



November 16, 2010

Crist Vetoes Are Reversed in Special Session

New Florida Legislature Organizes. Veto Overrides First Order of Republican Super Majority.

Dean Cannon is elected Speaker of the House of Representatives, while Senators elect Mike Haridopolos as President. Leadership teams are named in both Chambers.

by Rheb Harbison
Carlton Fields Senior Government Consultant

Florida's newly elected Representatives and Senators were sworn in during a two-hour Organizational Session convened this morning in Tallahassee. The new Legislature then reconvened separately in Special Session and overrode a list of 2010 bills, and one appropriation line item, all vetoed by Gov. Charlie Crist. Tweaks to amend the effective date of other 2010 passed legislation were also considered and passed.

Orlando Republican Dean Cannon was elected to preside over the 120-member House of Representatives as Speaker



of the House amid a slightly reorganized committee structure whose chairs were announced last week. Cannon has also announced his second-tier of leadership, often referred to as "lieutenants." These are John Legg (R-Port Richey) Speaker *Pro Tempore* and Carlos Lopez-Cantera (R-Miami) as Majority Leader.



Melbourne Republican Mike Haridopolos officially became the President of the 40-member Senate. He will serve a two-year term in that position.

Senator Mike Bennett (R-Sarasota) will serve as Senate President *Pro Tempore* while Andy Gardiner (R-Orlando) has become the Majority Leader.

House Committee Chairs

- Appropriations:
Denise Grimsley (R-Sebring)
- Economic Affairs Committee:
Dorothy Hukill (R-New Smyrna Bch)
- Education Committee:
William Proctor (R-St. Augustine)
- Finance and Tax Committee:
Steve Precourt (R-Orlando)
- Health and Human Services Committee:
Robert Schenck (R-Spring Hill)
- Judiciary Committee:
William Snyder (R-Stuart)
- Redistricting Committee:
Will Weatherford (R- Wesley Chapel)
- Rules and Calendar
Gary Aubuchon (R-Cape Coral)
- State Affairs Committee:
Seth McKeel (R-Lakeland)

Subcommittee chairs to the above committees will be announced in December.

Senate Committee Chairs

- Agriculture:
Gary Siplin (D-Orlando)
- Banking and Insurance:
Garrett Richter (R-Naples)
- Budget Committee:
JD Alexander (R-Lake Wales)

Budget Subcommittees

- Criminal and Civil Justice
Appropriations Subcommittee:
Mike Fasano (R-New Port Richey)
- Education and Pre K-12
Appropriations Subcommittee:
David Simmons (R-Orlando)
- Finance and Tax Subcommittee:
Ellyn Bogdanoff (R-Ft Lauderdale)

- General Government Appropriations
Subcommittee:
Alan Hays (R-Umatilla)
- Health and Human Services
Appropriation Subcommittee:
Joe Negron (R-Palm City)
- Higher Education Appropriations
Subcommittee:
Evelyn Lynn (R-Ormond Bch)
- Transportation, Tourism and
Economic Development
Appropriations Subcommittee:
Don Gaetz (R-Ft Walton Bch)
- Children, Family and Elder Affairs:
Ronda Storms (R-Brandon)
- Commerce and Tourism:
Nancy Detert (R-Sarasota)
- Communications, Energy, and Public
Utilities:
Lizbeth Benacquisto (R-West Palm Beach)
- Community Affairs:
Mike Bennett (R-Sarasota)
- Criminal Justice:
Greg Evers (R-Milton)
- Education and Pre K-12:
Stephen Wise (R-Jacksonville)
- Environmental Preservation and
Conservation:
Charles Dean (R-Inverness)
- Governmental Oversight and
Accountability:
Jeremy Ring (D-Margate)
- Health Regulations:
Rene Garcia (R-Miami)
- Higher Education:
Steve Oelrich (R-Gainesville)
- Judiciary:
Anitere Flores (R-Miami)

- Military Affairs, Space and Domestic Security:
Thad Altman (R-Melbourne)
- Reapportionment:
Don Gaetz (R-Ft Walton Bach)
- Regulated Industries:
Dennis Jones (R-Seminole)
- Rules Committee and Calendar:
John Thrasher (R-Jacksonville)
- Subcommittee on Ethics and Elections:
Miguel Diaz de la Portilla (R-Miami)
- Transportation:
Jack Latvala (R-St. Petersburg)
- Joint Committee on Administrative Procedures:
Jim Norman (R-Tampa)

Veto Overrides on 2010 Legislation

The Legislature took up and overrode the veto of the following issues:

Shands Hospital Appropriation

Specific appropriation 185 and related proviso language in the 2010-2011 General Appropriations Act, which is a specific appropriation designating \$9.7 million in funding for Shands Teaching Hospital.

