MEMORANDUM

To: Council Members

From: Staff

Date: April 18, 2014 Council Meeting

Subject: Legislative Matters

Introduction

At its last meeting, the Gubernatorial Committee asked staff to provide position letters on House Bill (HB) 703, Senate Bill (SB) 372, and House Bill 1055. In addition, the Committee suggested the Council may want to advocate for state funding of regional planning councils to: 1) assist in eliminating an unfunded state mandate for carrying out work required by state statute; and 2) better provide key functions and values of state, local and regional importance. Attached are the March 21, 2014 draft minutes from the Gubernatorial Committee meeting (Exhibit 1).

This report provides background information on these bills, and the rationale for supporting state funding of regional planning councils to carry out statutory mandates and expand the capacity of councils to assist local governments in carrying out their priorities.

Background

House and Senate Bills. HB 703 and SB 372 propose changes to growth management, environmental permitting, and local government planning and approval processes. HB 1055 proposes amendments to Chapter 381.00655, FS to allow conversion of existing on-site septic systems to a central sewage system in a more cost effective manner and without completely abandoning the existing on-site septic system.

As of this writing, the Senate companion bill to HB 703 (SB 1464), and SB 372 have been “temporarily postponed.” It is unlikely these bills will be enacted, which contained provisions potentially detrimental to local government planning and local and regional water resource management efforts. Additional information on these bills can be found in Exhibit 2.

House Bill 1055 was not passed out of the Agriculture and Natural Resources Subcommittee. A request has been made to transfer the bill to Senator Negron’s Appropriations Committee where it will be eligible to be heard by the full Senate for a vote. Additional information on this bill is provided in Exhibit 3.
**State Funding of Regional Planning Councils.** Councils perform several required activities under 16 different state statutes (Exhibit 4). The Governor appoints one-third of the voting members of the eleven regional planning councils around the state. They also provide significant functions, values, and services to local governments statewide (Exhibit 5). State funding of around $2.5 million per year has been provided to regional planning councils since 1986 (Exhibit 6). During that time, Council has received about $250,000 per year from the state. During the last three years the Legislature has budgeted $2.5 million for regional planning councils. However, the Governor has vetoed regional planning council funding in each of the last three years. No definitive reason for the vetoes has been provided by the Governor’s office.

The legislative request for regional planning council funding this year is $2.5 million dollars. It is likely the Legislature will request funding for regional planning councils. It is also likely the Governor will veto the request. Defunding regional planning councils establishes another unfunded state mandate and allows the state to have equal representation and voting rights on the board without the same financial stake as its member local governments. It also reduces the capacity of regional planning councils to provide services to its member local governments.

Restoring state funding of regional planning councils will eliminate an unfunded state mandate, restores financial parity for the privilege of being a voting member of the regional planning council, and will allow Council to improve service to its local government. Currently, a meeting with the Governor and his regional planning council appointees is being organized by the Florida Regional Councils Association (FRCA) for the purpose of securing state funding of regional planning councils.

**Recommendation**

Council should authorize staff, in consultation with the Gubernatorial Committee and the Council Chair to: 1) monitor HB 703/SB 1464 and SB 372/HB 241 and immediately alert Council and the Committee of any actions to revive or transfer the detrimental provisions of these bills to other pieces of legislation; 2) transmit a letter of support for the enactment of HB 1055; and 3) authorize Governor Scott appointees to attend any meeting scheduled by FRCA with the Governor for restoring a state appropriation for regional planning councils. Council should also authorize and encourage its members to communicate directly to the Legislature and Governor about restoring a state appropriation for regional planning councils.

**Attachments**
MINUTES OF THE TREASURE COAST REGIONAL PLANNING COUNCIL
GUBERNATORIAL COMMITTEE

MARCH 21, 2014

The meeting of the Gubernatorial Committee was called to order by Chairman Steven Weaver, Sr. at 1:35 p.m.

The following committee members, staff, and councilmembers were present:

Gubernatorial Committee: Councilmember Tobin Overdorf (Martin County)
Councilmember Michael Houston (Martin County)
Councilmember Steven Weaver, Sr. (St. Lucie County)
Councilmember Reece Parrish (St. Lucie County)

Council Staff: Michael J. Busha
Peter G. Merritt
Liz Gulick

Council Attorney: Roger Saberson

Councilmembers: Commissioner Ed Fielding, Martin County

Chairman Weaver inquired if all six gubernatorial appointees will participate on this committee. Mr. Busha noted it is intended that all appointees will participate on the committee and a minimum of four members make up a quorum.

Chairman Weaver asked if there is an agenda. Mr. Busha said there will be an agenda for the next meeting. Chairman Weaver asked for a vote on the minutes of the February 21, 2014 meeting. Councilmember Overdorf moved approval of the minutes. Councilmember Houston seconded the motion, which carried unanimously.

Chairman Weaver indicated the next item for discussion is the legislative intent. He pointed out that Agenda Item 14, Legislative Matters was pulled from Council’s March agenda and placed on April’s agenda. The intent of this item is to get direction from Council on how to proceed with House Bill 703, Senate Bill 372, and regional planning council funding. Council staff will draft letters regarding the committee’s position on each of these matters with a recommendation asking the Council to direct the gubernatorial committee to transmit these letters accordingly.

Chairman Weaver noted this may be a dry run for next year when we are not starting at the end of the legislative lobbying session. He pointed out that Commissioner Fielding is bringing forth another bill that he feels impacts the Treasure Coast and this is the type of input the committee is looking for from the board members.

Councilmember Houston asked if this would need board approval each time or would this be a consent item. Mr. Busha envisioned that both Council and this committee would ask staff to put
together an analysis on items of importance. Councilmember Houston noted that this is a good analysis of the bills. He stated that the funding is probably not an issue because the board supports the funding. Mr. Busha indicated that the board still needs to help with the funding issue, especially with the Governor’s office.

Chairman Weaver stated as the process moves forward and staff develops a beginning position statement on a bill, it then becomes a line item on Council’s agenda so that the staff and the public can weigh in and we can have a broad discussion. Mr. Busha noted that the committee needs to point out to the board the important things they want Council to work on and give their recommendation on how to proceed.

Chairman Weaver expressed his disappointment that the Chairman postponed the agenda item on legislative matters, but Councilmember Houston pointed out there was a lack of quorum. Chairman Weaver asked if the Committee should take a vote on the two bills that were presented. Mr. Busha said the item would have to get board approval first.

Councilmember Overdorf asked about Council’s recommendation. Mr. Busha discussed the recommendation. Councilmember Overdorf noted that House Bill 703 is only related to agriculture and that needs to be clear. Mr. Busha thought it was related to all comprehensive plan amendments. Councilmember Overdorf pointed out that the comprehensive plan amendments related only to agriculture. The Committee suggested reviewing this bill again before making a recommendation.

Councilmember Overdorf brought up discussion on the 50-year permit and thought this was too long and he suggested looking at this. Mr. Busha noted that they were trying to provide an incentive for the water farming. He suggested using 20-25 years. Councilmember Overdorf indicated that this may be discussion for the full council.

Commissioner Fielding noted that everyone needs to be more aware of our overall water resources and how that is going to play out, because we are at some critical crossroads and we need to be more observant of the impacts.

Chairman Weaver noted that everyone is in support of Councilmember Overdorf’s proposed changes and recommended staff incorporate those changes and bring them back to the full Council.

Councilmember Overdorf asked for clarification on bringing this forward to Council. Chairman Weaver noted that the position statement will be modified and presented to the full council for discussion and approval. Mr. Busha stated that he will draft the letter with those additional concerns and that way the letter would not have to be brought back again. Councilmember Overdorf agreed.

Councilmember Overdorf said it is important as gubernatorial appointees to reach out to the Governor’s office. He suggested doing this on behalf of the Committee if they agreed. Mr. Saberson noted that the Committee members cannot communicate amongst each other.
Councilmember Houston asked Mr. Busha to provide a position statement on the bills discussed from the Florida League of Cities and Martin County. Mr. Busha also noted that the Associated Industries of Florida, Florida Farm Bureau, and the Florida Chamber of Commerce have taken positions on the bills.

Chairman Weaver stated that staff has direction in drafting a letter. Mr. Busha indicated that he will draft the letter which will be part of the agenda item to be presented at the next Council meeting.

Chairman Weaver noted that next year the Committee will have a head start on identifying matters that are of concern months in advance. The Committee will be set up at the beginning of the lobbying period with refined position statements.

Chairman Weaver indicated that some of the Committee members may have other legislative or lobbying interests that are independent of this role and he suggested being careful about possible conflicts of interest.

