



2015-2016
Interim Legislative Program



Table of Contents

FAC Interim Policy Priorities.....3

Finance, Tax & Administration..... 9

Growth Management, Agriculture & Environment..... 11

Health & Human Services..... 17

Public Safety..... 20

Federal..... 24

FAC Interim Policy Priorities

Lisa M. Hurley, Esq., Legislative Director
Email: lhurley@fl-counties.com
Phone: 850-922-4300 or Fax: 850-488-7501

TAX REFORM

SUPPORT tax reform measures that simplify administration and provide an economic boost to Florida's taxpayers while at the same time *considering and minimizing the collective and cumulative negative impact on local revenues*, including state shared and local discretionary revenue sources that are critical to local governments in providing community services.

Potential tax proposals that are of major concern to FAC include, but are not limited to:

A. Communications Services Taxes

SUPPORT amending and/or revising current law in a manner that is: 1) revenue neutral; 2) simplifies administration and collection of the current tax; 3) provides for a broad and equitable tax base; 4) provides for enhanced stability and reliability as an important revenue source for local government; and 5) provides the opportunity for market-based growth.

OPPOSE legislation that would revise current law in a manner that significantly reduces current local government related revenues.

B. Sales Tax Exemption on Commercial Leases

SUPPORT legislation that would phase-in a reduction and eventual exemption of state sales tax on commercial leases, but preserving and "grandfathering-in" existing local (county) option sales taxes.

C. Property Taxes – "Elimination of Recapture Provision"

OPPOSE legislation that would eliminate currently existing recapture provisions for homestead and non-homestead property.

D. Local Discretionary Revenue Flexibility

SUPPORT modifications to existing laws governing local discretionary sales tax revenue sources, including operational expenditures, to provide greater simplification, flexibility and more efficient administration and management.

SUPPORT expanding the eligibility to levy the Charter County Transportation Surtax to all counties.

ECONOMIC DEVELOPMENT

Economic Development: **SUPPORT** measures that empower local governments and provides resources to work with community partners towards the creation of quality jobs, more vibrant Florida communities and global competitiveness as envisioned by the Florida Chamber Foundation's 20 year strategic plan.

Related issues that are of major interest to FAC for the 2016 Legislative session include, but are not limited to:

A. State and Local Economic Development Partnerships

SUPPORT legislation and appropriation that enhances the efficiency and effectiveness of the state and local government partnership in economic development through the greater use of targeted strategies and strategic investments to induce and retain sustainable economic activity resulting in a consistent positive return on investment for both state and local governments.

B. Film/Television Entertainment Production Tax Incentives

SUPPORT legislation that would enhance the current incentives program to support and incentivize local governments to create and maintain a more sustainable and competitive physical and financial environment for attracting film, television, digital and new media related entertainment production in the State of Florida that promotes and is tied to infrastructure and workforce education in science, technology, engineering, arts and math.

UTILITY RELOCATION

Utility Relocation: OPPOSE legislation requiring counties to pay for the relocation of private utilities when such utilities are located within a county-owned right-of-way and must be moved to accommodate a county project.

AMENDMENT 1/BEACH RENOURISHMENT

Amendment 1 – The Florida Water and Land Conservation:

SUPPORT a balanced distribution of funds for land acquisition and for water quality and quantity projects throughout the state, with equitable allocation irrespective of a project's urban or rural nature, or its coastal or inland location.

SUPPORT maintenance, monitoring and sustainability of existing state conservation lands.

SUPPORT land acquisitions of less than fee simple interest, thus reducing the cost to taxpayers by lowering acquisition costs and maintaining property tax revenues, while allowing property owners to continue certain uses on negotiable terms.

SUPPORT an acquisition policy that involves local government participation in priority assessment and community impact.

SUPPORT the authority of county government to purchase and sell conservation lands in accordance with local needs, charter and ordinance requirements, or financial capacity.

Payment In Lieu of Taxes (PILT):

SUPPORT the continued funding of payments in lieu of taxes to make up for ad valorem losses resulting from state acquisition, with future adjustments to reflect increases in property value.

Beach Renourishment:

SUPPORT the continuation of a statutory funding source for beach renourishment projects with an increase over the current amount of \$30 million, which is no longer sufficient to sustain this important program.

SUPPORT the revision of statutory criteria for the annual ranking of beach projects for state cost sharing; specifically, criteria that recognize economic benefits and cost-effectiveness, the reduction in storm damage, and the ability to leverage federal dollars.

COMPREHENSIVE WATER POLICY

Water Supply:

SUPPORT legislation that enhances regional and local financial capacity to address water supply development with allocation flexibility in all available funding sources.

SUPPORT the funding of the Water Protection and Sustainability Program within the Department of Environmental Protection and Water Management Districts for the development of alternative water supplies, water quality improvement projects, and comprehensive water infrastructure needs.

