



# ASSOCIATED INDUSTRIES OF FLORIDA

*The Voice of Florida Business Since 1920*



## 2009 SESSION PRIORITIES

# Growth Management & Transportation

**N**ow, more than any time since the passage of the Growth Management Act, there is a need for the Legislature to review and either eliminate or streamline land use rules, both planning and permitting, as carried out by the Department of Community Affairs (DCA). While local government often presents formidable barriers to the use of land in the form of impact fees and other regulation, the Legislature will begin this coming session with the two-year **review of DCA**, as mandated by the Sunset Review process. Conceivably, the Legislature could choose not to reauthorize the agency and let it “sunset,” which, although possible, is highly unlikely. The Sunset Review of DCA does offer, however, an opportunity to fully examine every aspect of DCA’s regulatory authority and make changes or cuts where warranted.

An issue that will likely surface this session will be the proper use and requirements for the development of large tracts of rural or agricultural lands (i.e., developments of regional impact or DRI), with an emphasis on those lands that can be used for economic development as opposed to their availability for housing development. A provision for agricultural and industrial centers was contained in last year’s legislation that failed to pass, but will be back again. While the DCA has said it will not have a bill of its own this year, Secretary Tom Pelham has promised to be an active participant in any legislation, in anticipation of both the House and Senate having their own committee bills.

On the transportation front, AIF will continue to oppose any further raids on the **transportation trust fund** and firmly believes, as evidenced in the recommendations of the *Economic Stimulus Package 2.0* (see page 19 for more information), that spending in transportation infrastructure is one of the best ways to stimulate our lagging economy. For example, road resurfacing offers the quickest stimulus because there are no “right of way” issues to contend with. Policymakers should also do everything in their power to position our state in such a way as to maximize any federal stimulus infrastructure dollars for transportation projects as proposed by President Barack Obama.

As state revenues continue to shrink as a result of the economic recession and global fiscal crisis, the need arises to find alternate sources of revenue for road

building and transportation projects. That is why AIF is joining a number of other business groups in calling for a scaled adjustment in **tag and title fees** over a three-year period that would raise an additional \$1.5 billion in new revenue by the end of the third year. These additional funds would be dedicated solely for road and other transportation projects.

**As such, AIF will concentrate on the following issues related to growth management and transportation:**

## DCA Sunset Review

**AIF SUPPORTS such a review and streamlining of DCA’s authority and functions.** This year, much of the focus of the Community Affairs Committee in both chambers will likely be on removing as many road-blocks to economic development as possible. While no one expects to see sound planning or environmental protection to be the target, duplicative and overly burdensome regulations will take center stage.

## Impact Fees

**AIF SUPPORTS a thorough review and, where appropriate, a limitation on the use of such “shadow taxes.”** Although down, the building and development industries are not out; look for them to capitalize on the opportunity of the devastated building economy to press for more reasonable use and limitations on impact fees and other user fees that have been emerging for several years as a major impediment to residential and commercial development. Through all of the Legislature’s attempts to lower taxes, they have yet to place any mandates of fairness or limitation on the ever-growing local government funding source of “user fees,” which thereby significantly increases the cost of home ownership.

## School and Transportation Concurrency

**AIF SUPPORTS a true fair share payment for school and transportation concurrency.** The Legislature will also look at the issue of what is a “fair share” of the costs of school construction and transportation infrastructure as it applies to a developer’s charges for concurrency. The DCA has, in the past, supported the payment of a true fair share for development, as opposed to local government’s frequent billing for the

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backlog in facilities and infrastructure. Such an imposition has had the effect of making an applicant for a permit have to pay for those who came before him, rather than his own impacts; such charges can and have made projects financially unfeasible.

### Transportation Trust Fund

**AIF OPPOSES any withdrawals from the State Transportation Trust Fund for non-transportation expenditures,** and believes the state budget should emphasize the advancement of all construction-ready road projects to maximize the impact of transportation spending as an economic stimulus as advocated in this year's *Economic Stimulus Package (ESP) 2.0*. In addition, there should be a renewed focus in road re-surfacing which can be accomplished quickly and efficiently since no right-of-way issues are involved.



Senate President Jeff Atwater (R-North Palm Beach) addresses AIF Members in West Palm Beach.

### Additional Revenues for Transportation

**AIF SUPPORTS efforts to obtain immediate new funding for transportation through an adjustment to Florida's title and tag fees.** Florida's tag fees have not been adjusted in over 25 years. These adjustments of transportation user fees will raise \$1.5 billion by the end of year three. The maximum increase for any vehicle is less than \$2 per month.

### Aggregate Mining

**AIF OPPOSES efforts to place local moratoriums on the mining of essential raw materials for road construction.** In fact, state assistance and resources should be dedicated to improving and expediting the permitting process for mining operations. Producing aggregate and constructing roads provides jobs, helps to decrease our transportation infrastructure backlog, and supports the development of a healthy and competitive construction industry. Local governments that impede aggregate mining should have their road projects put at the bottom of the DOT district road list. If not possible, then the state should once again establish a temporary but comprehensive ban on local mining moratoriums.

### AIF Lobby Team Members Assigned to the Area of Growth Management & Transportation Include:

Richard Gentry	Growth Management DCA Review
Stephen Shiver	Transportation Aggregate Mining