Mr. Busha asked if there are any other bills that are regional in nature that would affect the Treasure Coast and surrounding counties. Commissioner Fielding brought up House Bill 1055, Onsite Sewage Treatment and Disposal Systems. Councilmember Houston asked if Martin County Health Department supports the bill. Commissioner Fielding was not aware of this. After discussion, Councilmember Houston suggested this be included. Mr. Busha indicated that he could include this in the letter stating that the Committee also addressed this and would like to include it in their write-up. Chairman Weaver asked staff to forward House Bill 1055 to the Committee.

Chairman Weaver also asked staff to provide continuing updates on the bills identified of interest. Councilmember Overdorff suggested signing up on bill tracker and receive emails on the bill itself every time it passes the committee. Chairman Weaver asked if there is a master roster of all pending legislation that would have the House bill and Senate bill numbers. Staff will send information on the website to Chairman Weaver. Mr. Busha noted that Council could not transfer subscriptions of the Florida Newsletter to committee members because of the cost and copyright issues.

Chairman Weaver indicated he is not sure how to communicate with each other on their lobbying efforts when they are not allowed to discuss anything. Councilmember Overdorff asked if he is allowed to say he spoke to the Governor. Council’s attorney asked that the Committee members not communicate with each other. Councilmember Houston indicated that he works with Councilmember Overdorff on projects, and will announce if there is a conflict on anything this Committee is doing.

Mr. Busha noted that two regional planning councils (Tampa Bay and Northeast) have committees like this and he will give this Committee examples of what they are doing as well.

Councilmember Overdorff indicated he is hopeful there is time to get on board with what the Governor’s directives are for gubernatorial appointees. Councilmember Overdorff asked how to
take care of Sunshine Laws when meeting with the Governor. Mr. Busha suggested you can properly advertise a group meeting with the Governor or meet with the Governor separately. Mr. Busha noted that he and Chairman O’Bryan met Senator Negron in Tallahassee to give him the plaque in appreciation of his work on the Indian River Lagoon. He also noted that he made an appointment after the session to sit down with the senator and give him an orientation about the activities of this Council.

ADJOURNMENT

There being no further business, Councilmember Houston motioned to adjourn the meeting at 2:25 p.m. Councilmember Overdorfe seconded the motion, which carried unanimously. The next meeting of the Committee is scheduled for April 18, 2014, immediately following the regular Council meeting.
NORTHEAST FLORIDA REGIONAL COUNCIL

2014

LEGALISATIVE PRIORITIES

BAKER  CLAY  DUVAL  FLAGLER  NASSAU  PUTNAM  ST.JOHNS

“Bringing Communities Together to Advance the Regional Agenda.”
2014 Northeast Florida Regional Council Legislative Priorities

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Committee Purpose:
"Work collectively and promote regionally."

Committee Philosophy:
This committee is guided by the Home Rule Philosophy to develop and implement community-based solutions.

Committee Responsibilities:
To serve as the forum for the Northeast Florida Regional Council Board of Directors to collect its local governments' legislative priorities to promote a regional agenda.

*Florida Regional Councils Association Representative

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2014 Northeast Florida Regional Council Legislative Priorities

The following Regional Legislative priorities were determined by consensus of the Legislative Policy Committee and are listed below:

Water

Support legislation that addresses water quality, the need for water conservation, water reuse, and an adequate and reliable water supply for Florida and the Northeast Florida Region to meet the future needs of the state's growing population and the needs of the environment, agriculture, industry, and mining.

Protect Local Revenue

Oppose legislation and initiatives that require cost shifting which negatively impact local governments' budgets or restrict local governments' ability to collect sufficient revenue to provide needed facilities, and services.

Transportation Funding

Support transportation funding legislation that provides a dedicated and recurring source of revenue, including local option fuel taxes, rental car surcharges, or other taxes or fees, to fund local government essential transportation projects and programs and improves economic development, quality of life, the Small County Road Assistance Program (SCRAP), the Small County Outreach Program (SCOP), Transportation Regional Incentive Program (TRIP), and the Transportation Disadvantaged Program (TD).

Support legislation that ensures adequate funding for maintenance and improvement of evacuation routes.
2014 Northeast Florida Regional Council Legislative Priorities

SMALL COUNTY ROAD PROGRAMS

**Background:** The Small County Road Programs are critical to meeting Baker County’s transportation needs. The Small County Road Assistance Program (SCRAP) and the Small County Outreach Program (SCOP) provide necessary transportation funding for road improvements.

**Requested Action:** Support continuation and increase monies generated by statewide gas tax collections to the State Transportation Trust Fund to provide essential transportation programs such as the Small County Road Assistance Program (SCRAP) and the Small County Outreach Program (SCOP).

**Effect:** Continuation of these vital programs will enable counties to make much needed road improvements, create jobs, correct environmental problems created by runoff, and stimulate the local economy.

HURRICANE PREPAREDNESS: SENIOR CITIZENS CENTER

**Background:** Baker County has two hurricane shelters and a population of 27,000. The County is a “recipient county” for urban Duval and other nearby coastal communities. The County has daily needs for facilities to serve senior citizens. Property has been acquired and plans prepared for a building that can meet both needs. Matching funds assistance from the State would allow the construction of a facility that will meet local and regional needs.

**Requested Action:** Support funding for a dual purpose facility.

**Effect:** Will provide a multi-purpose building for our senior citizens and also provide a shelter for evacuees and their pets for local and regional residents in the event of a major hurricane.

AD VALOREM PROPERTY TAXES

**Background:** Legislation requires local governments to roll back property millage rates regardless of public supported local needs and priorities. As a result, local governments must raise taxes in other areas to balance the budget. A “one size fits all” approach punishes conservative, fiscally responsible communities and causes public dissent. The State objective of lower taxes at the local level is diminished.

**Requested Action:** Review all sources of State Revenue and eliminate exemptions.

**Effect:** Make available fair and equitable revenue sources for State and Local governments to meet needs.

OPPOSE EFFORTS TO PRIVATIZE THE NORTHEAST FLORIDA STATE HOSPITAL (NEFSH) AND DEPARTMENT OF CORRECTIONS (DOC) FACILITIES

**Background:** NEFSH and DOC are important employers in Baker County. Baker County's economy is heavily dependent on the jobs generated by these facilities.

**Requested Action:** Oppose legislation mandating privatization and contracting procedures without giving the affected facilities an opportunity to achieve similar savings internally.

**Effect:** A factually motivated decision should be made regarding the effectiveness of outsourcing NEFSH or DOC services. The current public provider of service should have an equal opportunity to continue to providing the level of service.

PUBLIC LIBRARIES: STATE AID TO LIBRARIES & MULTI-LIBRARY COOPERATIVES

**Background:** The State Aid to Libraries grant program benefits all libraries in our state.

**Requested Action:** Fund the State Aid to Libraries program at least at the minimum maintenance of effort level.

**Effect:** State Aid pays for many activities in our public libraries. State Aid also brings $8 million in federal funds to Florida through the Library Services and Technology (LSTA) program. LSTA funds keep our State Library open, pays for the Florida Electronic Library (databases for all residents), and funds our Multi-Library Cooperatives (MLCs). The minimum maintenance of effort (M/E) level will ensure the funding for our local MLC’s and ensure that Florida receives its full share of federal dollars through LSTA.

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2014 Northeast Florida Regional Council Legislative Priorities

UNFUNDED MANDATES/COST SHIFTING
Background: Unfunded mandates/cost shifting are statutes or regulations that require a local government to perform certain actions, yet no money is provided for fulfilling the requirements. These requirements for counties include, but are not limited to, legal aid subsidy, environmental protection, pensions, Medicaid Assistance, State Court Systems, juvenile detention, and other policy areas. When a federal or state government imposes a law or regulation without necessary funding, it becomes the responsibility of the state or local government to pay for the implementation of the law.

Requested Action: Reduce the annual cost shifting from the federal and state governments to local governments. There have been recent discussions regarding the local governments providing all funding and responsibility for the Department of Health’s County health department.

Effect: A reduction in unfunded mandates will give local governments the control and ability to provide necessary programs and services to taxpayers and operate within their adopted yearly budgets without having the need to adjust for unexpected funding reductions. Most local governments do not have the vast resources that the state and federal governments have in expertise and in resources.

TRANSPORTATION FUNDING
Background: Rapid growth in the past has resulted in a continuing need for transportation network improvements that would have a positive impact on hampered economic development potential, ongoing traffic congestion, and needed quality of life projects.

Requested Action: Replenish the Transportation Trust Fund and use the fund for transportation projects only. Do not use that revenue fund as a bill payer for unrelated budget line items. A fully funded FDOT allows local governments to effectively work with and leverage local and regional projects benefiting the citizens. Examples would include the allocation of funds in FDOT’s five-year work program for:

1. Right-of-way acquisition for the First Coast Outer Beltway. Allocate funding for construction of final segments in FDOT’s five-year work program.