SUPPORT the fundamental principles of Florida water law which:

- Requires demonstration that a proposed use of water is i) a reasonable-beneficial use, ii) will not interfere with an existing legal use of water, and iii) is consistent with the public interest.
- Establishes a right of use, not a right of ownership.
- Provides for “local sources first” – that is, a county from which water is withdrawn shall not be deprived of the prior right to its reasonable and beneficial use to supply the needs of its natural systems, property owners, and residents.

OPPOSE any state-wide water commission or “water czar” which would redefine existing water supply relationships among the state, regional water management districts, and local governments.

Water Quality:

Indian River Lagoon, Lake Okeechobee Basin & Everglades: **SUPPORT** state funding for the construction of additional water storage and water quality treatment facilities within the Lake Okeechobee, Caloosahatchee, St. Lucie, Indian River Lagoon and Everglades watersheds.

Springs Protection: **SUPPORT** state funding for nutrient load reduction programs within Florida’s springsheds. **SUPPORT** the prioritization of springs restoration funding,

with a program to assist local governments with packing houses and with septic tank connections and facility upgrades in springsheds with higher domestic waste contributions.

BEHAVIORAL HEALTH

Behavioral Health Services: **SUPPORT** efforts to increase supportive housing, employment and education initiatives for people with behavioral health issues and/or disabilities. **SUPPORT** diverting, medically assisting, or treating mentally ill persons outside of the criminal justice system through alternative community programs, such as Crisis Intervention Teams.

Behavioral Health Funding: **SUPPORT** increased funding for core mental health and substance abuse services. **SUPPORT** increased funding of the Criminal Justice Mental Health and Substance Abuse Reinvestment Grant Program with recurring dollars in a trust fund. **SUPPORT** sustainable matching state funds to counties that have received both planning and implementation Reinvestment Grant funds.

Baker Act/Marchman Act: **SUPPORT** appropriate funding for crisis mental health and substance abuse beds statewide. **SUPPORT** coordinated efforts to increase access to acute care behavioral health services for individuals and families.

Homelessness: **SUPPORT** developing a dedicated state funding source for homeless programs. **SUPPORT** legislation that streamlines current state statutes relating to homelessness and associated programs, including the funding allocation and appropriation processes. **SUPPORT** the implementation of discharge protocols and/or procedures for hospitals, correctional facilities, and mental health facilities when releasing homeless persons. **SUPPORT** the development of strategies that would allow local governments to work with the state and federal government to serve target populations: the chronically homeless, veterans, and families and children, with particular emphasis on children aging out of the foster care system.



FAC Federal Interim Policy Priorities

Lisa M. Hurley, Esq., Legislative Director
Email: lhurley@fl-counties.com
Phone: 850-922-4300 or Fax: 850-488-7501
Eric Poole, Assistant Legislative Director
Email: epoole@fl-counties.com
Phone: 850-922-4300 Fax: 850-488-7501

Waters of the United States (WOTUS)

SUPPORT legislation that clarifies that local streets, gutters, and other stormwater infrastructure are excluded from the definition of "Waters of the U.S.," while also requiring federal agencies to consult with state and local officials to identify which waters should be federally regulated and which should be left to the states.

MAP-21 Reauthorization

SUPPORT passage of a multi-year surface transportation authorization bill that provides long-term funding certainty, restores solvency to the Highway Trust Fund, and distributes to high growth states like Florida at least 95% of all highway funds by formula.

National Flood Insurance Program (NFIP) Reform

FAC **SUPPORTS** legislative efforts, policies and programs that ensure all property owners can receive affordable flood insurance within a program framework that helps the NFIP become financially stable.

Federal Disaster Assistance

SUPPORT legislation that prohibits the Federal Emergency Management Agency (FEMA) from deobligating from counties previously-awarded disaster funds for projects that have been certified complete by the state for at least three years.

Finance, Tax & Administration
Interim Policy Statements

Davin J. Suggs, Fiscal Policy Director
Email: dsuggs@fl-counties.com
Phone: 850-922-4300 or Fax: 850-488-7501

Tax Reform: SUPPORT tax reform measures that simplify administration and provide an economic boost to Florida's taxpayers while at the same time *considering and minimizing the collective and cumulative negative impact on local revenues*, including state shared and local discretionary revenue sources that are critical to local governments in providing community services.

Potential tax proposals that are of major concern to FAC include, but are not limited to:

E. Communications Services Taxes

SUPPORT amending and/or revising current law in a manner that is: 1) revenue neutral; 2) simplifies administration and collection of the current tax; 3) provides for a broad and equitable tax base; 4) provides for enhanced stability and reliability as an important revenue source for local government; and 5) provides the opportunity for market-based growth.

OPPOSE legislation that would revise current law in a manner that significantly reduces current local government related revenues.

F. Sales Tax Exemption on Commercial Leases

SUPPORT legislation that would phase-in a reduction and eventual exemption of state sales tax on commercial leases, but preserving and "grandfathering-in" existing local (county) option sales taxes.

