

## POLITICS

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## Senate, House ready for talks on local taxes

By [Jennifer Sorentrve](#)

*Palm Beach Post Staff Writer*

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TALLAHASSEE — With less than 48 hours left until the end of the 2005 legislative session, Senate leaders agreed Wednesday to formal negotiations with the House over what could be the session's linchpin issue — paying for growth.

Senators rushed through a series of last-minute changes late Wednesday, some aimed at appeasing House leaders, who have opposed a plan to pay for new roads and schools. Among those changes are one that would let cities pay for growth by levying a new real estate transaction tax and another that would make it easier for developers to oppose local impact fees.

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Senate President Tom Lee, who has made growth management his top priority this session, argued that cities should be able to raise taxes to address their own problems, especially because countywide ballot measures to raise taxes often fail.

Lee, R-Brandon, said much of Florida's problem in controlling growth is that the cities have most of the infrastructure needs, but the unincorporated areas of counties have most of the people, so the non-city residents are "essentially blocking the ability for city councils to raise the revenue necessary to build themselves out of the backlog of the defects that they have in the urban core."

If a growth management plan isn't approved by the House before the end of the week, top priorities of the House and governor, including a \$150 million tax cut each year from the intangibles tax, could be put on hold by the Senate.

Leaders were expected to meet today in an effort to come up with a plan that both chambers

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can agree on. The sticking point is whether local governments should be able to increase taxes without voter approval.

The Senate's bill (SB 360) would allow counties to levy local taxes, including a gas tax and a one-cent sales tax, without a referendum, although county commissions could make it contingent upon a referendum if they wanted.

House leaders have opposed the measure because it doesn't make voter approval mandatory.

House Speaker Alan Bense, R-Panama City, said House leaders were doing "a lot of talking" and trying to work out the sticking points.

Sponsors in the House temporarily postponed their bill for the third day in a row, but Bense seemed hopeful that something would pass in the House.

"We've been talking about growth management all day," Bense said. "It's boiling down to local taxes in general."

Although House leaders have spoken out against the plan to raise taxes without voter approval, representatives last month voted in favor of a \$106 million tax increase on most property owners in the state that school districts can impose without voter approval.

On Wednesday, Senate sponsor Mike Bennett, R-Bradenton, proposed a series of amendments to the bill, including one aimed at shortening the divide between House and Senate leaders by requiring voters to sign off on a new tax being made available to cities.

The amendment would give cities a way to pay for growth-related projects by levying a new documentary stamp tax. The tax, which would have to be approved by the city's governing body and local voters, would allow municipalities to collect 50 cents on every \$100 and could generate \$568 million statewide, said John Wayne Smith, a legislative assistant with the Florida League of Cities.

"The cities have been complaining they need a source of revenue," Bennett said. "If they want to vote it in and tax themselves, we are going to give them a way to do it."

But another change proposed by Bennett would make it easier for developers to oppose local impact fees.

The amendment, approved as part of the Senate's bill, would require local governments to prove "by a preponderance of evidence" that their fees are in line with the cost of the development.

Lee, however, appeared not to know of this amendment, which would change the impact fee challenge standard. He said he thought the agreement had been to hold a study on the issue.

Bennett, though, has been pushing a bill limiting impact fees around the state.

Janet Bowman, a lawyer with the anti-sprawl group 1000 Friends of Florida, said the last-minute changes caught them by surprise, some of them undoing changes that Bennett had earlier agreed to at the group's request.

She said she was bothered by the impact fee language as well as allowing application for large developments to avoid the new standards if they are filed before July 1.

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### Also Wednesday...

- Lawmakers passed legislation to give shoppers a break on the 6-cent sales tax on hurricane supplies during the first

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12 days of June and on clothes, books and school supplies during the last nine days of July. Unanimous votes in the Senate sent the two bills, already passed by the House, to Gov. Jeb Bush, who supports them both. The school-supplies sales-tax holiday would apply to clothes priced \$50 and less, supplies priced \$10 and less and books.

- Former Broward County Elections Supervisor Miriam Oliphant said in Miami she will sue Bush in federal court for millions of dollars, claiming that her race was a factor in his decision to remove her from office amid allegations of negligence and a botched 2002 primary.

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