2. Design, permitting, and capacity improvements to County Road 218 from Cosmos Avenue to Pine Tree Lane, a length of approximately 2.7 miles. Estimated engineering costs are approximately $1.5 million. Estimated construction costs are approximately $10 million.

3. Design, permitting, and capacity improvements to County Road 220 from the end of the four-lane (near Knight Box Road) to County Road 205. Estimated engineering costs are approximately $800,000. Estimated construction costs are approximately $5.5 million.

Effect: Increased traffic network demand with a reduced revenue stream has stressed state and local government’s ability to meet regional/community needs and protect quality of life and economic development needs.

MAINTAIN INTACT LOCAL GOVERNMENT’S REVENUE AND HOME RULE
Background: Recent legislative policies and constitutional amendments have created restrictions and exemptions to the overall tax base of local governments. This has the effect of reducing overall tax revenue and often results in the need for higher taxes or reduced services, or some combination of the two. This effect has been magnified in the face of the “Great Recession” which began in 2009 and has made it difficult for local governments to cope with rising costs and diminished property values.

Requested Action: Oppose property tax legislation or other similar initiatives that serve to reduce the overall tax base or revenue streams of local government without providing some offset so local government can exercise “home rule” and determine what is best for its citizens.

Effect: This will allow local government to best serve its citizens without undue regulations, unfunded mandates or legislative degradation of “home rule.” It will also help local governments to cope with downturns in the local, state, and national economies, should such occur, taking pressure off of the state to assist those governments financially.

WATER SUPPLY
Background: As the Northeast Florida Region grows, further impacts to the already diminishing water supply of the aquifer and other key resources are anticipated. Options to conserve and find more water resources are increasingly becoming the necessity.

Requested Action: Support development of a comprehensive state plan to address the need for water conservation, water reuse, and an adequate and reliable water supply for Florida and the Northeast Florida Region to meet the future needs of the state’s growing population and the needs of the environment, agriculture and business community. Protection of “home rule” shall be part of that discussion.

Effect: Properly coordinating the supply of water at the state, regional, and county level will hopefully protect the Region’s future water resources including our rivers, creeks, lakes, and streams.
2014 Northeast Florida Regional Council Legislative Priorities

REDUCTION IN LOCAL GOVERNMENT REVENUES

Background: Legislative policies and constitutional amendments over the past several years have a negative effect on local government tax revenues. These actions result in added financial challenges for local communities and a reduction in services to our citizens.

Requested Action: Oppose legislative actions that reduce local tax revenues and allow local governments to exercise home rule and determine what is in the best interest of its citizens and their communities.

Effect: Will allow local government to operate without interference from state government and provide its citizens with needed services as determined by the needs of the community.

UNFUNDED MANDATES

Background: Federal and State mandates that require local governments to perform actions but provide no funding for them to fulfill the requirements create an added burden on local taxpayers and may displace other essential local governmental priorities. This is especially true during an economic recovery with reduced ad valorem revenues available to finance local government. While unfunded mandates take control out of the hands of local government, local taxpayers end up paying the bill. A majority of unfunded mandates have originated in the State Legislature.

Requested Action: Cooperate with local governments and collectively serve the citizens of Florida by providing adequate funding or stop passing unfunded mandates.

Effect: A reduction in unfunded mandates would increase local government’s ability to collect sufficient revenue to provide needed services and facilities.

FILM AND ENTERTAINMENT INCENTIVES

Background: The Entertainment Industry Economic Development Act allocated $242M over 6 Years (sunset June 30, 2016). Subsequently, the legislature in May of 2012 proposed an additional $42M and extended the sunset to June 30, 2016 (making it a six year program and providing a total of $286M in credits). As of June 2013, all tax credits allocated through 2016 for the General Production Queue and Independent and Emerging Media Queue have been allocated. This means that no additional funds are available.

Requested Action: Support legislation that provides a consistent, reliable, and predictable tax credit funding mechanism for the film and entertainment industry in the state of Florida.

Effect: A positive economic impact on the state and the Northeast Florida Region by increasing film and entertainment productions throughout the state and the Region.

JACKSONVILLE PORT MILE POINT AND CHANNEL DREDGING

Background: The Mile Point navigational hazard severely affects Jacksonville’s port facilities by limiting the hours ships are able to enter and leave the port. Because of the cross currents, ships can only navigate through Mile Point (where the Intracoastal Waterway and St. Johns River meet) during a four hour window, twice a day. This causes unacceptable delays to shippers and prevents Northeast Florida from utilizing the port, which generates about $10 billion annually, to its full potential. Once the Mile Point issue is resolved, the river channel must be dredged to a depth of 50 feet so the port will be able to accommodate larger freighters expected on the East Coast once the Panama Canal widening project is completed in 2014.

Requested Action: The US House of Representatives passed the resolution to fund this project and both Florida Senators support this initiative. Collaborate with Duval County in support of this initiative to take the appropriate steps to finalize funding and completion of this project.

Effect: This Mile Point initiative will add approximately 3,500 new jobs to Northeast Florida and will be the initial step in preparing for the post-Panama ships, the arrival of which will create approximately 28,000 jobs.
ENHANCE FUNDING FOR SMALL COUNTY ROAD PROGRAMS AND OTHER TRANSPORTATION INITIATIVES

Background: Flagler County’s rapid population growth since 2000 substantially increased demands on the County’s local and regional road networks, fast outpacing the County’s ability to fund needed roadway improvements, transportation alternatives, and public transit initiatives. When the Great Recession began the late 2000s, local funding virtually disappeared, leaving a backlog of needed transportation improvements with no identifiable source of funding. These improvements to roadway networks, pathways, and the County’s paratransit system are needed in order to improve mobility throughout the Northeast Florida region, supplement the County’s economic development efforts, and enhance our residents’ quality of life.

Requested Actions:
- Enhance funding to small county road programs (SCOP and SCRAP)
- Replenish the State Transportation Trust Fund and restrict the Legislature’s ability to sweep the fund to supplement unrelated budget line items
- Enhance contributions to the Transportation Disadvantaged Trust Fund

Effect: The requested action will support counties’ ability to conduct needed roadway improvements, allowing local governments to leverage transportation projects for economic development, regional mobility, and quality of life.

RESTORE FUNDING FOR FLORIDA FOREVER

Background: Florida Forever, the nation’s largest environmental land acquisition program, supports local acquisition and conservation projects. Flagler County’s longstanding land acquisition program has been strongly supported by its citizens for over two decades and is supplantable by Florida Forever funding. While land conservation enhances quality of life, it also promotes sustainable development, protects natural resources, and provides park land and open space for use by both residents and tourists.

Requested Action: Support the full funding of the Florida Forever program for the 2013-14 fiscal year, as the program helps further local land conservation dollars and preserves delicate ecological systems unique to Florida.

Effect: Fully funding the Florida Forever program will enable Flagler County to complete its Bay Drive Park project, a critical component of a broader stormwater management project in the area. More broadly, restoration of Florida Forever Funding will facilitate local governments’ ability to engage in important land conservation and preservation projects, which are a critical component of statewide environmental preservation efforts.

PROTECT LOCAL GOVERNMENT REVENUE SOURCES

Background: Over the past several years, legislation and various constitutional amendments have eroded local governments’ ability to raise the revenues needed for operations, capital projects, and critical programs and services. After several years of economic recession, any further restrictions on local governments’ authority will severely restrict our ability to provide services to our residents.

Requested Action: Oppose any legislative actions that will reduce local governments’ revenues or restrict local governments’ authority to collect certain revenues.

Effect: The requested action will maintain the home rule of local governments to administer local taxes in the way that best fits their community while preserving critical sources of revenue.
PUBLIC LIBRARY: STATE AID TO LIBRARIES

**Background:** The State Aid to Libraries grant program benefits all libraries in our state including Nassau County. The grant consists of two parts: Operating and Equalization. Even though Nassau County will no longer receive the Equalization portion of the grant, we will still be eligible for the Operating portion. As the lower 34 economic counties drop from the Equalization program, Operating grant will increase for all public libraries.

**Requested Action:** Nassau County supports funding the State Aid to Libraries program at the current year level of $22,298,834.

**Effect:** State Aid pays for many activities in our public libraries; in Nassau County this includes: all library material, furniture and equipment, telecom and internet access, maintenance contracts for software and equipment, supplies, etc. Please fund this program at the current level $22,298,834. State Aid also bring approx. $3 million in federal funds to Florida through the Library Service and Technology (LSTA). LSTA funds keep our State Library open, pays for the Florida Electronic Library (databases for all residents), and it funds our Multi Library Cooperative (MLC’s).