G. Property Taxes – "Elimination of Recapture Provision"

OPPOSE legislation that would eliminate currently existing recapture provisions for homestead and non-homestead property.

H. Local Discretionary Revenue Flexibility

SUPPORT modifications to existing laws governing local discretionary sales tax revenue sources, including operational expenditures, to provide greater simplification, flexibility and more efficient administration and management.

SUPPORT expanding the eligibility to levy the Charter County Transportation Surtax to all counties.

ECONOMIC DEVELOPMENT

Economic Development: SUPPORT measures that empower local governments and provides resources to work with community partners towards the creation of quality jobs, more vibrant Florida communities and global competitiveness as envisioned by the Florida Chamber Foundation's 20 year strategic plan.

Related issues that are of major interest to FAC for the 2016 Legislative session include, but are not limited to:

C. State and Local Economic Development Partnerships

SUPPORT legislation and appropriation that enhances the efficiency and effectiveness of the state and local government partnership in economic development through the greater use of targeted strategies and strategic investments to induce and retain sustainable economic activity resulting in a consistent positive return on investment for both state and local governments.

D. Film/Television Entertainment Production Tax Incentives

SUPPORT legislation that would enhance the current incentives program to support and incentivize local governments to create and maintain a more sustainable and competitive physical and financial environment for attracting film, television, digital and new media related entertainment production in the State of Florida that promotes and is tied to infrastructure and workforce education in science, technology, engineering, arts and math.

BUDGET & FINANCE ADMINISTRATION

Value Adjustment Boards: SUPPORT legislation that increases the efficiency and effectiveness of the current VAB process. **OPPOSE** legislation that would harm the ability of Value Adjustment Boards in fulfilling its role as intended by the State Constitution.

GENERAL ADMINISTRATION

CCNA: FAC SUPPORT language amending the CCNA to raise the allowable thresholds for dollar thresholds under the CCNA or to clarify the meaning of "work of a specified

nature” as not being subject to the dollar thresholds, provided that the contract is for a specific time period.

Regulation of taxis and Limousines: FAC **SUPPORTS** maintaining the integrity of home rule power, which allows counties to regulate taxis, limousines, and jitneys for the purpose of public safety and consumer protection. Conversely, FAC **OPPOSES** in effort that preempts to the state the regulation of chauffeured limousines, limousine services and drivers of chauffeured limousines.

Elections: **SUPPORT** full state funding of all expenditures by supervisors of elections to comply with the requirements of the federal Help America Vote Act.

Public Notice: **SUPPORT** legislation allowing local governments to comply with public notice and legal advertisement requirements by means other than the newspaper.

Florida Retirement System (FRS): **OPPOSE** any FRS benefit changes that result in an increase in the FRS county and county employee contribution rates. **SUPPORT** requiring all legislation that potentially results in an increase in the FRS contribution rate to be analyzed and evaluated to determine the direct fiscal impact of proposed changes to all local and state government to be eligible for consideration.

Public Record and Open Meeting Exemptions for Economic Development: **SUPPORT** changes to s.286.0113 and s.288.075, F.S., that would allow the Board of County Commissioners to deliberate in private regarding an economic development proposal and preserve the confidentiality of confidential information in the possession of an economic development agency.

Growth Management,
Agriculture & Environment
Interim Policy Statements

Eric Poole, Assistant Legislative Director
Email: epoole@fl-counties.com

Stephen James, Legislative Staff Attorney
Email: sjames@fl-counties.com

Phone: 850-922-4300 Fax: 850-488-7501

GROWTH MANAGEMENT

Home Rule Preemptions: FAC **OPPOSES** legislation that preempts the legislative and policy making powers of counties used to regulate land use and implement local zoning controls. Further, FAC **OPPOSES** legislative efforts that mandate minimum land use densities for properties that meet specific size, use, and location characteristics.

Growth Management Reform: The growth reforms of 2011 represented the most significant changes to the state's planning laws in more than 25 years. While FAC does not oppose the revised planning process, it believes that no further revisions should occur without first evaluating the impact the 2011 changes have had on the economy, the environment, local and regional infrastructure, and community development. Accordingly, until such an evaluation takes place, **OPPOSE** any further reductions in state planning oversight or other efforts preempting local planning decisions.

Concurrency: In the absence of state-mandated transportation concurrency, and to ensure that the roads needed to support new development are concurrent with the impacts of development, **SUPPORT** county home rule authority, and current statutory provisions, which allow counties to retain their current transportation concurrency systems, as adopted by local ordinance.

Proportionate Fair-Share Mitigation: **SUPPORT** major revisions to the proportionate share statute to ensure that: (1) the funding formula and its application are clear and unambiguous; (2) local governments can determine if the payment is adequate to satisfy the concurrency management system; (3) each development can be charged its proportionate share of road improvements when the road is deficient or when development causes the road to become deficient; and, (4) development is not charged for existing deficiencies or backlog.

