

LEGISLATIVE UPDATE

June 2017

By Lori Fayhee

The 2017 Legislative session has officially ended with some unresolved issues and numerous bills to be sent to the Governor's desk for approval. The Governor has the power to veto individual line items on the budget or to veto the entire spending plan. Conforming bills must be either passed or vetoed altogether. For regular substantive legislation, the Governor has 15 days to take action once he receives a bill. He can either sign the bill into law, veto it, or let it become law after the 15 days without his action.

The Florida legislature is constitutionally required to pass a balanced state budget each year, and this was accomplished. Conforming bills were a major component in this year's budget process and this was accomplished. Conforming bills were a major component in this year's budget process. Many of these conforming bills became loaded up with numerous policy changes, including a controversial education funding measure passed the final day of session. While the actual budget bill comes with a required 72-hour "cooling off" period, conforming bills do not have the same requirement. House Speaker Richard Corcoran and Senate President Joe Negron employed a loophole in rule that allowed them to attach their policy bills to the budget package. The strategy allowed the passage of sweeping policy changes that avoided consensus-driven amendments. Each of these conforming bills included new provisions that had not been debated in both chambers and some added elements that had been rejected in Senate committees. This process has been criticized for lack of transparency in being handled behind closed doors rather than in the "sunshine," as required by state law.

Late on Friday, May 5, Negron and Corcoran signed off on the higher education bill, HB 374, and unveiled HB 7069, a 292-page K-12 bill that combined several education policy bills. There was no public comment, and the bill passed 20-18 on Monday, May 8th. HB 7069 includes \$140 million in incentives for privately-run charter schools, "schools of hope", which allocates funding and puts provisions in place to make it easier for charter schools to open in areas where traditional public schools are failing or struggling, based on high stakes test scores; a \$233 million expansion of the "Best and Brightest" bonus program; and a measure amending the way local and state funding is shared between charter schools and public schools. Although legislation began with the goal of reducing excessive testing, only one state mandated test, Algebra II, was removed as a graduation requirement.

A comprehensive higher education package also passed to implement the newly-created "College Competitiveness Act." This increases funding for state universities and amends tuition requirements while implementing new rules for the way the state's 28 state or community colleges are governed.

The ultimate result is nearly \$8 billion in overall funds for higher education, with roughly \$30 million in permanent cuts to state colleges. Funding for Visit Florida and Enterprise Florida was agreed upon early, with members allocating \$16 million for Enterprise Florida and \$25 million for Visit Florida. Late in the process language was added in the conforming bill that tied the funding for Visit Florida to new rules for travel and employee salaries. Governor Scott had called for \$100 million in funding for Visit Florida and more than \$100 million for Enterprise Florida. The bill is five votes short of being veto-proof. Members also passed legislation for a constitutional amendment to be placed on the 2018 ballot to expand the state's homestead exemption program by an additional \$25,000.

A comprehensive plan to provide for Everglades water storage and allocate \$800 million in bonding authority for the project was passed and has already been signed by Governor Scott. The final plan involves utilizing approximately 30,000 acres of state-owned land for reservoirs. Funds for additional state land acquisition has been set aside in next year's budget.

Negotiations over funding for state environment and natural resources programs resulted in a plan allocating funding for beach recovery and re-nourishment, hurricane recovery efforts, and more than \$100 million for Everglades restoration. The plan also includes \$50 million for springs restoration and more than \$13 million for St. Johns River and Keystone Heights lake region projects, but no funding for the Florida Forever program. Lawmakers allocated funding to continue implementation of 2014's Amendment 1 for water and land conservation programs.

A solar amendment was passed to extend the state's solar tax exemption to businesses as well as residences. It still requires Governor Scott's approval. No proposal to establish a statewide ban on fracking progressed through the committee process. Agreement was reached on a plan to distribute funds from the 2010 BP oil spill to eight counties throughout the Panhandle area. Those counties hit hardest by the oil spill will receive \$300 million, with guidelines on how the money can be spent. The measure requires final approval from Governor Scott.

The total cuts for hospitals came to just over \$520 million and will impact facilities that serve low-income patients through the Medicaid program. A measure to restructure the state's Medicaid program from 11 regions statewide to eight larger regions did not pass.

No legislation was passed to implement the Medical Marijuana Amendment, and it will be up to executive branch officials at the Florida Department of Health to create a framework for the new law. The main disagreement between the two chambers was the total number of dispensaries each licensee would be allowed to have.

Members passed ride-sharing legislation, which is seen as a big win for companies like Uber. The legislation has already been signed into law by Governor Scott. Members also passed legislation creating regulations for unmanned devices, including drones, and increased transportation funding by more than \$130 million from last year.

The major effect of last year's Florida Supreme Court rulings on workers' compensation was a 14.5% increase in rates. No new legislation was passed this session.

There is potential for a special session to address Medical Marijuana and other unresolved issues. Once all actions are taken on the 2017 budget and legislation, lawmakers will have a limited amount of time off before reconvening in Tallahassee to prepare for the 2018 session. Session will begin two months earlier next year. Members will return to Tallahassee for committee meetings in September and begin the 2018 session in January.