



CAPITOL UPDATE

October 18, 2019

2019 FAC Federal Fly-In: *Taking Florida Counties' Priorities to Capitol Hill*

On Tuesday, October 15, nearly 100 county commissioners joined FAC in Washington, D.C., to advocate on local issues. Commissioners got straight to work with a legislative briefing on Tuesday night provided by NACo. The following day commissioners spent on the Hill, hearing from their federal elected officials and agency staff.

FAC President-Elect Melissa McKinlay kicked off the early breakfast on Wednesday along with members of the Florida Congressional Delegation including Senator Rick Scott and Representatives Brian Mast, Debbie Mucarsel-Powell, Stephanie Murphy, and Darren Soto.



Commissioners then gathered in the Senate Russell Office Building for informational sessions with various federal agencies and staff. Agencies attending included FEMA, USDOT, USDA, and the Senate Banking Committee. This allowed for commissioners to receive first-hand answers on pertinent issues. Senator Marco Rubio addressed the group and was awarded with the "County Champion" award for his work on securing Everglades funding, de-obligation of FEMA disaster recovery funds, and his efforts to extend the offshore drilling ban in the Gulf; he and staff graciously took the time to answer questions.

While commissioner were at the legislative briefings, FAC staff broke off into targeted strike teams to cover other important areas with key congressional and federal staff. FAC met with congressional staff to Senator Bob Menendez (D-NJ) on NFIP and Representative Joe Cunningham (D-SC) on prohibited offshore oil drilling. Conversations also took place with federal staff from the Federal Communications Commission, the Department of Veteran's Affairs, the House Appropriations Committee, and the Senate Energy Committee, addressing issues such as disaster mitigation, rural broadband mapping, the Water Resources Development Act (WRDA), and the Community Development Block Grants (CDBG).

On Thursday, at the invitation of the President, commissioners attended the State Leadership Day at the White House with their colleagues from Alabama and Georgia. Florida proudly represented the conference at nearly a 2 to 1 ratio compared to their neighbors.

During the State Leadership Day, attendees

received briefings and participated in discussions with senior administration officials including Secretary Sonny Perdue (Dept. of Agriculture), Secretary Betsy DeVos (Education), Peter Brown (White House Homeland Security and Counterterrorism Advisor), and Director Jim Carroll (White House Office of National Drug Control Policy).



In addition, a panel presentation featuring multiple federal agencies and groups was held to discuss issues pertinent to the participating states and communities. Topics included combatting the opioid (drug) crisis, facilitating infrastructure development and rural prosperity, economic development through deregulation, and improving disaster recovery and resilience.

Thanks to all of our commissioners that joined us on a successful trip, and we look forward to doing the same next year!

[View Photos from the Event](#)

News Articles On **State Leadership Day**



[White House welcomes Alabama, Florida local officials for Leadership Day](#)



Community, **Health** & Safety

Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development

FAC President, Nick Maddox, participated in a panel discussion in the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development to discuss current issues facing affordable and workforce housing, as well as ways to improve the shortage in Florida.



Commissioner Maddox, who provided a local government perspective to the senators. He highlighted the importance of fully funding the Sadowski Trust Funds, explaining that the sweeps are the only barrier his county faces when attempting to address affordable housing.

Also on the panel were representatives from Ability Housing of Jacksonville, St. Johns Housing Partnership, Florida Realtors, the City of Orlando, and Family Promise of Greater Orlando.

FAC Contact:

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[Senators workshop fixes for affordable housing crisis](#)

FLAPOL



Growth, **Agriculture**,
Transportation, & **Environment**

House Agriculture & Natural Resources Subcommittee

[HB 73 \(Environmental Regulation\)](#) by Representative Overdorf was heard in its first committee. The bill requires counties and cities to address the contamination of recyclable material in contracts entered into for the collection, transport and processing of residential recycling materials. The bill applies to contracts executed or renewed after October 1, 2020. The bill passed unanimously.