REGIONAL PLANNING

Regional Planning Councils (RPCs): FAC recognizes that RPCs play a critical role in supporting local governments by providing key services that support:

- Economic Development;
- Affordable Housing;
- Transportation Planning;
- Emergency Preparedness;
- Hurricane Evacuation;
- Community Planning;
- GIS Mapping; and,
- Dispute Resolution Services.

Accordingly, FAC **SUPPORTS** retaining the existing statutory authorities and responsibilities vested in RPCs.

AFFORDABLE HOUSING

Affordable Housing: SUPPORT retaining the full amount of dedicated documentary tax revenues to fund state and local affordable housing programs.

TRANSPORTATION

Utility Relocation: OPPOSE legislation requiring counties to pay for the relocation of private utilities when such utilities are located within a county-owned right-of-way and must be moved to accommodate a county project.

State Transportation Trust Fund: OPPOSE any effort to divert revenues from the state transportation trust fund for non-transportation purposes.

Regional Transportation Finance Entities: SUPPORT legislation that authorizes the creation of regional transportation finance authorities, who may be authorized to use tolls, or pledge a portion of the capacity improvement funds from the State Transportation Trust Fund to finance eligible transit or transportation improvement projects.

Rural Transportation Funding: SUPPORT state funding for the Small County Road Assistance Program (SCRAP). **SUPPORT** continuing enhanced state funding for the Small County Outreach Program (SCOP).

County Transportation Projects: SUPPORT increasing the cost cap (from \$400,000 to \$750,000) for counties to self-perform road improvement projects using the Constitutional Gas Tax proceeds.

Strategic Intermodal System (SIS): SUPPORT legislation allowing SIS funds to be used on roads and other transportation facilities not designated on the SIS network if the improvement relieves congestion on the SIS.

LAND CONSERVATION

Amendment 1 – The Florida Water and Land Conservation Amendment:

SUPPORT a balanced distribution of funds for land acquisition and for water quality and quantity projects throughout the state, with equitable allocation irrespective of a project's urban or rural nature, or its coastal or inland location.

SUPPORT maintenance, monitoring and sustainability of existing state conservation lands.

SUPPORT land acquisitions of less than fee simple interest, thus reducing the cost to taxpayers by lowering acquisition costs and maintaining property tax revenues, while allowing property owners to continue certain uses on negotiable terms.

SUPPORT an acquisition policy that involves local government participation in priority assessment and community impact.

SUPPORT the authority of county government to purchase and sell conservation lands in accordance with local needs, charter and ordinance requirements, or financial capacity.

Payment In Lieu of Taxes (PILT):

SUPPORT the continued funding of payments in lieu of taxes to make up for ad valorem losses resulting from state acquisition, with future adjustments to reflect increases in property value.

BEACHES AND SHORES

Beach Renourishment:

SUPPORT the continuation of a statutory funding source for beach renourishment projects with an increase over the current amount of \$30 million, which is no longer sufficient to sustain this important program.

SUPPORT the revision of statutory criteria for the annual ranking of beach projects for state cost sharing; specifically, criteria that recognize economic benefits and cost-effectiveness, the reduction in storm damage, and the ability to leverage federal dollars.

Vessels and Waterways:

SUPPORT revised statutory authority and continued state funding for the enforcement and removal of derelict vessels, with emphasis on chronic offenders.

SUPPORT continued state and local regulation of vessels, mooring fields, bulkheads and seawalls, floating vessel platforms, and seagrasses.

WATER RESOURCES

Water Supply:

SUPPORT legislation that enhances regional and local financial capacity to address water supply development with allocation flexibility in all available funding sources.

SUPPORT the funding of the Water Protection and Sustainability Program within the Department of Environmental Protection and Water Management Districts for the development of alternative water supplies, water quality improvement projects, and comprehensive water infrastructure needs.

SUPPORT the fundamental principles of Florida water law which:

- Requires demonstration that a proposed use of water is i) a reasonable-beneficial use, ii) will not interfere with an existing legal use of water, and iii) is consistent with the public interest.
- Establishes a right of use, not a right of ownership.
- Provides for “local sources first” – that is, a county from which water is withdrawn shall not be deprived of the prior right to its reasonable and beneficial use to supply the needs of its natural systems, property owners, and residents.

OPPOSE any state-wide water commission or “water czar” which would redefine existing water supply relationships among the state, regional water management districts, and local governments.

Water Quality:

Indian River Lagoon, Lake Okeechobee Basin & Everglades: **SUPPORT** state funding for the construction of additional water storage and water quality treatment facilities within the Lake Okeechobee, Caloosahatchee, St. Lucie, Indian River Lagoon and Everglades watersheds.

Springs Protection: **SUPPORT** state funding for nutrient load reduction programs within Florida’s springsheds. **SUPPORT** the prioritization of springs restoration funding, with a program to assist local governments with packing houses and with septic tank connections and facility upgrades in springsheds with higher domestic waste contributions.