PUBLIC LIBRARY: CONTINUE FUNDING TO MULTI LIBRARY COOPERATIVE

**Background:** Florida has been divided into 5 MLC’s. Our local MLC is the Northeast Florida Library Information Network (NEFLIN). The MLC’s provide many unique services to Florida libraries, such as free professional training for all library staff, professionals and support staff. They encourage and establish cooperation between libraries, (public, school, college and special libraries), and they provide the basic structure for our interlibrary loan system at a reduced rate.

**Requested Action:** Nassau County supports funding the MLC’s statewide, at the current level of $1.5 million.

**Effect:** Funding for the 2013 fiscal year is $1.5 million. The MLC’s are supported by membership dues, and receive state funding as match on its fees. The MLC’s including NEFLIN, maintain minimal fees for their services so that all libraries may participate in this service. Continued funding for the MLC’s ensures full federal funding for our state through LSTA.

TRANSPORTATION

**Background:** Past growth has resulted in continual needs for transportation network improvements that impact desired quality of life projects, increased traffic congestion, and hampered economic development potential. Increased traffic network demand with a reduced revenue stream has stressed state and local government’s ability to meet regional/ community needs and protect quality of life and economic development needs.

**Requested Action:**
- Replenish the Transportation Trust Fund and use the fund for transportation projects only. Don’t use that revenue fund as a bill payer for unrelated budget line items. Initiatives such as TRIP and the Transportation Disadvantaged programs are beneficial to both the state and local government and need to be fully funded.
- Supports transportation funding legislation that provides a dedicated and recurring source of revenue, including local option fuel taxes, rental car surcharges, or other taxes or fees, to fund local government essential transportation projects and programs and the Transportation Regional Incentive Program (TRIP).
- Support transportation funding legislation that improves economic development, quality of life, the Small County Road Assistance Program (SCRAP), the Small County Outreach Program (SCOP) and Transportation Regional Incentive Program (TRIP).
- Support transportation funding legislation that improves economic development, quality of life, the Small County Road Assistance Program (SCRAP), the Small County Outreach Program (SCOP) and Transportation Regional Incentive Program (TRIP).
- Support legislation that ensures adequate funding for maintenance and improvement of evacuation routes.

**Effect:** A fully funded FDOT allows local governments to effectively work with and leverage local and regional projects benefiting the citizens.
2014 Northeast Florida Regional Council Legislative Priorities

SMALL COUNTY ROAD PROGRAMS
Background: The Small County Road Programs are critical to assisting Putnam County in addressing transportation issues. The Small County Road Assistance Program (SCRAP) and the Small County Outreach Program (SCOP) have provided necessary transportation funding for continued road improvements.
Requested Action: Support continuation of monies generated by statewide gas tax collections to the State Transportation Trust Fund to ensure that essential transportation programs such as the Small County Road Assistance Program (SCRAP) and the Small County Outreach Program (SCOP) are fully funded.
Effect: Continuation of these vital programs will enable small counties to carry out much needed road improvements.

PROTECT OFFSET FUNDING FOR FISCALLY CONSTRAINED COUNTIES
Background: The passage of Amendment 1 has caused dire consequences for Florida’s small, fiscally constrained counties, where property tax revenues are already inadequate to pay for essential services. The doubling of the homestead exemption to $50,000 has a negative fiscal impact in small counties, and it further exacerbates their financial situation.
Requested Action Of Legislative Delegation: To provide a dedicated recurring Legislative appropriation that would continue the funding level in fiscally constrained counties to that which existed prior to the passage of Amendment 1.
Effect: With a dedicated recurring resource appropriation to offset the loss of revenues for the fiscally constrained counties, Putnam County will be in a more tenable position to provide a moderate level of services to our citizens.

POTABLE WATER SYSTEMS AND WASTEWATER FACILITIES FUNDING
Background: Counties and other local governments have increasingly become involved in providing the public with potable water and effective wastewater treatment facilities through publicly owned and operated utility systems. Putnam County is currently operating a public water utility and is embarking on the construction of a regional wastewater utility.
Requested Action: Increase the grant funding for wastewater and potable water supply utility systems.
Effect: Enable counties to expand or establish systems that will result in improved drinking water and reduce environmental pollution from ineffective and inefficient wastewater systems. Establishment of wastewater systems will have a direct and positive impact on economic development along the business corridors, as well as, the reduction in effluent impacting the local waterways.

RETURN FULL FUNDING OF THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
Background: There is a need in rural communities for housing assistance for rehabilitation and new construction for low and moderate income persons. Waiting lists continue to increase even though the Legislature has redirected funding previously established by the Sadowski Act under the State Housing Initiatives Partnership (SHIP).
Requested Action Of Legislative Delegation: Restore full funding of each County’s SHIP allowance as projected prior to the funding reduction by the Legislature.
Effect: Restoration of maximum SHIP funding amounts will immediately increase the number of individuals receiving SHIP assistance and will positively affect the property tax roll.
2014 Northeast Florida Regional Council Legislative Priorities

TRANSPORTATION
Background: St. Johns County’s road network has not kept up with the County’s rapid growth, resulting in severe congestion on several key roadways.

Requested Actions:
- Include and adequately fund the following critical projects in the FDOT Work Program to advance construction to the earliest possible date:
  - State Road 9B: From County Road 220 to I-95. Designate the critical State Road 9B roadway as a Strategic Intermodal System (SIS) Facility to make it eligible for the greatest possible range of funding.
  - State Road 312 and the State Road 315 Bypass: Request $50M in State funds for the design, right-of-way acquisition, and construction of the State Road 313 Bypass from State Road 207 to State Road 16. Request $30M for the State Road 313 Bypass from State Road 16 North to Woodlawn Road.
  - I-95 Interchange with County Road 210: Request $45M in State funds for long-term improvements to this critical project as specified by the preliminary Interchange Modification Report.
  - First Coast Outer Beltway: From SR-100 to US-1. Ensure the highest funding prioritization for this critical First Coast Outer Beltway segment eligible for the greatest possible range of funding resources.
  - County Road 210/220 Intersection at US 1: Request $22M in State funds for construction of a full interchange, including ramps, for phase two of this interchange project.

Effect: Funding these roadway improvements will relieve traffic congestion and reduce the associated risks to the health, safety, and well-being of the users of these roadways.

WATER QUALITY/UNFUNDED MANDATES
Background: Many statutory and constitutional restrictions have been placed on local property taxes, while at the same time general purpose local governments have been assigned unfunded mandates, with the majority of these unfunded mandates originating in the Legislature. The costs associated with compliance with new regulations present a significant hardship for local governments when provisions for funding compliance is lacking.

Requested Actions:
- Request the State cooperate with local governments to collectively serve the citizens of Florida in the best way and be considerate of local governments when passing unfunded mandates.
  - Total Maximum Daily Loads (TMDL) Regulations: Request $60M in State funds over the next 5 years to assist in complying with the existing unfunded mandates for TMDL’s contained within the County’s National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) permit. Alternatively, this funding could come from a specific and dedicated revenue source, authorized by the Florida Legislature, which is not currently available to local government jurisdictions.
  - New Environmental Protection Agency (EPA) Proposed Regulations (Numeric Nutrient Criteria): Request the Florida Legislature direct the Department of Environmental Protection (FDEP) to initiate the collection and analysis of adequate, timely, and appropriate data upon which to base the establishment of Numeric Nutrient Criteria regulations specific to Florida. Also request, in the strongest manner, that the EPA delay further action until Florida has had sufficient time to study and understand the impact of these new regulations on our unique environment and fragile economy. Finally, request the Florida Legislature provide sufficient funds to allow timely compliance with the FDEP regulations when they are adopted. Ideally, this funding would come from a specific and dedicated revenue source that is not currently available to local government jurisdictions.

Effect: These requested actions will ease the burden of these unfunded mandates on local government.

AMEND SELECT FLORIDA STATUTES
Background: Amend Florida Statutes protecting general public interest, safety, and welfare, and encouraging economic growth and commerce.

