The Florida Engineering Society and the Florida Institute of Consulting Engineers appreciate the support of our members this legislative session. Your proactive emails, phone calls and personal visits to the Capitol are what made your lobbying team and staff effective in Tallahassee.

Florida legislators were able to end the 2014 legislative session on time. The Senate and House appropriations chairman on Tuesday, April 29, delivered the budget to legislators at 8:35 p.m., after which a 72-hour cooling period ensued before a vote could be taken. The time of adjournment was 10:30 p.m. Friday, May 2. Then state legislators approved a 77.1-billion state budget. The House picked up one new member, former Representative Eric Eisnaugle, R-Orlando, who won a special election in returning to the chamber. Senator Elizabeth Benaquisto, R-Fort Myers, ran for congress but lost a special GOP primary; therefore; she is staying in the Senate. Benaquisto currently serves as Senate Majority Chair.

Next year's session will convene in March, as the constitution requires; but the 2015 session will begin on January 12, if Governor Scott signs a bill (HB 9) moving the date just that one time. The 2015 Legislature will then have the option of making the early start date permanent in odd-numbered years, should it so choose.

**Commission on Legislative and Governmental Relations (CLGR) Report**

**Budget** After the budget conference, the budget grew from $75 billion in both chambers to $77 billion. Proposed budgets from either chamber each equaled about $75 billion, but the final product was increased by $1.3 billion for low income pool funding, $473 million for a transportation work program, $176 million for natural resources and $261.6 million for Public Education Capital Outlay funds. Of course, this all is subject to the governor's veto pen. Similarly to recent years, the budget was one of the final bills to pass.

**Transportation Funding**

<table>
<thead>
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<th>Total: $10.1 billion</th>
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<tr>
<td>$12.0 million General Revenue (GR)</td>
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<tr>
<td>$10.1 billion Trust Fund (TF)</td>
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<td>6,504 FTE</td>
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- Transportation Work Program - $9.2 billion TF
- Highway Construction - $3.9 billion TF
- County Transportation Programs - $158 million TF
- Aviation Grants - $337 million TF
- Seaport and Intermodal Development Grants - $184 million TF; $12 million GR
- Public Transit and Rail Development - $9 million TF
- Coast to Coast Connector Trail - $26.5 million TF

**Environmental Funding**

- Northern Everglades BMPs - $3 million
- Disbursed Water Management with SFWMD - $10 million
- DACS BMP Implementation - $5.4 million
- Springs Protection - $35 million (in two separate appropriations of $30m and $5m)
- Lake Okeechobee Retention Areas - $10 million
- Everglades Forever Act Restoration Strategies - $32 million
- Everglades Restoration Generally - $85 million
- Total Maximum Daily Loads - $9 million
Engineers Bill HB 713. On April 23, we were successful in passing our legislation updating our engineering statutes. HB 713 accomplishes the following:

- The bill provides that professional and technical engineering societies may submit a list of recommended qualified nominees for appointment to the Board of Engineers. The governor is not required to select from the list.
- The bill alters the appointment of Board members by staggering Board member terms.
- Current law provides that applicants for licensure as a professional engineer who have failed one of the licensure examinations three times are required to obtain 12 college course hours prior to retaking the examination. The bill permits these applicants to take a Board-approved examination review course prior to retaking the examination.
- The bill provides that those applicants who are delayed in taking an examination due to reserve or active duty service in the United States Armed Forces or National Guard are allowed two additional attempts to take the examination before being required to obtain additional college course hours or examination review course credit.
- Current law provides an exemption for applicants to forego taking the fundamentals examination for individuals who have held a valid professional engineer’s license in another state for 15 years and have had 20 years of continuous engineering experience; hold an accredited doctorate in engineering; or hold a doctorate in engineering and have at least three years of qualified teaching experience. The bill deletes the two provisions related to applicants who hold doctorates in engineering.
- Licensed professional engineers are currently required to obtain eight continuing education course hours every two years in order to renew their licenses. Of the eight hours, four hours are required to be on the laws and rules of professional engineers. The bill requires 18 continuing education course hours in order for licensed professional engineers to renew their licenses. Of the 18 hours, one must relate to the laws and rules of professional engineers, one must relate to professional ethics, and four must relate to the licensee’s area of practice. The remaining hours may relate to any topic pertinent to the practice of engineering. Four hours of the continuing education course hours may be obtained by being an officer for a professional or technical engineering society, or serving as a member of the Legislature or as an elected state or local official. This portion of the bill becomes effective March 1, 2015.

Sinkhole Insurance Language In HB 633 we amended language that dictated how a professional engineer was defined for sinkhole reporting and how an engineer was qualified as a neutral evaluator. Previously, the statute defined a professional engineer for purposes of sinkhole activity identification as a professional engineer having experience and expertise in both structural and geotechnical areas. We changed that “as well as” to an “or.” However, under the neutral evaluator definition, the higher standard of both areas of experience and expertise was maintained.

Petroleum Cleanup We were successful in changing language to make certain the Department of Environmental Protection’s petroleum cleanup program abided by 287.055. The original bill draft said the following: “A competitive solicitation issued pursuant to this section is not subject to s. 287.055.” We successfully removed this language from the legislation. The Legislature in 2013 approved budget language directing DEP to develop rules bidding for the 17,377 petroleum sites eligible under a state cleanup program. The Legislature in its 2014-15 state budget appropriated $110 million for the cleanup program, a reduction from the $125 million last year. DEP said it wouldn’t be able to spend the full amount from the 2013-14 budget because spending on the program slowed while changes were being made to the program.

