



MARTIN COUNTY

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May 15, 2019

Office of Governor Ron DeSantis
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor DeSantis,

I am writing to you in my capacity as an individual Martin County Commissioner on behalf of constituents in my district which includes Jupiter Island, Hobe Sound and Indiantown.

First, let me compliment you on a most successful 60-day legislative session. Your commitment to clean water and the leadership you have shown is most heartening. The economic and health burdens we have long suffered from water pollution is finally positioned for a permanent solution. The capstone came yesterday with President Trump's request for additional funding for Lake Okeechobee restoration. Thank you for your efforts.

However, the residents of Martin County continue to need your help. HB 7103 is the issue. It will have a significant negative effect on the enforcement of the County's Comprehensive Plan. On the last day of the legislative session, an amendment was proposed that was never fully vetted or debated before a vote was taken. Boiled down to its essence, this aspect of the bill requires a losing citizen/challenger of a development order to pay the legal fees of the county and/or the developer/applicant. This appears to be financial intimidation. If signed into law, few citizens will step forward to challenge a development order for fear of bankruptcy. It strips away the voice of Martin County citizens to participate in growth management issues. The argument that the amendment will deter frivolous lawsuits appears to be a response to a problem that does not exist. Currently judges can order challengers to pay attorney's fees when nuisance challenges are filed.

While I understand there are aspects of this bill you favor, signing it into law carries a heavy burden. In my view, it will be in direct violation of the rights of citizens to participate in planning and growth management for their community.

Please do not sign this HB 7103 into law.

Respectfully yours,

Harold E. Jenkins
Commissioner, District 3

HJ/ckp

cc: Taryn Kryzda, County Administrator