 died in committee.

Portability of Save-Our-Homes & Additional Homestead Exemption

HJR 421 (Simmons) proposed an amendment to the constitution that would provide alternative methods for computing the portability provision for Save-Our-Homes and an additional homestead exemption. HJR 421 died on the House Calendar.

Property Rights

HB 881 (Precourt) and SB 1578 (Baker) would have revised the Bert Harris Act. The changes would have shortened the time frame for local governments to make settlement offers and lengthened the time for property owners to bring Harris Act claims. The bills also provided for a waiver of sovereign immunity for liability and provided for prospective application. HB 881 (Precourt) died in Senate messages. SB 1578 died in committee.

Property Taxes

Legislators filed numerous bills addressing property taxes. Some, like HB 7003 (Gov't Efficiency Council), SJR 2384 (Baker), and SB 2368 (Baker), would increase homestead exemptions for various classes of property owners, such as veterans or deployed military veterans. Others, such as HB 7005 (Gov't Efficiency Council), HB 129 (Lopez-Cantera), SB 626 (Atwater), SB 2334 (Gaetz), and HB 1283 (Cannon) would make changes to the method in which the property appraiser determines the "just value" of property, changes to the burdens of proof in taxpayer challenges to property assessments, and changes to value adjustment board processes. HB 1381 (Needelman) would have replaced all property taxes with a sales tax. Most of these bills died without a single committee hearing. Still others were either heard once in committee or passed the House but were not taken up by the Senate. Some of the more notable bills included the following:

Property Tax Information

CS/HB 1061 (Seiler) would have required the Department of Revenue to collect and publish on its website and on the websites of all property appraisers the following data: the annual percentage increase in total nonvoted ad valorem taxes levied by each taxing authority; information concerning the distribution of ad valorem taxes levied on the various classifications of property; and the previous year's adopted millage rates, the current year's millage rates, and the current percentage increase in taxes levied above the roll back rate. CS/HB 1061 died on the House Calendar. SB 822 (Atwater) died in committee.

Property Tax Notices

HB 177 (Richter) and SB 664 (Bennett) would have required millage rates to be included in Truth in Millage ("TRIM") notices. HB 177 died in Senate Messages. SB 664 died in committee.

Public Beach Access

CS/SB 2622 (Justice) and HB 1523 (Sasso) addressed public access to beaches including prohibiting the placement of signage restricting access and defining the term recreational use relating to public beaches. Both bills died in committee.

Public Construction Works

HB 683 (Weatherford) and SB 2148 (Haridopolos) would have substantially altered the manner by which local governments perform public construction works, including utilities and transportation projects. The bills would have required local governments to competitively bid a variety of public construction works, which currently are not subject to competitive bidding. HB 683 died on the House Calendar. SB 2148 died in committee.

Public Employees' Charitable Campaigns

HB 883 (Skidmore) and SB 1576 (Storms) would have created the "public employees' charitable campaign" for local government employers and required local governments to follow one standard process for conducting an annual public employee workplace charitable campaign. Both HB 883 and SB 1576 died in committee.

Public Employment/Domestic Partners

HB 1053 (Kriseman) would have provided that various provisions and benefits under state or local government employment apply to domestic partners. HB 1053 died in committee.

Public Libraries/Internet Safety Education Program

HB 411 (Ambler) and SB 1996 (Crist) would have encouraged all public libraries to adopt an Internet safety education program. HB 411 and SB 1996 died on the House and Senate Calendars.

Public Transit/Required Breaks for Operators

HB 977 (G. Thompson) and SB 518 (Hill) would have required public transit providers to give drivers or operators of public conveyances a paid ten minute break for each four-hour work period. Both HB 977 and SB 518 died in committee.

Railroad-Highway Crossings

HB 1207 (Homan) and SB 2792 (Dockery) require any public railroad-highway grade crossing opened on or after July 1, 1972 to be maintained by the railroad company at its own expense. The bills authorize governmental entities to access railroad property adjoining public property as necessary to plan, facilitate, and complete road or highway construction, improvements, or repair projects. A railroad company may not require the use of flagging or other services by the railroad company as a condition of allowing access to railroad property.

Regional Transportation Authorities/Funding

HB 1245 (Galvano) diverts portions of the rental car surcharge revenues away from the State Transportation Trust Fund to specified Regional Transportation Authorities

(RTAs). There was no Senate companion to this bill and HB 1245 died in Senate messages.

Rental Property Assessment Increase Limitation

HJR 441 (Domino) would have provided a limitation on increases in assessments of rental property. Assessment increases would be limited to the greater of 5% or the average annual percentage growth in revenues derived from the property over the preceding three years. HJR 441 died in committee.