Requested Actions:
- Amend the following Florida Statutes to preserve the purpose of the legislation:
  - Public Record and Open Meeting Exemptions for Economic Development Agencies (EEDA): §386.0113 and 386.075. Enhance confidentiality by allowing private deliberations of and the receipt of confidential information from an EEDA by the Board of County Commissioners without triggering disclosure.
  - Offer of Judgment and Demand for Judgment §768.79(1). Allow offers of judgment or of settlement pertaining to individual claims for damages.
  - Renters of Property Without Loss of Homestead Exemption: $196,001. Allow rental of the same homestead parcel annually so as not to cause loss of homestead exemption.
  - Uniform Minimum Standards of County Roads: §336.045. Expressly authorize Florida counties to plan to determine the reasonable level and frequency of road maintenance.
  - Recognize Inherent Danger of Surf and Other Naturally Occurring Beach Conditions along Florida’s Coast: §385.278(6). Include property and access to the present description of any injury or loss of life as matters that the Florida taxpayers, through governmental entities and their employees and agents, will not be held liable for damages or loss due to surf or other naturally occurring conditions.
  - Reform Consultants Competitive Negotiation Act to Introduce and Optimal “Best Value” Alternative: §387.655. Establish an optional process for state and local entities to consider cost in the award of professional services agreements.
  - Attorney’s Fees for Reliance Unsupported Claims: §57.105. Amend to include any type of administrative proceeding.
  - Florida False Claims Act: §68.01-68.03. Apply the Act to a county or municipality.
  - Tax Exempt Bond Status: Oppose legislation, as cited by both the Florida Association of Counties and the National Association of Counties, that would limit the tax exempt status of municipal bonds, as doing so could increase borrowing costs for local governments and significantly diminish demand for bonds making it more difficult to finance local infrastructure projects.
  - Communication Services Tax: Recommend Communication Services Tax legislation reform supported by both the Florida Association of Counties and the Florida Government Finance Officers Association that would ensure the Communication Services Tax remains a locally controlled revenue and remove any offsetting advantages within the industry by providing similar tax treatment to similar services.
  - Tourist Development Tax: Support Federal legislation, in conjunction with the Florida Association of Counties and the National Association of Counties, that would provide for comprehensive review of the current tourist development tax model and oppose legislation that would exempt a portion of online transient rental transactions that would ultimately result in reduced local bed tax revenues.
  - Internet Sales Tax: Recommend changing the law governing the remittance of sales tax on Internet purchases, which currently requires consumers to self-enforce submitting the sales tax without placing an undue burden on internet-based businesses.

Effect: Protect and promote public health, safety, and welfare, and support economic growth and commerce.
2014 Northeast Florida Regional Council Legislative Priorities

The Legislative Policy Committee of the Northeast Florida Regional Council (NEFRC) was created to address critical concerns within the member counties which comprise the Region. It is composed of at least one delegate from each county (Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns), which includes the current President of the NEFRC.

This Committee is guided by the Home Rule Philosophy to develop and implement community-based solutions.

The legislative priorities of each county within the Northeast Florida Regional Council’s membership and other regional stakeholders were collected. Each entity was requested to determine at least three priorities which most significantly represented the critical needs and concerns of their communities and constituents. The cumulative list totaled 44 priorities.

Through the gathering and analysis of all priorities submitted by each county individually, the Legislative Policy Committee collectively determined the top 3 “Regional priorities” which represented the most critical concerns of the Northeast Florida Region.

All priorities were reviewed to include background, requested action, and effect.

Additional information regarding all legislative priorities for the counties is available upon request.

“|believe in the power of cooperation and that we are never stronger than when we pool our resources for the betterment of our Regional community.

Serving as Chairman for this committee has allowed me to see first hand that although we come from different counties with unique perspectives, we embrace many of the same critical issues that affect the quality of life in our communities and our Region.

The resources and expertise of the Northeast Florida Regional Council affords us a greater opportunity to work collectively and promote Regionally.”

Darryl Register
Baker County Gubernatorial Appointee
Legislative Policy Committee Chair
2014 Northeast Florida Regional Council Legislative Priorities

About the Northeast Florida Regional Council

The Northeast Florida Regional Council (NEFRC) is a regional government agency serving seven counties—Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns—and their 27 municipalities. Formed in 1977 by an interlocal agreement pursuant to Florida Statutes, Chapter 163, it is one of 11 regional planning councils statewide.

The NEFRC is governed by a 35-member Board. Two-thirds are elected officials and one-third are gubernatorial appointees.

The NEFRC provides a wide scope of services and programs including strategic planning, Development of Regional Impact reviews, economic development, regional transportation, natural resources, affordable housing, emergency preparedness, and technical assistance.

The Northeast Florida Regional Council is committed to continuing its regional initiatives in support of shared visions, values and goals.

Our Mission

To be a dynamic network of local governance, providing visionary leadership, advocacy, and coordination between counties and local, state and federal governmental agencies to preserve and enhance the quality of Northeast Florida’s economic, natural, built and social environment.

For additional information:

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Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns
Legislative Issues 2014

- Funding for Regional Planning Councils
- Legislative Recommendations from the Florida Metropolitan Planning Organization Advisory Council (MPOAC)
- Tampa Bay Regional Transportation Priority Projects
Funding for Regional Planning Councils

The $2.5 million funding request will be used to implement the Florida Five-Year Strategic Plan for Economic Development, address problems of greater-than-local concern, and provide technical services to local governments, economic development organizations, and other stakeholders. State funding to Regional Planning Councils will afford the ability to continue to meet many of the other necessary economic, transportation, housing and emergency preparedness needs of the local governments.

There are several areas that Regional Planning Councils add value to job creation, quality of life, and public safety. Those areas include but are not limited to the following:

**Economic Development Districts** – Each RPC is designated by the U.S. Economic Development Administration (EDA). Each RPC maintains a Comprehensive Economic Development Strategy (CEDS) that is required to receive Federal economic development funding. EDA investments have totaled more than $125 million and created more than 25,000 jobs since year 2000 and leveraged more than $1 billion in private funds. This year each RPC updated their CEDS to incorporate the Florida Chamber Foundation’s Six Pillars framework. The RPCs provided assistance to the Department of Economic Opportunity during their strategic planning process.

**Economic Impact Analysis** – Each RPC is equipped with software to analyze the return on investment of incentives of public investments used in job recruitment or retention.

**Emergency Preparedness** – RPCs are responsible for developing the data used in determining the emergency evacuation zones used in evacuation plans and emergency response plans for public safety. The RPCs recently completed a nationally award winning Statewide Hurricane Evacuation Study.

**Disaster Mitigation and Post Disaster Preparedness** - Ensuring that businesses are prepared before the disaster is critical to business recovery and job retention. RPCs assist business and local governments in taking measures to mitigate the impacts of a disaster. RPCs assist business and local governments in preparing for the first steps and mission critical steps to take in a disaster’s aftermath to assist in the most rapid recovery possible.

**Transportation and Land Use Coordination** – Federal law requires all Metropolitan Planning Organization transportation plans to be reviewed for efficiency, consistency with local plans and extra-jurisdictional impacts. RPCs fill this role. This allows transportation plans to be reviewed and coordinated with economic development strategies, local land use plans, and regional visions to accommodate and promote future growth. FDOT’s Horizon 2060 and the Future Corridors initiative incorporate the regional visions.

**Energy Resiliency and Assurance** – Domestic energy means domestic jobs. That is true at the national level and the state level as well. RPCs are working to develop strategies to deploy domestic and alternative energies where they are financially viable. Reducing the state’s reliance on imported energy and deploying local energy creates jobs. RPCs are currently preparing energy assurance strategies for the Florida Office of Energy.
Hazardous Material, Emergency Response-Local Emergency Planning Committee (LEPC) The LEPC provides assistance to local governments, emergency responders and the public to prepare for potential hazardous materials emergencies. It assists public and private facilities in understanding the requirements for compliance with the Emergency Planning and Community Right-to-Know Act and increases public knowledge of the presence of hazardous materials in the four-county region. The program serves as a liaison to coordinate LEPC activities with the State Emergency Response Commission (SERC).

Regional Domestic Security Task Force (ROSTF) – The Staff is responsible for the continued development, training and implementation of the ROSTF Region IV Type 3 Incident Management Team. Regional annexes to the State of Florida Response Plans will also be developed and maintained. Staff will develop and implement homeland security support programs and adopt ongoing DHS national initiatives, including state preparedness report. The Staff will participate with the Training and Exercise Planning Workgroup 1 of the ROSTF and coordinate with the county emergency management agencies and assist with the development, execution and evaluation of the Regional ROSTF exercises.

Medical and Health Coalition - The Regional Domestic Security Task Force (ROSTF) Region 4 Health and Medical Coalition (R4-HMC) is requesting administrative/ financial / planning support services as they develop the coalition of health care providers throughout the region. The R4 HMC is not a response organization. Its goal is to build a disaster-resilient healthcare system by strengthening our healthcare system and fully integrating disaster preparedness into the daily delivery of care; strengthen the links between private health care, public health and emergency management; and engage all stakeholders in planning, training and exercise to improve our preparedness and response.

Collaboration – RPCs provide a venue for public private partnerships to collaborate on a wide range of issues and is a venue to expedite policy shifts and develop rapid responses to emerging issues. Gubernatorial appointees make up one-third of each RPC board and each board has ex-officio members from the Enterprise Florida, the local Water Management District, Florida Departments of Transportation and Environmental Protection as well as one member from a local school board.