Fertilizer: **SUPPORT** the authority of county government to regulate the urban use and application of fertilizer to protect water quality. **SUPPORT** the “Florida Green Industries Best Management Practices” as a basic level of water quality protection, with more stringent protections authorized to address water bodies in need.

SOLID WASTE

Funding: **SUPPORT** continued state funding of the Small County Consolidated Grant Program, and maintaining the waste tire fee as a dedicated revenue source for funding mosquito control, solid waste and recycling programs.

Recycling: **SUPPORT** legislation that provides appropriate resources and incentives to local governments to achieve statewide recycling goals, with credit afforded for all recycled materials including municipal biomass and other waste-to-energy processes.

DOMESTIC WASTE

Land Application of Septage: **SUPPORT** legislative policies that recognize the challenges of septage disposal in rural counties without adequate treatment and disposal facilities, and the prioritization of funding for the development of these facilities and associated infrastructure.

Central Sewer Systems: **SUPPORT** the authority of county government to require mandatory connection to central sewer systems as they become available.

UTILITIES

Utility Rates: **SUPPORT** legislation that recognizes the responsibility and authority of local government utilities to establish rates and rate structures to allow for flexibility in the provision of services and the sustainable funding of operations.

Utility Liens: **SUPPORT** legislation to amend Section 159.17, Florida Statutes, to authorize counties – as well as municipalities – that issue revenue bonds to place liens on properties served by any water, sewer or gas systems for service charges until paid, which liens shall be prior to and on parity with state, county and municipal tax liens.

Stormwater Fees: **SUPPORT** legislation to amend Section 403.0893, Florida Statutes, to provide authorization for stormwater utilities to charge and collect user fees from all beneficiaries of the stormwater utility system.

CLIMATE CHANGE / SEA LEVEL RISE

SUPPORT a comprehensive state climate change action plan, with energy policies and other initiatives to reduce greenhouse gases and to address ecosystem sustainability, long term water supply, flood protection, public health and safety, and economic prosperity.

SUPPORT state and federal recognition of adaptation and mitigation as critical to any climate change plan, and the funding necessary to assist local governments in developing and implementing these initiatives.

SUPPORT increased funding for local government infrastructure projects and planning activities to facilitate the prevention of and recovery from damage to essential transportation systems, water management systems and national resources.

AGRICULTURE

Agritourism: **SUPPORT** limited local regulation of off-site health, safety and welfare impacts from large-scale agritourism “events” on agricultural property.

Rural and Family Lands Protection Act: **SUPPORT** funding the Rural and Family Lands Protection Act to allow for the purchase of rural easements to prevent the subdivision and conversion of such land into other uses.

Citrus Greening: **SUPPORT** state, federal and local efforts to assist the citrus industry in research to control the damage and threat caused by citrus greening/Huanglongbing (HLB).

Health & Human Services Interim Policy Statements

Susan Harbin, Legislative Advocate
Email: sharbin@fl-counties.com
Phone: 850-922-4300 Fax: 850-488-7501

Behavioral Health:

- **Behavioral Health Services:** **SUPPORT** increased funding for core mental health and substance abuse services. **SUPPORT** efforts to increase supportive housing, employment and education initiatives for people with behavioral health issues and/or disabilities. **SUPPORT** diverting, medically assisting, or treating mentally ill persons outside of the criminal justice system through alternative community programs.
- **Baker Act/Marchman Act:** **SUPPORT** appropriate funding for crisis mental health and substance abuse beds statewide. **SUPPORT** coordinated efforts to increase access to acute care behavioral health services for individuals and families.

County Health Departments (CHDs): SUPPORT increasing state general revenue funding for CHDs, and **OPPOSE** any state reductions to the CHD Trust Funds. **SUPPORT** restoring funding reductions in operating support for CHDs. **SUPPORT** maintaining a coordinated system of CHDs that is centrally housed within the Department of Health (DOH). **SUPPORT** preserving the ability of CHDs to provide primary care and direct patient care services, particularly in communities without adequate substitutes or alternative providers for these services.

County Share of Cost for Medicaid Services: SUPPORT establishing a cap on growth in the individual county Medicaid costs under s. 409.915, F.S. to address the cost shifts that result from the transition to a Medicaid enrollee based cost-sharing system. **OPPOSE** efforts to further shift state Medicaid costs to counties. **SUPPORT** continued evaluation of the county-state Medicaid cost-share arrangement, taking into consideration the impacts of state policies designed to contain growth in Medicaid costs, including statewide Medicaid managed care and diagnosis related group reimbursement for hospitals.

Emergency Medical Services (EMS): OPPOSE legislation that limits the ability of county EMS providers to be reimbursed for out-of-network transports. **OPPOSE** legislation that preempts county authority to regulate use or register distribution of Automatic External Defibrillators (AEDs). **SUPPORT** a cost recovery mechanism if county provided training is mandated.

