3. **PRESENTATION(S)**

a. Legislative Update by Van Poole and Fred Dickinson, Dutko McKinley Poole – Legislative Affairs Consultants

ii. Legislative Matrix

City of Sanibel
2011 Legislative Watch List
(As of 2/23/11)

Description: **SB 0088/HB 0043 – Public Officers**; Prohibits severance pay for nonelected public officers except under specified circumstances. Prohibits certain limitations on discussing an employment dispute or settlement.

Sponsors: Senator Gaetz and Representative Smith

Effective Date: July 1, 2011

Current Status: **11/29/2010** - Referred to Community Affairs; Judiciary; Governmental Oversight and Accountability

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Description: **SB 0174/HB 7001 – Growth Management**; Reenacts provisions relating to the definition of "urban service area" and "dense urban land area" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act. Reenacts provisions relating to certain required and optional elements of a comprehensive plan, concurrency requirements for transportation facilities, a required notice for a new or increased impact fee, the process for adopting a comprehensive plan or plan amendment, etc.

Sponsors: Senator Rich

Effective Date: Upon becoming law.

Current Status: **12/16/2010 -** Referred to Community Affairs; Governmental Oversight and Accountability; Budget
1/11/2011 – Favorable by Community Affairs; YEAS 7 NAYS 2. Now in Governmental Oversight and Accountability
2/8/2011 - Favorable by Governmental Oversight and Accountability; YEAS 12 NAYS 1

Description: **HB 0303 – Public Retirement Plans;** Limits benefits available under public retirement systems or plans; revises definitions relating to compensation; limits factoring of overtime, unused leave, & other such compensation into pension

benefit; reduces service credit prospectively; revises applicability of ch. 175, F.S., to firefighters who are eligible for FRS; revises applicability of ch. 185, F.S., to police officers who are eligible for FRS; provides membership requirements for special fire control district & municipality board of trustees, etc.

Compare/Related Bill(s): **SB1128 and SB1130 (Senator Ring)**

Sponsors: Representative Costello and Senator Ring

Effective Date: Upon becoming law.

Current Status: **1/27/2011** – Withdrawn prior to introduction (House)

Description: **HB 0457/SB 0606 – Fertilizer**; Deletes authority for certain counties & municipalities to adopt fertilizer management practices more stringent than standards of specified model ordinance; requires DOACS to regulate sale of fertilizer, including composition, formulation, packaging, use, application, & distribution of fertilizer; preempts such regulation of fertilizer to state & DOACS; specifies that such regulation of fertilizer by counties, municipalities, & other political subdivisions is void.

Sponsors: Senator Evers, Representatives Ingram and Nelson

Effective Date: July 1, 2011

Current Status: **2/7/11** - Referred to Agriculture and Natural Resources Subcommittee; Community and Military Affairs Subcommittee; Rulemaking and Regulation Subcommittee; State Affairs Committee
2/22/11 - CS by Agriculture and Natural Resources Subcommittee; YEAS 10 NAYS 3

Description: **SB 0526 Beach Waters;** Requires a report to the Governor and Legislature by a certain date with certain recommendations. Requires the Department of Health to investigate the sources of contamination of beach waters. Requires the department to develop and implement a public education program regarding human actions that affect the water quality of beach waters.

Sponsors: Senator Sobel

Effective Date: July 1, 2011

Current Status: **2/9/11** - Referred to Environmental Preservation and Conservation; Health Regulation; Budget

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Description: **SB 0606/HB 0457 Fertilizer;** Deletes legislative findings relating to the implementation by local governments of certain fertilizer management practices. Deletes authority for certain counties and municipalities to adopt fertilizer management practices more stringent than standards of a specified model ordinance. Requires the Department of Agricultural and Consumer Services to regulate the sale of fertilizer, including the composition, formulation, packaging, use, application, and distribution of fertilizer, etc.

Sponsors: Senator Evers and Representative Ingram

Effective Date: July 1, 2011

Current Status: 2/9/11 - Referred to Agriculture; Community Affairs; Budget

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Additional Legislative Items Filed in the Senate

(As of 2/23/11)

- **SB 0082 Onsite Sewage Treatment and Disposal Systems;** Eliminates provisions directing the Department of Health to create and administer a statewide septic tank evaluation program. Eliminates procedures and criteria for the evaluation program. Eliminates provisions authorizing the department to collect an evaluation report fee. Eliminates provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule, etc.
- **SB 0090 Financial Emergencies;** Requires a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a plan for the consolidation of all administrative direction and support services if the county or municipality is subject to review and oversight by the Governor. Authorizes a financial emergency review board for a local government entity or district school board to consult with other governmental entities for the consolidation of all administrative direction and support services, etc.