In conclusion, Regional Planning Councils are a good investment. For every dollar appropriated by the State, RPC’s leverage eleven dollars in local, federal and private funding to meet regional needs.
Florida Metropolitan Planning Organization Advisory Council (MPOAC)

In 2012, the MPOAC completed a two-year study to address the ever widening gap between the cost of needed transportation infrastructure along with declining and unsustainable revenue sources. The Study identified a $74 billion funding short fall in MPO areas over the next 20 years. It also proposed 14 policy recommendations that are intended to restore the purchasing power of Florida’s transportation dollar to the year 2000 and to move Florida toward a Mileage Based User Fee in lieu of the traditional fuel tax.

1. RETURN MOTOR VEHICLE LICENSE, REGISTRATION AND TITLING FEE INCREASES TO THE STATE TRANSPORTATION TRUST FUND

This recommendation would redirect the increases in the fees that were enacted in 2009 from the State General Revenue Fund to the State Transportation Trust Fund (STTF). These fees were raised in 2009 with the incremental revenue being used to help solve the general budget crisis due to the economic recession. With increasing transportation growing needs, action was taken in the 2012 session of the Florida Legislature to restore a portion of these traditional STTF funds. While the most Title Fees will be remitted to the STTF yielding about $200 million per year, the Motor Vehicle License Fee and Surcharge increases along with the initial Registration Fee increase are recommended to be returned as well. The annual estimated revenue impact to the STTF is $413 million.

2. VEHICLES MILES TRAVELED STUDY (VMT)

Direct the Florida Department of Transportation (FDOT) to develop a plan to move Florida toward a Mileage Based User Fee in lieu of the traditional fuel tax which does not rely on GPS technology as a tracking device.

3. TRANSPORTATION REGIONAL INCENTIVE PROGRAM (TRIP)

Restore funding for the Transportation Regional Incentive Program in order to promote regional planning and project development.

- The purpose of the Transportation Regional Incentive Program (TRIP) is to encourage regional planning by providing state matching funds (up to 50% of total project costs) for improvements to regionally significant transportation facilities identified and prioritized by regional partners. TRIP is funded through documentary stamp tax proceeds which have declined substantially over the past several years as a result of the economic decline in Florida’s housing and land development industry. Starting on July 1, 2014, funds available for TRIP will be further reduced as the first $50 million of the funds that would otherwise be allocated to TRIP will instead be allocated to the Florida Rail Enterprise.
4. STATE TRANSPORTATION TRUST FUNDS (STTF).

Allows funds from the State Transportation Trust Funds to be used for capital expenses associated with the development of multi-use regional trails.

- There has been increasing interest over the past several years to increase regional mobility through improved connections of multi-use trails. One example is the Coast-to-Coast Connector project which would result in a continuous multi-use trail that would extend from Brevard County on the Atlantic Coast to Pinellas County on the Gulf Coast. Once completed, the 275 mile multi-use trail system will draw thousands of tourists and spark new businesses in communities along the route. However, current state law does not specifically provide for the expenditure of funds from the State Transportation Trust Fund (STTF) to build or improve regional multi-use trails.
Regional Transportation Priority Projects

Gateway Connector & 118th Street Express
Potential Strategic Intermodal System (SIS) toll highway facility, with premium transit ability, in Pinellas County connecting the Bayside Bridge, St. Petersburg Clearwater International Airport, the Greater Gateway business district, US 19 and I 275.

Howard Frankland Bridge
Replacement of the northbound Howard Frankland Bridge, connecting Hillsborough and Pinellas Counties, with potential for express lanes and premium transit.

TIA People Mover Extension/Westshore Intermodal Center (Multimodal Station)
Extension of the Tampa International Airport (TIA) People Mover to future Consolidated Rental Car Facility (ConRAC), and to future Westshore International Center.

I-275/SR 60/ Memorial Interchange
Interchange improvement in Hillsborough County at I-275, SR 60 and Memorial Highway, necessary for success of a multimodal Interstate corridor, Howard Frankland Bridge, Express Lanes and TIA People Mover/Westshore Intermodal Center.

I-275 Express Lanes
Potential Express Lane facility to support roadway and premium transit connecting the Gateway area in Pinellas County to Westshore and downtown Tampa in Hillsborough County.

SR 54/56 Managed Lanes
A potential managed lane facility with premium transit connecting the Suncoast Parkway and I-75.

University Parkway/I-75 Interchange
Interchange improvement at University Parkway and I-75 to support this growing economic center in Manatee and Sarasota Counties.
A bill to be entitled
An act relating to environmental regulation; amending
s. 163.3162, F.S.; specifying the authority of
counties to enforce certain wetlands, springs
protection, and stormwater ordinances, regulations,
and rules; amending s. 163.3177, F.S.; providing vote
requirements for adoption of certain elements of local
government comprehensive plans and plan amendments;
amending s. 163.3194, F.S.; prohibiting local
governments from rescinding certain comprehensive plan
amendments; amending s. 373.236, F.S.; authorizing
consumptive use permit durations for certain projects
and developments; authorizing multiple commencement
dates for certain consumptive use permits; amending s.
373.308, F.S.; requiring delegated local governments
to follow certain criteria and standards for well
construction; preempting certain well construction
permitting regulations; amending s. 373.4136, F.S.;
providing that proof of insurance meets a certain
mitigation bank permit requirement; directing the
Department of Environmental Protection and water
managements districts to adopt specified rules;
amending s. 373.709, F.S.; requiring certain criteria
to be incorporated into regional water supply plans;
creating s. 403.0974, F.S.; providing conditions under
which the department required to establish certain
greenhouse gas performance standards, repeal certain
rules, and submit rule revisions to the United States
Environmental Protection Agency for approval;
prohibiting the state from proposing or submitting
certain plans; amending s. 403.709, F.S.; establishing
a solid waste landfill closure account within the
Solid Waste Management Trust Fund for specified
purposes; providing for the deposit of certain funds
into the account; providing an effective date.

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

Section 1. Paragraph (i) of subsection (3) of section
163.3162, Florida Statutes, is amended to read:
163.3162  Agricultural Lands and Practices.—
  (3) DUPLICATION OF REGULATION.—Except as otherwise
provided in this section and s. 487.051(2), and notwithstanding
any other law, including any provision of chapter 125 or this
chapter:
  (i) This subsection does not limit a county's powers to:
  
  1. Enforce wetlands, springs protection, or stormwater
  ordinances, regulations, or rules adopted before July 1, 2003,
  excluding any modification, readoption, or amendment approved on
  or after July 1, 2003.
  
  2. Enforce wetlands, springs protection, or stormwater
  ordinances, regulations, or rules pertaining to the Wekiva River
3. Enforce ordinances, regulations, or rules as directed by law or implemented consistent with the requirements of a program operated under a delegation agreement from a state agency or water management district.

As used in this paragraph, the term "wetlands" has the same meaning as defined in s. 373.019.

Section 2. Paragraph (f) of subsection (1) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the
inclusion of implementing regulations in the comprehensive plan
but rather to require identification of those programs,
activities, and land development regulations that will be part
of the strategy for implementing the comprehensive plan and the
principles that describe how the programs, activities, and land
development regulations will be carried out. The plan shall
establish meaningful and predictable standards for the use and
development of land and provide meaningful guidelines for the
content of more detailed land development and use regulations.

(f) Board-enacted all mandatory and optional elements of
the comprehensive plan and plan amendments shall be adopted by a
simple majority vote of the local government and shall be based
upon relevant and appropriate data and an analysis by the local
government that may include, but not be limited to, surveys,
studies, community goals and vision, and other data available at
the time of adoption of the comprehensive plan or plan
amendment. To be based on data means to react to it in an
appropriate way and to the extent necessary indicated by the
data available on that particular subject at the time of
adoption of the plan or plan amendment at issue.

1. Surveys, studies, and data utilized in the preparation
of the comprehensive plan may not be deemed a part of the
comprehensive plan unless adopted as a part of it. Copies of
such studies, surveys, data, and supporting documents for
proposed plans and plan amendments shall be made available for
public inspection, and copies of such plans shall be made
available to the public upon payment of reasonable charges for
reproduction. Support data or summaries are not subject to the
compliance review process, but the comprehensive plan must be
clearly based on appropriate data. Support data or summaries may
be used to aid in the determination of compliance and
consistency.

2. Data must be taken from professionally accepted
sources. The application of a methodology utilized in data
collection or whether a particular methodology is professionally
accepted may be evaluated. However, the evaluation may not
include whether one accepted methodology is better than another.
Original data collection by local governments is not required.
However, local governments may use original data so long as
methodologies are professionally accepted.