Recycling

HB 301 (Long) and SB 692 (Jones) would have required any organization, association, business, or institution operating in the state and receiving state funds to collect aluminum beverage cans and recyclable plastic and glass at all locations where it operates or conducts business to the “extent practicable”. HB 301 died on the House floor and SB 692 died in committee.

Restrictions on Local Government Issue Campaigns

HB 195 (Long) and SB 532 (Justice) would have prohibited a local government from expending, directly or indirectly, public funds to support or oppose an issue, referendum, or amendment that is subject to a vote of the electors. Both HB 195 and SB 532 died in committee.

Railroad-Highway Crossings

HB 1207 (Homan) and SB 2792 (Dockery) would have required any public railroad-highway grade crossing opened on or after July 1, 1972 to be maintained by the railroad company at its own expense. Both bills died in committee.

Sadowski Trust Fund Cap Repeal

HB 0005 (Saunders), SB 0074 (Geller) and SB 0080 (Wilson) would have removed the cap on the amount of proceeds deposited into the Sadowski Affordable Housing Trust Funds. All three bills died in committees.

Sales Tax on Rent

SB 228 (Baker) would have provided that tax levied on rent or license fees charged for the use of real property may not be assessed against any portion of the rent or license fee attributable to the payment of property taxes. SB 228 died in committee.

School Supplies

HB 893 (Coley) and SB 2094 (Webster) would have established a sales tax “holiday” for the purchase of school supplies. SB 2094 died on the Senate Special Order Calendar. HB 893 died in Senate Messages.

Sex Trafficking

HB 1151 (Hukill) and SB 1722 (Lynn and Joyner) would have increased penalties for specified offenses involving minors and forcing, compelling, or coercing another to become a prostitute. HB 1151 died in Senate messages. SB 1722 died in committee.

Sexual Offenders and Predators

HB 1107 (Glorioso) and SB 1430 (Aronberg) would have revised provisions relating to reimbursement of specified costs by sexual predators, prohibited sexual predators from working at certain locations, specified residency distance limitations for persons convicted of certain sexual offenses and preempted local ordinances. HB 1107 bill died on the House Calendar. SB 1430 died in House messages.

HB 473 (Kiar) and SB 2026 (Ring) would have required sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration and re-registration process. HB 473 died in committee and SB 2026 died in Senate returning messages.

HB 755 (Nelson) requires a landlord who knowingly solicits, rents, or leases a dwelling unit to a sexual offender or predator to verify that individual's address. It requires the landlord to notify the sheriff in certain instances. HB 755 died in Senate messages.

Sovereign Immunity

SB 2292 (Villalobos) would have revised the current "claims bill" procedure for recovery from the state and political subdivisions under a tort action. Under the bill, for any claim that did not have to be paid from the state General Revenue Fund, if a judgment was made in excess of \$100,000 or \$200,000 limits, the court having jurisdiction over the matter could have ordered payment of the excess amounts over the limits after consideration of the evidence submitted by the parties. SB 2292 died in committee.

Sovereign Immunity/Law Enforcement Agencies

SB 2616 (Bennett) would have prescribed conditions under which a law enforcement agency is immune from liability for damages resulting from its conduct of a criminal investigation. SB 2616 was withdrawn from committee consideration.

State & Local Government Revenue Limitations

HJR 7125 (Gov't Efficiency & Accountability Council) proposed an amendment to the state constitution that would have revised the existing state constitutional revenue limit and would have imposed a local government revenue limit to be implemented by the legislature. Local government revenues would have been capped at the amount of revenue for FY 2008-09 plus a growth factor based on population and inflation plus one percentage point. It directed the legislature to determine how the local government cap would be implemented, what revenues would be included or excluded, and what types of local government entities would be included or excluded. The bill passed the House but died in Senate Messages.

Street Gang Prevention

SB 272 (Aronberg) and HB 749 (Vana) would have provided for recovery of reasonably incurred costs of investigation and litigation relating to civil causes of action under the Criminal Street Gang Prevention/Civil Causes of Action. It would have authorized the state, including any of its agencies, instrumentalities, subdivisions, or municipalities to

bring a civil action if it had been injured by reason of a violation of the act. These bills died in committee.

Street Racing

HB 1043 (Soto) and SB 2604 (Constantine) would have created the “Luis Rivera Ortega Street Racing Act” and revised provisions prohibiting certain speed competitions and exhibitions. The bills would have prohibited driving in any race, drag race, or exhibition of accelerations. Both bills died in committee.