Senate Infrastructure and Security Committee

The Senate Infrastructure and Security Committee held a workshop on infrastructure resiliency and climate change. Dr. Jennifer Jurado, Broward County's Chief Resiliency Officer, addressed the committee on infrastructure improvements impacting flood risk and exposure including drainage, wastewater, and septic systems. The presentation highlighted the need for regional collaboration between local and state governments to apply consistency in planning, standards, and investments.

FAC Contact:

For additional information, please contact Susan Harbin at sharbin@flcounties.com.



Finance, **Tax**, & Administration

Senate Government Oversight and Accountability Committee

[SB 128 \(Public Records/Judicial Assistants\)](#) by Senator Wright cleared its second committee stop on Monday, October 14. The bill creates a public records exemption for personal identification information for current or former judicial assistants and their spouses and children. Senators approved the exemption unanimously.

[SB 162 \(Public Records\)](#) by Senator Perry was heard for the first time. In actions initiated by a local government, the bill requires the local government to cover the other party's attorney's fees when a court determines that certain records must be disclosed pursuant to public records law. The bill passed unanimously.

[SB 246 \(Public Construction\)](#) by Senator Hooper was heard for the first time. The bill reduces the cap amount of payment retainage by local government entities for construction contracts from 10% to 5%. The bill passed unanimously.

Senate Community Affairs Committee

[SB 172 \(Florida Drug and Cosmetic Act\)](#) by Senator Bradley was heard for the first time. The bill preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics. Specifically, the bill prohibits local ordinances banning the sale of certain sunscreen products linked to coral bleaching and other damage to marine habitats/coral reefs. The bill passed 3-1 with Senator Farmer dissenting.

Senate Commerce and Tourism Committee

[SB 130 \(Florida Job Growth Grant Fund\)](#) by Senator Hutson was heard in its first committee. The bill authorizes the Governor to approve workforce training grants to charter schools that exclusively offer the Career and Technical Education graduation pathway option. The Florida Job Growth Grant Fund promotes public infrastructure and workforce training across the state. The bill passed unanimously.

[SB 126 \(Sales and Use Tax\)](#) by Senator Gruters was heard in its first committee. The bill applies Florida's sales and use tax laws to online/e-commerce sales from out-of-state retailers regardless of whether the entity has a physical presence within that state. Currently, 43 of the 45 states that collect sales tax have authorized sales tax on out-of-state vendors since the 2018 SCOTUS decision, [Wayfair v. South Dakota](#), authorizing the practice. The bill passed unanimously.

FAC Contact:

For additional information, please contact Laura Youmans via email at lyoumans@flcounties.com.