3. The comprehensive plan shall be based upon permanent
and seasonal population estimates and projections, which shall
either be those published by the Office of Economic and
Demographic Research or generated by the local government based
upon a professionally acceptable methodology. The plan must be
based on at least the minimum amount of land required to
accommodate the medium projections as published by the Office of
Economic and Demographic Research for at least a 10-year
planning period unless otherwise limited under s. 380.05,
including related rules of the Administration Commission. Absent
physical limitations on population growth, population
projections for each municipality, and the unincorporated area
within a county must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth.

Section 3. Subsection (5) of section 163.3194, Florida Statutes, is amended to read:

(5)(a) The tax-exempt status of lands classified as agricultural under s. 193.461 shall not be affected by any comprehensive plan adopted under this act as long as the land meets the criteria set forth in s. 193.461.

(b) A local government may not rescind a comprehensive plan amendment that authorizes land uses other than agricultural use if the land continues to be used primarily for bona fide agricultural purposes and qualifies for an agricultural classification under s. 193.461.

Section 4. Subsection (6) of section 373.236, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

(6)(a) The Legislature finds that the need for alternative water supply development projects to meet anticipated public water supply demands of the state is so important that it is essential to encourage participation in and contribution to these projects by private-rural-land owners who characteristically have relatively modest near-term water demands but substantially increasing demands after the 20-year...
planning period in s. 373.709.

1. Therefore, Where such landowners make extraordinary contributions of lands or construction funding to enable the expeditious implementation of such projects, water management districts and the department may grant permits for such projects for a period of up to 50 years to municipalities, counties, special districts, regional water supply authorities, multijurisdictional water supply entities, and publicly or privately owned utilities, with the exception of any publicly or privately owned utilities created for or by a private landowner after April 1, 2008, which have entered into an agreement with the private landowner for the purpose of more efficiently pursuing alternative public water supply development projects identified in a district's regional water supply plan and meeting water demands of both the applicant and the landowner.

2. Where landowners, individually or collectively, make available lands to enable the expeditious development of projects involving dispersed surface water storage and release or surface water storage and recharge which provide water resource benefits and alternative water supply development, the water management districts and the department may grant permits for such projects for a period of up to 50 years.

   (b) A permit under paragraph (a):

1. May authorize the uses of the individual project participants to begin on different dates.

2. May be granted only for that period for which there is
sufficient data to provide reasonable assurance that the conditions for permit issuance will be met.

3. Such a permit shall require a compliance report by the permittee every 5 years during the term of the permit. The report shall contain sufficient data to maintain reasonable assurance that the conditions for permit issuance applicable at the time of district review of the compliance report are met. After review of the this report, the governing board or the department may modify the permit to ensure that the use meets the conditions for issuance.

(c) This subsection does not limit the existing authority of the department or the governing board to modify or revoke a consumptive use permit.

(5) Water management districts and the department may grant a permit for a period of up to 30 years for a development of regional impact that is approved pursuant to s. 380.06 and located in a rural area of critical economic concern as defined in s. 288.0656.

Section 5. Subsection (5) is added to section 373.308, Florida Statutes, to read:

373.308 Implementation of programs for regulating water wells.—

(5) Delegated local governments must follow well construction criteria and applicable standards adopted by the department or water management district, and such criteria and standards shall preempt additional local government well
construction permitting regulations.

Section 6. Paragraph (1)(i) of subsection (1) of section
373.4136, Florida Statutes, is amended to read:

373.4136 Establishment and operation of mitigation banks.—

(1) MITIGATION BANK PERMITS.—The department and the water
management districts may require permits to authorize the
establishment and use of mitigation banks. A mitigation bank
permit shall also constitute authorization to construct, alter,
operate, maintain, abandon, or remove any surface water
management system necessary to establish and operate the
mitigation bank. To obtain a mitigation bank permit, the
applicant must provide reasonable assurance that:

(1) It can meet the financial responsibility requirements
prescribed for mitigation banks. The applicant may satisfy this
condition by submitting proof of insurance in a form approved by
the department or water management district.

Section 7. By January 1, 2015, the Department of
Environmental Protection and each water management district
shall adopt rules to implement the amendment to s.
373.4136(1)(i), Florida Statutes.

Section 8. Subsection (9) of section 373.709, Florida
Statutes, is renumbered as subsection (10), and a new subsection
(9) is added to that section to read:

373.709 Regional water supply planning.—

(9) The water needs, water sources, water resource
development projects, and water supply development projects
identified in a long-term master plan adopted pursuant to s. 163.3245 or a master plan development order issued under s. 380.06(21) shall be incorporated into a regional water supply plan adopted pursuant to this section and are exempt from the analyses required under subsection (2).

Section 9. Section 403.0874, Florida Statutes, is created to read:

403.0874 Implementation of federal greenhouse gas regulations.—

(1) If the United States Environmental Protection Agency adopts a final regulation under 42 U.S.C. s. 7411(d) requiring the state to develop an implementation plan establishing greenhouse gas performance standards for existing industrial sources, the department shall establish such performance standards based on a system of emission reduction that has been adequately demonstrated for each existing industrial source in the state that is subject to greenhouse gas performance standards. The department shall take into account the cost of achieving such reduction and any nonair quality health and environmental impact and energy requirements.

(2) In determining the applicable greenhouse gas performance standard for an existing source, the department shall consider whether to provide for the application of less stringent performance standards or longer compliance schedules than those provided in applicable rules or emission guidelines, taking into consideration:
(a) The unreasonable cost of control based on plant age, location, or basic process design.
(b) The physical difficulties with or impossibility of installing necessary control equipment.
(c) The impacts on electric reliability based on the availability of diversified sources of electric generation.
(d) The cost of applying the performance standard considering other environmentally beneficial projects undertaken at the source in the past 10 years.
(e) The expected remaining useful life of the source.
(f) The economic impacts of applying the performance standard, including any costs to the public or expected job losses.
(g) Any other factors specific to a facility or class of facilities that make application of a less stringent performance standard or final compliance time significantly more reasonable.
(3) The state may not propose or submit any plan establishing greenhouse gas performance standards for existing sources that is inconsistent with this section.
(4) If any federal greenhouse gas regulation is declared invalid, vacated, revoked, repealed, or withdrawn, the department shall:
   (a) Publish notice of the repeal of any substantively identical department rule as soon as practicable, but no later than 60 days after receipt of the declaration. The repeal shall be effective upon publication of the notice.
(b) Revise applicable federally approved state implementation plan provisions as soon as practicable to reflect cessation of implementation of the applicable federal regulation and immediately submit such revisions for approval to the United States Environmental Protection Agency.

Section 10. Subsection (5) is added to section 403.709, Florida Statutes, to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has or had a department permit to operate the facility.

2. The permittee provided proof of financial assurance for closure in the form of an insurance certificate.

3. The facility is deemed to be abandoned or was ordered to close by the department.

4. Closure is accomplished in substantial accordance with a closure plan approved by the department.

5. The department has written documentation that the
insurance company issuing the closure insurance policy will
provide or reimburse the funds required to complete closing and
long-term care of the facility.
(b) The department shall deposit the funds received from
the insurance company as reimbursement for the costs of closing
or long-term care of the facility into the solid waste landfill
closure account.

Section 11. This act shall take effect July 1, 2014.
A bill to be entitled
An act relating to developments of regional impact;
amending s. 380.06, F.S.; deleting certain exemptions
for dense urban land areas; revising the exemption for
any proposed development within a county that has a
population of at least 300,000 and an average
population of at least 400 people per square mile;
providing an effective date.

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

Section 1. Paragraph (a) of subsection (29) of section
380.06, Florida Statutes, is amended to read:
380.06 Developments of regional impact.—
(29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—
(a) The following are exempt from this section:
1. Any proposed development in a municipality that has an
average of at least 1,000 people per square mile of land area
and a minimum total population of at least 5,000; or
2. Any proposed development within a county, including the
municipalities located in the county, that has an average of at
least 1,000 people per square mile of land area and is located
within an urban service area as defined in s. 163.3164 which has
been adopted into the comprehensive plan;
3. Any proposed development within a county, including the
municipalities located therein, which has a population of at
least 900,000, that has an average of at least 1,000 people per
square mile of land area, but which does not have an urban
service area designated in the comprehensive plan; or

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Any proposed development within a county, including the municipalities located therein, which has an average population of at least 400 people per square mile and a population of at least 300,000 or million and is located within an urban service area as defined in s. 163.3164 which has been adopted into the comprehensive plan.