Surplus Lands for Affordable Housing

SB 2562 (Gaetz) and HB 905 (McKeel), as well as portions of HB 7129 (Economic Expansion & Infrastructure Council, Cannon and Scionti) and HB 474 (Garcia), would have statutorily required that cities and counties that failed to complete and update the inventory list of real property owned that was appropriate for affordable housing development would be ineligible to receive any state affordable housing program funding. SB 2562 died in committee, HB 7129 died on the House Calendar, HB 905 died in committee and HB 474 died on the Senate Calendar.

Tax Administration

SB 2788 (Haridopolos) and HB 7147 (Gov’t Efficiency & Accountability Council) were the tax administration packages for the Department of Revenue. The bills proposed various statutory changes to improve tax administration, reduce costs and increase efficiencies, and improve enforcement of tax laws. In addition, the bills excluded from the “bed tax” the “markup” or fee charged by online reservation entities. SB 2788 died in committee. HB 7147 died on the House Calendar.

Tax on Rental Fees and Admissions

HB 783 (Glorioso) and SB 1418 (Diaz de la Portilla) would have abrogated the July 2009 repeal of the tax exemption on rental or license fees on property rented or licensed by a civic center, convention center or exhibit hall, and similar facilities, and abrogated the July 2009 repeal of the tax exemption provided for certain charges imposed by the same. Also, the bills abrogated the repeal of the tax exemption for admission charges to events sponsored by governmental entities, sports authorities, and sports commissions. The bills died in committee.

Tower Cranes / Tower Crane Operators Certification

HB 609 (Evers) and SB 1316 (Gaetz) would have required all tower cranes and tower crane operators in the state be certified by the American National Standards Institute/American Society of Mechanical Engineers (ANSI/ASME) or the applicable standards of the Power Crane and Shovel Association (PCSA). Also the bills would have preempted all other standards applied to tower cranes and operators by local governments. HB 609 died in Senate messages and SB 1316 died in the Senate Community Affairs Committee.

Transportation Funding

HB 747 (Ross) and **SB 1626** (Alexander) renamed the Charter County Transit System Surtax in chapter 212, F.S, as the Charter County Transportation System Surtax and expanded the eligibility to levy the surtax to all charter counties. SB 1626 died in House messages while HB 747 died in committee.

Transportation Funding

SB 1688 (Baker) and HB 1399 (Aubuchon) created the Transportation Revenue Study Commission to study and make recommendations to the legislature regarding state, regional and local transportation needs. The bills also increased turnpike authority revenues by authorizing additional bonding authority and the indexing of turnpike and expressway tolls. SB 1688 died in committee and HB 1399 died after being received by the Senate and referenced to multiple committees.

United States Flag Displays

SB 90 (Saunders) would have prohibited a county or municipality from enacting or enforcing any ordinance or regulation that prohibits the display of a United States flag by a property owner or tenant. SB 90 died in committee.

Use of Cellular Telephones

HB 175 (Brise) and SB 266 (Wilson) would have prohibited the use of cellular telephones while operating a motor vehicle. The bills died in committee.

Use of Wireless Communications While Driving

SB 504 (Baker) and HB 193 (Legg) would have prohibited a person who has not attained 18 years of age from using an electronic wireless communications device while operating a motor vehicle. Both SB 504 and HB 193 died in committee.

Wastewater Discharges

SB 1634 (Bennett) and HB 1503 (Aubuchon) would have required the Department of Environmental Protection to investigate wastewater treatment facilities within one mile of any beach the Department of Health closes due to a finding of fecal coliform in the water. HB 1503 died in House messages while SB 1634 died in the Senate General Government Appropriations Committee.

Water Supply

HB 7151 (House Environment and Natural Resources Council) and SB 2602 (Bennett) would have provided priority funding under the Water Protection and Sustainability Program for the development of alternative water supply projects within rural land stewardship areas. The bills authorized water management districts throughout the state to enter into agreements with private parties, regional water supply authorities, and water utilities that may provide private parties long term consumptive use rights. Both bills died in committee.

Working Waterfront

HB 877 (Needelman) and SB 2294 (Dean) authorized the owner of any working waterfront real property to convey all rights to develop the property to the county or municipality in which such property is located for a period of seven years with an opportunity to extend the life of that agreement. Local governments would have been prohibited from conveying the right to another party and were limited to utilizing the property in a manner consistent with working waterfronts. Both bills died in committee in their respective chambers.

Wrecker Services

SB 672 (Crist) and HB 1195 (Reagan) would have provided for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services. The bill would have allowed a county or municipality to enact ordinances governing the business of transporting vehicles or vessels by wrecker that were more restrictive. SB 672 and HB 1195 died in committee.