

## Legislative Update

Here is an update of the 2008 Legislative Session.

### Major issues passed:

SB 682 – contains language prohibiting local governments from owning or operating asphalt plants or concrete batch plant, exempts a plant prior to April 15, 2008.. Allows FDOT to pay stipends for design build projects, requires contractors to maintain copies of surety bonds at their principal place of business and at the jobsite rather than in the county public records, copies would also remain available from FDOT. Should this become law, the effective date is July 1, 2007.

HB 697 – contains the same asphalt plant language as found in SB 682. This is the building code bill. Effective date is July 1, 2007, should it become law.

### Overview and Budget:

The Florida Legislature adjourned at 6:02 p.m. on Friday, May 2<sup>nd</sup>. It was a very long last week as we heard the balance of the farewell speeches from the 37 legislators that were termed out; waited for hours while they were in informal recess and just watched, waited and lobbied everyone we could to get the bills we were interested in up and out.

In a very tight budget year when everyone is facing cuts we also had a hit on the State Transportation Trust Fund. \$300 million will be reduced from the STTF for FY 2008-09. That money is part of the funds from the doc stamp revenue STTF received a couple of years ago. As the economy improves, the STTF share of the doc stamp money will increase. Most everyone knows and believes in the importance of our infrastructure but in bad economic times all must contribute.

### Transportation Bill:

The transportation bills usually get loaded up with all kinds of statute changes and it was no different this year. The major discussion for this session centered around the FDOT and CSX computer rail proposal. As you read in the paper, it was a quite contentious debate. We had a couple of issues in the bills; the prohibition of local governments to own and operate asphalt plants or concrete batch plants, surety bond posting changes and language that allows FDOT to pay stipends on design build projects. During the last couple of weeks as we watched debate on the CSX issue we felt the “big” transportation bill was in trouble. In the end the big transportation bill was never heard. On Thursday evening around 10:30 p.m., the House took up a little noticed bill (SB 682) that dealt with a corridor study for I-95. They added the “good” portions of the larger bill and passed it over to the Senate. All of our language was included in that bill. It ultimately passed the Senate at 5:20 p.m. on Friday afternoon and is on its way to the Governor.

### Summary of SB 682:

<http://www.flsenate.gov/data/session/2008/Senate/bills/analysis/pdf/2008s0682.hms.pdf>

What did not pass:

Restricting local governments from self-performing work. HB 683 and SB 2148 were filed to correct abuses by local governments in allowing its employees to perform construction work in-house. These bills also contained our asphalt plant language. We had wonderful sponsors: Rep. Will Weatherford and Sen. Mike Haridopolos. HB 683 had much support in the House, passed all committees and was positioned to be heard on the House floor. We had a tough time in the Senate. As you can image, all local governments hated this bill, especially Miami-Dade County. The first committee of reference in the Senate was Community Affairs, chaired by Sen. Rudy Garcia from Miami. We could not get the bill heard for a long time. When Sen. Garcia finally allowed a hearing on it, we were informed the only language that would pass would be the asphalt plant prohibition. The rest of this very good bill died in the Senate. When that happened, the House companion also was dead. Many thanks for John Skidmore, APAC-Southeast, for driving to Tallahassee to testify on this issue.

Economic Stimulus Package. Although the business community presented a package supporting schools, transportation and affordable housing, nothing materialized.