Residential Property Sales

House Bill 545, which repeals a statute due to become effective January 1, 2011, that requires sellers of homes located in Florida's coastal areas, the windborne debris region, to disclose a home's windstorm mitigation rating to home buyers.

Solid Waste Disposal

House Bill 569, which allows the disposal of yard trash in Class I landfills that have obtained a minor permit modification and are designed to utilize an active gas

collection system that provides or arranges for the beneficial use of the landfill gas collected.

Agricultural Lands

House Bill 981, which protects farmers and other landowners who choose to offer their property for sale from losing their agricultural classification and having to pay higher property taxes even though the land continues to be used primarily for a bona fide agricultural purpose..

Petro Contamination Cleanup

House Bill 1385 allows the Dept. of Environment Protection (DEP) to establish a category for sites within the Petroleum Cleanup Program where the effects of petroleum contamination will reduce naturally overtime and requires the DEP to evaluate whether monitoring is cost-effective and will adequately protect public health and the environment. The bill prohibits a local government from denying a building permit based solely on the presence of petroleum contamination for any construction, repairs, or renovations performed in conjunction with tank upgrade activities to an existing retail fuel facility if the facility was fully operational before the building permit was requested and if the construction, repair, or renovation is performed by a licensed contractor. The bill also establishes a low-scored site initiative for sites with a priority ranking score of 10 points or less and provides conditions for voluntary participation. The bill authorizes the DEP to spend no more than \$10 million per FY from the funds currently authorized from the Inland Protection Trust Fund in the DEP to assess low scored sites. Funds will be made available on a first-come, first-served basis and will be limited to 10 sites in each FY for each responsible party or property owner. Finally, the bill extends the date by

which certain fuel service station facilities must upgrade their fuel tanks.

State-Owned Lands

Senate Bill 1516 requires the DEP to maintain a comprehensive state-owned real property database that includes an inventory of all real property leased, owned, rented, occupied or managed by the state, and to submit an annual report that lists the state-owned real property recommended for disposition.

State Agency Rulemaking

House Bill 1565, which requires certain proposed agency rules that have a negative economic impact receive legislative ratification prior to taking effect..

Transportation Projects

Senate Bill 1842, which creates a statutory process that provides an opportunity for public input on any project that would impact the access to the property affected.

In addition to the veto overrides, the Legislature:

- Passed resolutions fixing the effective dates and deadlines of certain specific appropriations and substantive bills passed during the 2010 regular legislative session that were vetoed as described above.
- Extended the dates for implementation of the onsite sewage treatment and disposal system (septic tank) evaluation program.
- Passed legislation enabling access to rebates, using federal funds, on certain heating and air conditioning systems and certain solar energy systems.
- Passed a memorial calling on Congress to grant states more flexibility in the design

and administration of Medicaid and expressing legislative intent to expand key components of Florida's Medicaid managed care pilot. ■



Rheb Harbison is a Senior Government Consultant in the Carlton Fields Tallahassee Office. He is principally responsible for advocating on behalf of the Firm's clients before the legislative and executive branches, asserting positions on a variety of state business issues.

Rheb has 30 years of progressive senior level experience in lobbying, public affairs, communications, media relations, and marketing in both the public and private sectors. Rheb counsels clients on political action strategy and is also responsible for fund-raising and the activities of the Firm's political action committee, which supports the election of local and state candidates for public office.

Since May he has participated in more than 160 interviews with legislative candidates.

Rheb can be reached at rharbison@carltonfields.com or 850.224.1585

CARLTON FIELDS

ATTORNEYS AT LAW

Tallahassee Office
215 South Monroe Street, Suite 500
Tallahassee, Florida 32301
850.224.1585