Low Income Pool/Intergovernmental Transfers (IGTs): SUPPORT a system for distributing Low Income Pool dollars that ensures IGT-donor counties are able to direct the federal matching dollars generated by their local IGT contributions to best meet the health care needs of their constituents, rather than having those dollars redistributed throughout the state.

Statewide Medicaid Managed Care Program: SUPPORT continued efforts to work through Medicaid reform initiatives to ensure timely payment cycles for providers.

Community Care for the Elderly: SUPPORT adequate funding for the Community Care for the Elderly Program, which provides cost efficient diversion from nursing home placement for impaired elders.

Homelessness: SUPPORT developing a dedicated state funding source for homeless programs. **SUPPORT** legislation that streamlines current state statutes relating to homelessness and associated programs, including the funding allocation and appropriation processes. **SUPPORT** the implementation of discharge protocols and/or procedures for hospitals, correctional facilities, and mental health facilities when

releasing homeless persons. **SUPPORT** the development of strategies that would allow local governments to work with the state and federal government to serve target populations: the chronically homeless, veterans, and families and children, with particular emphasis on children aging out of the foster care system. **SUPPORT** continued coordination with the state's Council on Homelessness, specifically as it recommends policies and practices in support of the Federal Strategic Plan to End Homelessness. **SUPPORT** efforts to extend tax credits to businesses that employ the homeless. **SUPPORT** creation of a public records exemption for individual identifying information entered into the Homeless Management Information System (HMIS).

Smoking Regulation: **SUPPORT** legislation restoring county authority to regulate smoking on county-owned outdoor property. **OPPOSE** efforts to preempt local regulation of tobacco products and other nicotine dispensing devices.

Transportation Disadvantaged (TD): **SUPPORT** efforts to avoid fragmentation, inefficient operation, and costly duplication of TD services. **SUPPORT** appropriate and dedicated state funding for the TD program, including funding to address unmet TD needs in rural areas. **SUPPORT** efforts to protect the TD trust fund.

Graduate Medical Education (GME): **SUPPORT** efforts to fund GME programs to meet the healthcare needs of the state and its local communities, with a particular emphasis on programs that provide for specialties in need as well as the development of physicians practice in medically underserved areas.

Healthcare Expansion: **SUPPORT** state legislation drawing down the federal funds made available to Florida under the Patient Protection and Affordable Care Act to expand health insurance coverage to certain individuals who earn up to 138 percent of the federal poverty level, provided that such a program does not further shift Medicaid costs to counties.

Medically Needy: **SUPPORT** the continuation of the Medically Needy program.

Trauma Care System: **SUPPORT** efforts to maintain and enhance established trauma care funding, including incentives for the development of new trauma centers. **OPPOSE** any efforts to shift the state's financial responsibility for the trauma system to counties or divert trauma care funding for purposes other than those intended by the existing legislation.

Healthy Start and Healthy Families: **SUPPORT** continuation of funding for the Florida Healthy Start and Healthy Families program.



Open Water Life Guards: SUPPORT legislation that would provide for open water lifeguard agency certification in Florida.

Veterans: SUPPORT legislation establishing a program that allocates state funds to hire Veterans Services Officers in counties in order to increase services and federal benefits for Florida veterans.

Public Safety Interim Policy Statements

Laura M. Youmans, Esq., Legislative Advocate
lyoumans@fl-counties.com
Phone: 850-922-9755 Fax: 850-488-7501

GENERAL PUBLIC SAFETY

Firearm Preemption: SUPPORT legislation empowering local law enforcement to prosecute individuals who dangerously discharge firearms.

JUDICIAL SYSTEM

Article V: SUPPORT eliminating the requirements of s. 29.008(4)(a), F.S., that require counties to fund certain court expenditures by 1.5 percent over the prior county fiscal year.

Court Technology Fee: SUPPORT increasing the service fee charged for recording documents and instruments pursuant to s. 28.24(12)(e), F.S., from \$4.00 to \$8.00, so that \$6.00 of the fee is distributed to boards of county commissioners to help fund court-related technology and technology needs as mandated by s. 29.008(1)(f)(2), F.S.

Flexibility in Additional Court Costs for Criminal/Traffic Offenses: SUPPORT legislation giving counties more flexibility in the use of the funds generated by the discretionary \$65.00 cost on criminal and traffic cases provided in s. 939.185, F.S.

Pretrial Service Agencies: SUPPORT maintaining county ability to provide risk assessment pretrial release services that prevent new offenses and ensures appearance as obligated. **OPPOSE** legislation limiting the discretion of the first appearance judge, requiring written reports and eliminating the presumption of release on non-monetary conditions. **SUPPORT** changing pretrial program reporting requirements as provided in s. 907.043, F.S., from weekly to monthly updates. **OPPOSE** legislation that restricts pretrial services to only indigent defendants and **SUPPORT** legislation that requires bail bondsmen to report information as required of pretrial service agencies in s.907.043 F.S.