- **SB 0118 Bicycle Safety;** Revises safety standard requirements for bicycle helmets that must be worn by certain riders and passengers. Provides for enforcement of requirements for bicycle lighting equipment. Provides penalties for violations. Provides for dismissal of the charge following a first offense under certain circumstances.
- **SB 0130 Onsite Sewage Treatment and Disposal Systems;** Eliminates provisions directing the Department of Health to create and administer a statewide septic tank evaluation program. Eliminates procedures and criteria for the evaluation program. Repeals a provision to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform, etc.
- **SB 0168 Onsite Sewage Treatment and Disposal Systems;** Deletes legislative intent relating to onsite sewage treatment and disposal systems. Eliminates provisions directing the Department of Health to create and administer a statewide septic tank evaluation program. Eliminates procedures and criteria for the evaluation program. Eliminates provisions authorizing the department to collect an evaluation report fee. Eliminates provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule, etc.
- **SB 0450 Emergency Management;** Cites this act as the "Postdisaster Relief Assistance Act." Provides immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency. Provides nonapplicability. Provides definitions.
- **SB 0466 Tourist Development Tax;** Provides additional bonding authority for a certain additional tourist development tax. Provides a limitation on tax revenues received from such tax and used for certain purposes. Limits the expenditure of ad valorem tax revenue for expansion of facilities by a county imposing a tourist development tax for certain purposes. Provides for nonapplication of a prohibition against levying such tax in certain cities and towns under certain conditions, etc.
- **SB 0486 Water Management District Governing Boards;** Establishes a water management district governing board nominating commission. Provides criteria for governing board member nominees. Provides for the appointment of commission members by the Governor, the President of the Senate, and the Speaker of the House of Representatives. Provides for terms and duties of commission members. Requires the Executive Office of the Governor to provide administrative support to the commission and to adopt rules, etc.
- **SB 0590 Public Employment Practices;** Prohibits a public employer from inquiring into or considering the criminal history record of an applicant for public employment until the applicant has been selected for an interview by the public employer. Provides that the restriction does not prohibit a public employer from notifying an

applicant that a law or the employer's policy may disqualify the applicant from employment in a particular position with the public employer, etc.

- **SB 0800 Education/Training Opportunities/Public Employees;** Provides certain educational opportunities for specified local government employees. Authorizes the use of fee waivers for specified local government employees.
- **SB 0914 Effective Public Notices by Governmental Entities;** Authorizes a local government to use its publicly accessible website for legally required advertisements and public notices. Provides conditions for such use. Provides for advertisement on a publicly accessible website of a taxing authority's intent to adopt a millage rate and budget. Provides for advertisement of notice on such website of funding availability through a local housing assistance plan under the State Housing Initiatives Partnership Act, etc.
- **SB 1210 Counties and Municipalities;** Authorizes the board of county commissioners and the governing body of a municipality to pursue the collection of delinquent fees, service charges, fines, or costs through the use of a private attorney or a collection agent. Provides that the collection fee, including attorney's fees, may be added to the balance owed. Limits the amount of the fee.
- **SB 1234 Special Assessment for Law Enforcement Services;** Authorizes a municipality to impose a special assessment to fund the costs of providing law enforcement services. Makes the imposition of the assessment contingent upon adoption of an ordinance approved by the governing body of a municipality and a reduction in the municipality's ad valorem millage. Limits the maximum millage reduction required. Specifies the rolled-back rate for the calculation of a future increase in ad valorem millage. Provides for the construction of the act as a general law authorizing taxation by a municipality.
- **SB 1248 Enforcement of County & Municipal Codes/Ordinances;** Authorizes notices relating to a code violation to be sent by certified mail to the property owner at an address provided to the local government for the purposes of receiving notices or to the registered agent of a corporation for property owned by a corporation. Deletes a requirement for such notices to be sent by first-class mail. Authorizes a code enforcement officer to immediately issue a citation for a code violation if the violator is engaged in violations of an itinerant or transient nature, etc.