Tax Cuts The Florida Legislature made it a priority to return money back to the taxpayers. Over and above the $400 million motor vehicle fee reduction bill that the governor already signed into law, the Legislature passed another $100 million in tax cuts. The package includes tax breaks for prepaid calling arrangements, bicycle helmet purchases, child car seats, therapeutic veterinary pet medicines, bail bonds and title insurance premiums, plus a three-year sales tax break on cement trucks. There are also tax incentives for the “New Markets” program and the “Community Contributions” program, that give tax breaks to nonprofit organizations like Habitat for Humanity that help refurbish communities. Consumers will also see sales tax holidays for back-to-school items (Aug. 1-3), hurricane readiness supplies (May 31 - Jun. 8) and energy-efficient appliances (Sept. 21-23). Retailers will also see a tax cut on uncollectable consumer debts on the credit cards they issue. The bill also includes an exemption for local governments of an impact study when they want to reduce or eliminate a tax and a shift in energy consumption taxes to help a dwindling fund that pays for school and university construction projects.

Conservation and Environmental Quality (CEQ) Report Reclaimed Water Study HB 536 requires DACS and DEP, in consideration with WMDs, to conduct a study of the “beneficial use of reclaimed water” and to submit a report to the Legislature by no later than December 1, 2015.

Brownfields SB 325 by Stone is significant Brownfields legislation which we encourage those of you practicing in this field to read carefully. Similar legislation failed to pass last year.

Flood Insurance SB 542 by Brandes who dropped his original provision that “an engineer who is an expert in floodplain management” to membership on the Florida Commission on Hurricane Loss Projection. Nonetheless, the insertion of flood loss projections as part of rate filings will clearly involve engineering calculations. Those of you practicing in this area should carefully read SB 542.

Environmental Mitigation Funding HB 7175 relating to transportation by Goodson requires FDOT to include funding for environmental mitigation as part of projects in its works program. This was a major transportation bill addressing a great many other subjects which that you might wish to review.

Storage Tanks Amendment HB 7093 The contents of HB 791 relating to coastal management by Renuart and SB 956 by Bean passed very late in the session as an amendment to storage tanks legislation, HB 7093. The “coastal part” of HB 7093 makes changes to law which allow DEP to grant area-wide permits for the construction of minor coastal structures including dune restoration, and dune walkovers for enhancing accessibility.
or use in compliance with the Americans for Disabilities Act. DEP is also given authority to grant general permits for dune restoration. Also, swimming pools associated with single-family habitable structures and minor reconstruction of existing coastal structures may be eligible for a general permit.

**Petroleum Rehabilitation Process HB 7093** revises requirements for petroleum contamination site rehabilitation and procedures for payment for rehabilitation work under the petroleum restoration program. The legislation substantially revises the conditions under which DEP can seek recovery and reimbursement of costs. Passage of HB 7093 culminates the efforts of DEP to substantially reform the site rehabilitation process.

**Fuel Terminals SB 1070** by Simpson declaring fuel terminals to be a permitting and allowable use under local and planning requirements reflects Florida's continued emphasis on natural gas as the energy source of choice within Florida. This legislation addresses all fuel terminals, but the target was probably LNG terminals, which can be more contentious to site than other fuel terminals. As you may recall, several pieces of legislation relating to the distribution, storage, and use of natural gas in Florida passed last year during the closing days of the legislative session.

**Energy Cleanup Amendments HB 7147** by the House Energy and Utilities Committee is essentially the DACS bill, which consists of a number of “cleanup” amendments to existing energy laws. A controversial provision of the bill was repeal of the currently unfunded Solar Energy Incentives Program.

**Land Disbursements HB 7091** relates to disbursed water management of agricultural lands and addresses the establishment of a “baseline condition” when a landowner enters into a public-private partnership with a water management district for specified water management purposes.

**Permit Extensions HB 7023** relating to economic development contains a very important provision, extending and renewing permits issued by DEP, WMDs, or local governments for a period of two years. This has the effect of extending last year’s permit extension for these activities for an additional year. The legislation requires permit holders to apply for a permit extension, in writing, by December 31, 2014. It also clarifies that the permit extensions do not apply to permits issued by the U.S. Army Corps of Engineers, permits insignificant noncompliance, or permits that, if extended, would prevent compliance with a court order. The legislation also allows a local government to require an applicant for a permit extension to maintain and secure the property in compliance with applicable laws and ordinances.

**Governmental Ethics SB 846** by Latvala, caused quite a stir when it unexpectedly passed during the closing 48 hours of the session. This legislation was the subject of much controversy and discussion resulting in an amendment promoted by FES and several other regulated interests. FES will continue to engage in discussions with legislative staff, DEP, WMDs, and the Commission on Ethics regarding the need for follow-up rules and legislation.

**Special Districts SB 1632** by Stargel was a comprehensive rewrite of special taxing district law, which was successfully negotiated with a great many affected interests represented by several of the very few attorneys who thoroughly understand this difficult subject area. It’s our understanding that the result is a more readable and understandable version of special taxing district law, containing a few modest improvements that are substantive.

We would like to thank our lobbyists, Johnson & Blanton and Littlejohn Mann & Associates, for their diligent work and detailed reports provided throughout the Session. Any questions, please contact FES Governmental Affairs Coordinator Samantha Hobbs at shobbs@fleng.org or 850-224-7121.

Note: All bills passed this session are subject to Governor Scott’s signature.