

## **Legislative Overview**

May 4, 2009

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### **Overview**

2009 Session was - by far - the most unusual in recent history, due to several factors: The full-impacts of the economic crisis in Florida, the rest of the US and the world was felt in the budget process; inexperience and lack of historical knowledge of issues on the part of many members as a result of term limits; and, the resignation of Representative Ray Sansom as House Speaker immediately prior to the beginning of the Session and the ongoing investigation of the case by the State Attorney for the Second Judicial Circuit.

Budget Conferees remained in Tallahassee over the weekend to hammer-out a compromise on the budget, which will be presented to the members of the House and Senate not later than Tuesday – allowing it to be voted on by Friday, May 8<sup>th</sup>. Expect very significant cuts to many programs, including TMDL funding. As of today's date, it appears that air programs have been held harmless and, through bonding, the underground petroleum tank cleanup will survive at \$90M.

### **Passed**

HB 73 - Expedited Permitting. Provides for a 45-day review of wetlands and stormwater permits by DEP and WMDs for certain economic development projects where cities or counties have identified target industries.

HB 227 - Impact Fees. Provides that local governments must meet a "preponderance of evidence" standard in cases where impact fees are challenged.

SB 360 – Growth Management. Last day compromise. Transportation Concurrency exclusion areas in urban centers, expedited comprehensive plan review, two-year permit extensions.

SB 494 – Fertilizer/Water Conservation. Requires maintenance and testing of water smart landscape irrigation systems that incorporate moisture sensors. Provides for the development of a model ordinance which cities or counties may adopt relating to such systems. Also includes Florida Friendly Urban Landscape and Fertilizer Model Ordinances.

HB 707 – Fecal Coliform Notification. Requires DOH to notify local governments and the local office of the DEP when waters are closed for public use do to fecal coliform levels. DEP is required to investigate any wastewater treatment facilities located within a mile of the closure to determine if any spillage or water quality violation has occurred.

SB 1740 - Water Protection and Sustainability Trust Fund. Recreates the Trust Fund, although does not address new funding sources.

HB 7157 - Conservation Lands. Implements Constitutional Amendment # 4 that passed in November, providing that lands on which perpetual conservation easements are placed will be exempt from ad valorem taxation.

### **Failed**

SB 148 - Mangrove Protection.

SB 274 - Springs Protection Act.

HB 593 - Florida Friendly Landscaping. (See SB 494.)

HB 1012 - Submerged Lands Leases.

HB 1111 – Florida Water Supply/Resources Act.

HB 1123 - Consolidation of Federal & State Wetlands Permitting.

HB 1133/SB 1974 – Pre-emption of local agricultural regulations.

HB 1145 - Stormwater Management Design/Plans Authority.

SB 1154 - Clean Energy/Carbon Emissions Reduction Goals.

HB 1219 - Offshore Oil Drilling.

HB 1229 - Contamination Notification.

HB 1241 – Agriculture Omnibus.

HB 5015 - Abolishment of Century Commission.

HB 7137 – WMD Government Accountability Review.

HB 7143 - Regulatory Reform/Streamlining.