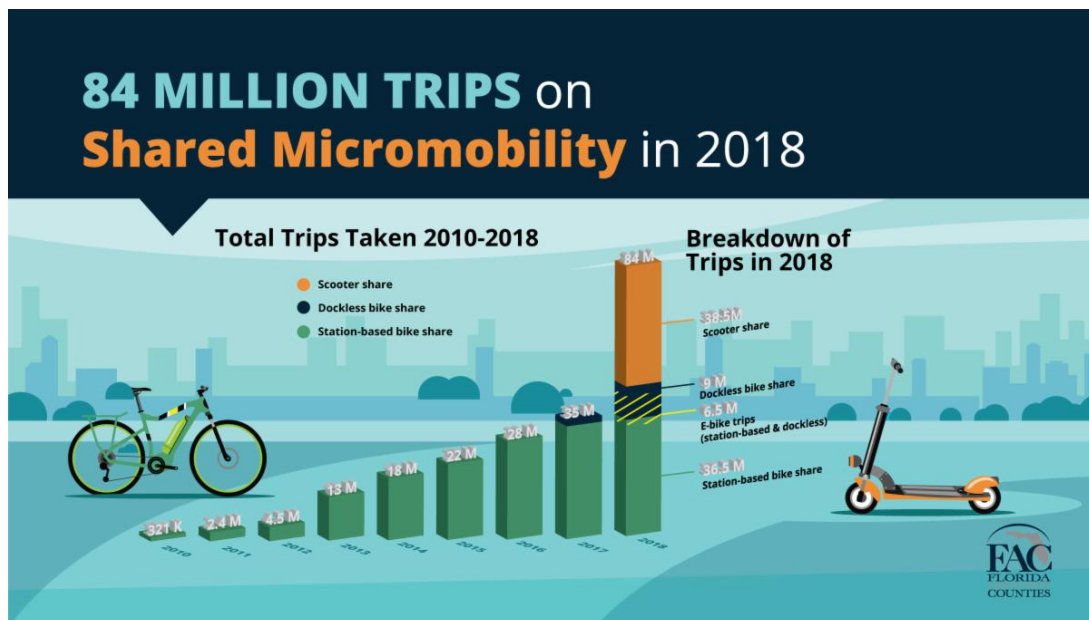


FAC Data Point

Micro-mobility Devices (E-Scooters)

This past legislative session, Florida passed [HB 453](#), creating a statewide framework for “micromobility” devices, or E-Scooters. The new law allows local innovation in creating the best solutions for each community.

E-Scooters refer to “any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips, which is incapable of traveling at speeds greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles.”



The rapid spread of this technology, known in the industry as Mobility as a Service (MaaS), broadens the reach of localized, shared-use transportation methods, or Microtransit. Scooters have quickly surpassed other microtransit technologies like station-based and dockless bike shares.

Solutions and Opportunities:

- *First and last mile* - accessibility to regional transportation systems easing commutes
- *Traffic reduction* - benefits to traffic in highly urbanized corridors
- *Safety* - communities must consider safety precautions to optimize use

Pilot Programs - Testing the Waters:

While primarily operated through municipal governments, pilot programs should be utilized to assess safety, right of way policy, cost structure, sustainability and opportunities to work with different companies.

The lack of a regulatory framework incentivizes

- *Sidewalks* - centrally located corrals enable safer and consistent storage between use and prevent clutter impacting pedestrians and businesses
- *Ridership* - establishing guidelines on who is permitted to operate the devices
- *Permitting* - consider the maximum allowable devices per service area

local governments to take a proactive approach to keep up with industry developments. Pilot projects and existing programs should be used to monitor implementation to determine best practices as well as adjustments to ensure regulations meet the needs of the community.

For more information, view the research from the [National Association of City Transportation Officials](#), [American Association of Motor Vehicle Administrators](#), or reference the [Florida Law](#).

FAC Contact:

For additional information, please contact Jeff Scala via email at jscala@fl-counties.com.



Other Legislative Announcements

DEO Hosting Public Workshops on Newly Created Mitigation Program

DEO is hosting a series of public workshops across the state to provide more information on the newly created mitigation program and to solicit feedback and input for the the use of the mitigation funds. The first three regional public workshops are shown below. Please note, additional public workshops will be announced in the coming days. Visit RebuildFlorida.gov for announcements and updates related to the upcoming public workshops.

DUVAL COUNTY

Date: Tuesday, October 29
 Time: 5 p.m.
 University of North Florida
 Adam W. Herbert University
 Center
 Board of Trustees Room
 12000 Alumni Drive
 Jacksonville, FL 32224

BREVARD COUNTY

Date: Wednesday, October 30
 Time: 2 p.m.
 Brevard County Gov. Center
 County Commission Chambers
 (Building C, First Floor)
 2725 Judge Fran Jamieson Way
 Viera, FL 32940

PINELLAS COUNTY

Date: Thursday, October 31
 Time: 9:30 a.m.
 Tampa Bay Regional Planning
 Council
 4000 Gateway Centre Blvd #100
 Pinellas Park, FL 33782

DEO is leading the state’s efforts to create the federally required State Action Plan that will provide a high-level strategy for how the funding will be used to address the disaster mitigation needs of eligible communities. The State Action Plan will be developed in partnership with state agencies that are working on resiliency efforts, and will include input from local communities and stakeholders to help DEO determine Florida’s most critical disaster mitigation needs.

DEO also launched an online survey, available [here](#), to generate feedback and input from Florida communities regarding their disaster mitigation needs and priorities. For additional information on the mitigation program, visit RebuildFlorida.gov.