Traffic Hearing Officer Program: **SUPPORT** full funding for traffic hearing officer programs statewide and allow magistrates to handle cases resulting from red light camera offenses.

IMPACTS TO COUNTY JAILS

Mental Health or Substance Abuse Programs: **SUPPORT** efforts to increase supportive housing, jail diversion, and employment and education initiatives for people with mental health or substance abuse issues. **SUPPORT** diverting, medically assisting, or treating mentally ill outside of the criminal justice process through alternative programs, such as Crisis Intervention Teams.

Mental Health or Substance Abuse Funding: **SUPPORT** appropriate funding for core mental health and substance abuse services. **SUPPORT** increased funding of the Criminal Justice Mental Health and Substance Abuse Reinvestment Grant Program with recurring dollars in a trust fund. **SUPPORT** sustainable matching state funds to counties that have received both planning and implementation Reinvestment Grant funds.

Shift of Prison Inmates to Jails: **OPPOSE** any efforts to shift inmates with less than a year on their sentence at the time of sentencing to jails instead of prisons.

Small County Courthouse Funding: **SUPPORT** continued state general revenue funding for capital improvements to county courthouses and other court-related facilities, including jails, located in rural counties.

Inmate Medical Costs: **SUPPORT** legislation that reduces jail expenses by setting a reimbursement amount paid by counties to medical providers for health care services for inmates and arrestees at no higher than the established Medicare rate plus 10%, the same rate as currently charged to the Department of Corrections, unless there is an existing contract in place or a business practice providing a lower rate. **SUPPORT** continued efforts to obtain Medicaid eligibility for persons incarcerated in county jails while waiting disposition of their cases and to ensure that existing Medicaid benefits are not terminated during incarceration.

JUVENILE JUSTICE

Juvenile Detention: **SUPPORT** the state taking full responsibility for funding and operation of detention facilities serving juveniles, both for pre-disposition and post-

disposition days and implementing juvenile justice reform, as recommended by the Detention Cost Share Proviso Workgroup. In the alternative, **SUPPORT** funding for the secure detention as upheld by Florida's courts. **SUPPORT** allowing counties to pay actual costs on a monthly reimbursement basis.

Prevention, Treatment, and Rehabilitation: SUPPORT initiatives which reduce juvenile detention through prevention, treatment, and rehabilitation services.

Juvenile Detention Facilities: SUPPORT the legislature appropriating state funds to the Department of Juvenile Justice to upgrade, renovate, or reconstruct detention centers across Florida that are in a state of disrepair. **SUPPORT** state investments in juvenile facilities to improve the conditions of secure confinement for detained youth without such costs being shifted to the counties.

GENERAL PUBLIC SAFETY

Medical Marijuana: If there is an effort to expand or modify the use of medical marijuana **SUPPORT** legislation that provides a comprehensive health-based regulatory system where the Department of Health is responsible for licensing cultivation sites, dispensing facilities and manufacturers of marijuana for medicinal purposes subject to local ordinances, including but not limited to occupational licensing, regulation and zoning laws.

Synthetic Drugs: SUPPORT expanding the controlled substance schedule to include new iterations of synthetic formulas that mimic the effects of illegal drugs. **SUPPORT** prohibiting certain types of packaging and marketing of any products claiming to mimic the effects of illegal drugs.

Pain Management Clinics: OPPOSE preemption of the regulation of pain management clinics to the state.

County Emergency Radio Systems: OPPOSE legislation that would shift funds or impede counties from building and maintaining an interoperable radio communication system as authorized by statute.

Crime Lab Funding: SUPPORT additional funding for locally-operated crime analysis laboratories.

Copper and Other Metals Thefts: SUPPORT legislation strengthening laws related to copper and other metals thefts and secondary metals recyclers to deter thefts from local governments, businesses, and individuals. **SUPPORT** legislation increasing the

penalties for illegal purchase of scrap metals. **OPPOSE** legislation preempting local scrap metal ordinances from being more restrictive.

EMERGENCY MANAGEMENT

Emergency Management Preparedness and Assistance (EMPA) Trust Fund:

SUPPORT maintaining the original intent and purpose of the EMPA Trust Fund, which is to serve as a funding source for state and local emergency management programs, by ensuring that all monies collected for purposes of funding emergency management, preparedness and assistance are deposited into the EMPA Trust Fund and spent on emergency management activities. Accordingly, FAC **OPPOSES** legislative sweeps of the EMPA trust fund for non-emergency management purposes and **SUPPORTS** an increase to the county base grant funding, which has remain unchanged for more than a decade. **SUPPORT** changes to the EMPA trust fund by ensuring the \$2.00 and \$4.00 annual surcharge on all homeowner and business insurance policies is assessed on either a per-parcel or per-unit basis of coverage, rather than on a single policy. **SUPPORT** a repeal of the service charge to general revenue on the EMPA trust fund and redirect these monies back to the counties in the same manner in which the EMPA base grant is distributed.