The Office of Economic and Demographic Research within the Legislature shall annually calculate the population and density criteria needed to determine which jurisdictions meet the density criteria in subparagraphs 1. and 2. by using the most recent land area data from the decennial census conducted by the United States Census Bureau of the Census of the United States Department of Commerce and the latest available population estimates determined pursuant to s. 186.901. If any local government has had an annexation, contraction, or new incorporation, the office of Economic and Demographic Research shall determine the population density using the new jurisdictional boundaries recorded in accordance with s. 171.091. The office of Economic and Demographic Research shall annually submit to the state land planning agency by July 1 a list of jurisdictions that meet the total population and density criteria. The state land planning agency shall publish the list of jurisdictions on its Internet website within 7 days after the list is received. The designation of jurisdictions that meet the criteria of subparagraphs 1. and 2. is effective upon publication on the state land planning agency’s Internet website. If a municipality that has previously met the criteria no longer meets the criteria, the state land planning agency
shall maintain the municipality on the list and indicate the
year the jurisdiction last met the criteria. However, any
proposed development of regional impact not within the
established boundaries of a municipality at the time the
municipality last met the criteria must meet the requirements of
this section until such time as the municipality as a whole
meets the criteria. Any county that meets the criteria shall
remain on the list in accordance with the provisions of this
paragraph. Any jurisdiction that was placed on the dense urban
land area list before June 2, 2011, shall remain on the list in
accordance with the provisions of this paragraph.

Section 2. This act shall take effect July 1, 2014.
A bill to be entitled
An act relating to onsite sewage treatment and
disposal systems; amending s. 381.0065, F.S.;
authorizing licensed septic tank contractors to
perform maintenance and repair on the drainfields of
certain aerobic treatment unit systems; amending s.
381.00655, F.S.; providing conditions under which the
owners of existing onsite sewage treatment and
disposal systems are allowed to use all or a portion
of the systems as integral parts of sanitary sewer
systems; providing an effective date.

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

Section 1. Paragraph (u) of subsection (4) of section
381.0065, Florida Statutes, is amended to read:
381.0065 Onsite sewage treatment and disposal systems;
regulation.-
(4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may
not construct, repair, modify, abandon, or operate an onsite
sewage treatment and disposal system without first obtaining a
permit approved by the department. The department may issue
permits to carry out this section, but shall not make the
issuance of such permits contingent upon prior approval by the
Department of Environmental Protection, except that the issuance
of a permit for work seaward of the coastal construction control
line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the Department of Environmental Protection. A construction permit is valid for 18 months from the issuance date and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days from the date of issuance. An operating permit must be obtained prior to the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year from the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years from the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. There is no fee associated with the processing of this supplemental information. A person may not contract to construct, modify,
alter, repair, service, abandon, or maintain any portion of an
onsite sewage treatment and disposal system without being
registered under part III of chapter 489. A property owner who
personally performs construction, maintenance, or repairs to a
system serving his or her own owner-occupied single-family
residence is exempt from registration requirements for
performing such construction, maintenance, or repairs on that
residence, but is subject to all permitting requirements. A
municipality or political subdivision of the state may not issue
a building or plumbing permit for any building that requires the
use of an onsite sewage treatment and disposal system unless the
owner or builder has received a construction permit for such
system from the department. A building or structure may not be
occupied and a municipality, political subdivision, or any state
or federal agency may not authorize occupancy until the
department approves the final installation of the onsite sewage
treatment and disposal system. A municipality or political
subdivision of the state may not approve any change in occupancy
or tenancy of a building that uses an onsite sewage treatment
and disposal system until the department has reviewed the use of
the system with the proposed change, approved the change, and
amended the operating permit.

(u)1. The owner of an aerobic treatment unit system shall
maintain a current maintenance service agreement with an aerobic
treatment unit maintenance entity permitted by the department.
The maintenance entity shall inspect each aerobic treatment unit

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system at least twice each year and shall report quarterly to
the department on the number of aerobic treatment unit systems
inspected and serviced. The reports may be submitted
electronically.

2. The property owner of an owner-occupied, single-family
residence may be approved and permitted by the department as a
maintenance entity for his or her own aerobic treatment unit
system upon written certification from the system manufacturer's
approved representative that the property owner has received
training on the proper installation and service of the system.
The maintenance entity service agreement must conspicuously
disclose that the property owner has the right to maintain his
or her own system and is exempt from contractor registration
requirements for performing construction, maintenance, or
repairs on the system but is subject to all permitting
requirements.

3. A septic tank contractor licensed under part III of
chapter 489, if approved by the manufacturer, may not be denied
access by the manufacturer to aerobic treatment unit system
training or spare parts for maintenance entities. After the
original warranty period, component parts for an aerobic
treatment unit system may be replaced with parts that meet
manufacturer's specifications but are manufactured by others.
The maintenance entity shall maintain documentation of the
substitute part's equivalency for 2 years and shall provide such
documentation to the department upon request.
4. The owner of an aerobic treatment unit system shall obtain a system operating permit from the department and allow the department to inspect during reasonable hours each aerobic treatment unit system at least annually, and such inspection may include collection and analysis of system-effluent samples for performance criteria established by rule of the department.

5. This paragraph does not prohibit a septic tank contractor licensed under part III of chapter 489 from performing maintenance or repair on the drainfield of an aerobic treatment unit system that is not a performance-based treatment system.

Section 2. Paragraph (c) is added to subsection (1) of section 381.00655, Florida Statutes, to read:

381.00655 Connection of existing onsite sewage treatment and disposal systems to central sewerage system; requirements.—

(c) The owner of an existing onsite sewage treatment and disposal system may, with the approval of the Department of Environmental Protection or the department's designee, use all or a portion of the existing onsite sewage treatment and disposal system, including the drainfield, as an integral part of a sanitary sewer system. Before such use is approved by the department, the existing septic tank must be evaluated by a registered septic tank contractor to ensure that the tank is not in failure at the time of transition.

Section 3. This act shall take effect July 1, 2014.
Regional Planning Council
Statutory Mandates

Chapter 163, F.S. Intergovernmental Programs
Chapter 186, F.S. State and Regional Planning
Chapter 253, F.S. State Lands
Chapter 260, F.S. Florida Greenways and Trails Act
Chapter 282, F.S. Communications and Data Processing
Chapter 288, F.S. Commercial Development and Capital Improvements
Chapter 335, F.S. State Highway System
Chapter 339, F.S. Transportation Finance and Planning
Chapter 373, F.S. Water Resources
Chapter 378, F.S. Land Reclamation
Chapter 380, F.S. Land and Water Management
Chapter 403, F.S. Environmental Control
Chapter 419, F.S. Community Residential Homes, Conflict Resolution
Chapter 420, F.S. Housing
Chapter 427, F.S. Special Transportation and Communications
Chapter 985, F.S. Juvenile Justice, Conflict Resolution for Sites
Basic Regional Planning Council Functions, Values, and Services

- Designated as federal Economic Development Districts to promote economic development in conjunction with local economic development organizations, provide access to federal economic development funding, and provide technical assistance to local governments, private businesses and neighborhood-based organizations with respect to the creation and expansion of infrastructure and jobs.

- Prepare 5-year Comprehensive Economic Development Strategies, or investment plans, using the Florida Chamber Foundation’s Six-Pillars as the organizing framework, which will help implement the State Strategic Plan for Economic Development and meet the Governor’s job creation goals.

- Assist the Florida Department of Economic Opportunity in the implementation of the Florida Strategic Plan for Economic Development, including tracking and reporting on tactics and metrics to measure progress toward implementing that plan.

- Use regional econometric modeling to provide objective economic impact analyses on policy and investment decisions in support of local economic development organizations, helping them create jobs and invest in local communities.

- Prepare grant applications for federal/state economic development infrastructure funds to support economic development and job creation projects at the request of local economic development organizations and local governments.

- Convene community leaders to develop regional visions that link business development, job creation, infrastructure, environment, land use, and transportation into long-term investment plans.

- Collaborate with military bases on a variety of activities to protect their mission and save jobs while ensuring public safety and compatible growth in their adjacent communities.

- Administer brownfield revolving loan funds and business-related revolving loan funds, undertake brownfield revitalization projects, and serve as the regional clearinghouse for the federal Intergovernmental Coordination and Review process, ensuring access to hundreds of millions of federal infrastructure, economic development, and job creation investment dollars on an annual basis.

METRICS

- Invested $66 million in 60 projects in Florida to create/retain 13,700 jobs (January 2003 – August 2010).
- Conducted 420 regional economic impact analyses (over the past 10 years).
- Loaned $38.6 million through a revolving loan fund portfolio, resulting in the creation of over 1,800 jobs (over the past 10 years).
- Leveraged 11 dollars in local, federal, and private direct investment for every dollar invested by the State of Florida (FY 2010-11).
- Reviewed 14,800 projects through Federal Consistency Review linking infrastructure investment to local, regional, and state economic development priorities (over the past 10 years).
Regional Planning Council State Appropriation
Fiscal Years 1985-86 to 2012-2013