


BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

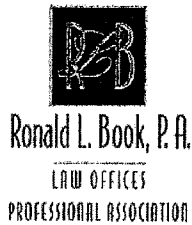
NO. 055-2019

To: Mayor Gabriel Groisman and Members of the Village Council
From: Jorge M. Gonzalez, Village Manager 
Date: March 29, 2019
Subject: **Legislative Session Week 3 Report - March 18 - March 22, 2019**

The purpose of this Letter to Council (LTC) is to transmit the attached Legislative Session Week 3 Report provided by Ron L. Book.

If you have any questions or need any additional information, please feel free to contact me.

JMG/MH



Bal Harbour Village Report – Week 3

Enclosed is our Session 2019 week 3 update including information on Bal Harbour’s funding requests as well as on legislative issues of importance.

Funding Requests: At this time there is no funding for either project included in the House or Senate budgets released this week. Working with members and leadership over the last several days and weekend, we have secured a budget amendment for partial funding for the Storm Water System project, to be able to work toward budget conference. Both budgets and the Senate amendment will be heard in the full House and Senate Appropriations committees on Wednesday 3/27.

Legislative Issues:

Anti-Semitism: HB 741 by Representatives Fine and Caruso, cosponsored by Representatives Donalds, Fischer, Killebrew, LaMarca, and Roach and SB 1272 by Senator Gruters

This bill accomplishes the following:

- Prohibits discrimination against a public education system student or employee based on religion.
- Defines anti-Semitism as it relates to public educational institutions
- Required a public educational institution to treat discrimination based on anti-Semitism in an identical manner to discrimination based on race
- Prohibited discrimination based on religion in public educational institution programs, activities, and opportunities

HB 74 has passed the second of three referenced committees, the Education Committee with a vote of 17 – 0.

The Senate companion bill, SB 1272 by Senator Gruters has not yet been heard in committee.

Preemption of Local Regulations HB 3

The bill was further amended during week 3, and now accomplishes the following:

- Preempts the licensing of occupations to the state and supersedes any local government licensing of occupations. However, any licensing adopted prior to July 1, 2019, will continue to be effective until July 1, 2021, at which time it will expire.
- Any licensing of occupations authorized by general law is exempt from the preemption.
- Prohibits local governments from requiring a license for a person whose job scope does not substantially correspond to that of a contractor or journeyman type licensed by the Construction Industry Licensing Board, within DBPR,
- Precludes local governments from requiring a license for: painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, and decorative stone, tile, marble, granite, or terrazzo

installation, plastering, stuccoing, caulking, canvas awning installation, and ornamental iron installation.

- Authorizes counties and municipalities to issue journeyman licenses in the plumbing, pipe fitting, mechanical and HVAC trades, as well as, the electrical and alarm system trades, which is the current practice by counties and municipalities. (Meaning, local journeyman licensing is exempt from this preemption).

HB 3 as amended, passed the Commerce Committee 18 – 5. This was its final committee.

Governmental Powers/Preemptions HB 1299

HB 1299 filed on the first day of Session, would enact a number of restrictions on local governments, including the following:

- Except as provided for in s. 171.205, F.S., a municipality may not purchase land within another municipality's boundaries without their consent;
- The governmental entity may not attempt to annex an area within another governmental entity's jurisdiction without the other governmental entity's consent.
- Prohibits municipalities from levying taxes on cigarettes, cigars, nicotine products, and dispensing devices.
- Preempts to the state, the establishment of the minimum age for the sale or delivery of tobacco products, nicotine products, and nicotine dispensing devices.
- Preempts to the state the regulation of single use straws and allows for businesses to distribute plastic straws upon request or through a dispenser. (this preemption would not apply to a hospital or nursing, rehabilitation, or other health care facility).
- Amends the Florida Drug and Cosmetic Act to preempt the regulation of over-the-counter proprietary drugs and cosmetics to the state.
- Amends s. 526 F.S., the sale of liquid fuels; brake fluid section, to include a preemption to the state and to DEM, the establishment of the requirements for alternate generated power sources, including transfer switches.

HB 1299 will be heard in Business and Professions Subcommittee on 3/26.

Texting While Driving: SB 76 (Simpson) and HB 107 (Toledo and Slosberg)

SB 76 passed the Judiciary committee today with amendments by Chairman Simmons that narrowed the bill to apply to only texting while driving. The bill does still contain a warning period, from October 1, 2019 through December 31, 2019. To reiterate, this bill as amended in committee, only allows law enforcement to issue citations to drivers who are texting while driving as a primary offense after December 1, 2019. We continue to meet with members in support of this bill.

SB 76 passed the Judiciary committee, 5 – 1. HB 107 will be heard in the Transportation and Infrastructure Subcommittee on 3/26.

Vacation Rental Regulation/Preemption SB 812, SB 824, SB 987, SB 1196.

There are four bills filed on vacation rentals this session. SB 824 (Diaz) and HB 987 (Grant) include preemption of local government regulation. Both SB 812 (Simmons) and SB 1196 (Mayfield) maintain variations on local control and are supported by the Florida League of Cities (FLC). We participated in a strategy conference call with the FLC and are working with the FLC on this issue. None of these bills have

been scheduled for a hearing at this time, however we have been meeting with and continue to meet with members of the first Senate committee of reference expressing opposition to a preemption to the state.

SB 812 Vacation Rentals by Simmons and SB 1196 Vacation Rentals by Mayfield have not been heard.

SB 824 Private Property Rights of Homeowners by Diaz will be heard on 3/26

HB 987 Vacation Rentals by Grant (J) will be heard in Business and Professions Subcommittee on 3/26

Permit Fees HB 127, SB 142

- The bills require governing bodies of counties and municipalities to post permit and inspection fee schedules and building permit and inspection utilization reports on their websites by December 31, 2020.
- After December 31, 2020, the governing body of a local government that provides a schedule of fees must update its building permit and inspection utilization report before adjusting the fee schedule.

HB 127 has passed the full House, 110 – 0. SB 142 will be heard on third reading by the Senate on 3/27.

Traffic Infraction Detectors (Red Light Cameras) HB 6003

- Repeals provisions relating to Mark Wandall Traffic Safety Program and the authorization to use traffic infraction detectors.
- Repeals provisions relating to distribution of penalties, transitional implementation, and placement and installation.

HB 6003 was last heard in the House in January, and there is no Senate companion language at this time.

➤ Session Dates: March 5, 2019 through May 3, 2019