Shelter Funding and Standards: Consistent with the provisions of s. 252.385, F.S., which states that it is the intent of the Legislature that this state not have a deficit of safe shelter space by 1998 and thereafter, **SUPPORT** additional state funding for hurricane shelter spaces, including retrofitting existing facilities, and providing for the increased cost of construction for Enhanced Hurricane Protection Areas (EHPA) associated with new school construction. **SUPPORT** state funding for county and regional special needs patients and shelters.

Background Checks for Emergency Volunteers: **SUPPORT** a legislative review of the intent of background screening requirements of Chapter 2010-14, Laws of Florida with respect to volunteers in emergencies.

Emergency Operation Centers (EOCs): **SUPPORT** continued state funding for county EOCs to ensure each is able to meet the minimum structural survivability and operational space criteria established by the state and federal government and the American Red Cross.

Disaster Funding: **SUPPORT** a 50/50 cost-share arrangement with the state for the non-federal portion of the Hazard Mitigation Grant Program (HMGP). **SUPPORT** the creation of an emergency bridge loan program for counties to provide a source of expedient cash flow to counties impacted by a major catastrophe.

Emergency Management Credentialing: To strengthen the professionalism of County Emergency Management Directors, **SUPPORT** efforts that provide enhanced training and education opportunities for County Emergency Management employees. **OPPOSE** any state mandated training and hiring requirements for County Emergency Management Directors.

Federal Interim Policy Statements

Lisa M. Hurley, Esq., Legislative Director
lhurley@fl-counties.com
Phone: 850-922-4300 Fax: 850-488-7501

Eric Poole, Assistant Legislative Director
Email: epoole@fl-counties.com
Phone: 850-922-4300 Fax: 850-488-7501

WATER

Waters of the United States (WOTUS): **SUPPORT** legislation that clarifies that local streets, gutters, and other stormwater infrastructure are excluded from the definition of "Waters of the U.S.," while also requiring federal agencies to consult with state and local officials to identify which waters should be federally regulated and which should be left to the states.

TRANSPORTATION & INFRASTRUCTURE

MAP-21 Reauthorization: **SUPPORT** passage of a multi-year surface transportation authorization bill that provides long-term funding certainty, restores solvency to the Highway Trust Fund, and distributes to high growth states like Florida at least 95% of all highway funds by formula.

NATIONAL FLOOD INSURANCE PROGRAM

National Flood Insurance Program (NFIP) Reform: FAC **SUPPORTS** legislative efforts, policies and programs that ensure all property owners can receive affordable flood insurance within a program framework that helps the NFIP become financially stable.

FEMA Mapping Procedures:

As FEMA amends flood hazard maps for Florida's counties, **SUPPORT** the agency's full coordination with local governments and technical experts to ensure technical and scientific accuracy of any final maps, which have the potential for negative economic impacts.

DISASTER RECOVERY

Federal Disaster Assistance: SUPPORT legislation that prohibits the Federal Emergency Management Agency (FEMA) from deobligating from counties previously-awarded disaster funds for projects that have been certified complete by the state for at least three years.

ENERGY, ENVIRONMENT & AGRICULTURE

Waters of the United States (WOTUS):

Monitor and report on the impacts of the implementation of the WOTUS rule on counties.

Oil Pollution Act of 1990 (OPA): SUPPORT revisions to OPA to provide for greater participation from local governments as primary first responders in the protection of local communities.

Offshore Energy Production: Monitor and report on the potential for expansion of offshore energy exploration in Florida's federal waters.

Numeric Nutrient Criteria: Monitor and report on activities associated with proposed numeric water quality criteria for lakes, flowing waters and canals.

TAX REFORM

Tax-Exempt Status of Municipal Bonds: SUPPORT the preservation of the existing tax-exempt status of municipal bonds. Oppose legislative provisions that would repeal or eliminate the tax exempt status of municipal bonds. Oppose legislative provisions that would repeal, limit or "cap" the deduction for interest earned on new and outstanding municipal bonds.

Marketplace Fairness Act: Monitor and report on the status of legislative provisions for the collection of sales and use taxes from remote sellers and the effect on a state's ability to enforce state and local sales and use tax laws.

ENTITLEMENTS AND APPROPRIATIONS

Block Grants: Monitor and report on the status of funding for the Social Services Block Grant, the Community Services Block Grant as well as the program's formula grant structure. Oppose any efforts to eliminate or reduce block grant funding.

Immigration: Monitor and report on the status of federal reimbursement to counties for all costs related to detaining, and transporting undocumented immigrants. Monitor and report on the reauthorization of the State Criminal Alien Assistance Program (SCAAP), to reimburse state and local costs of incarcerating undocumented criminal aliens.

HEALTHCARE & HUMAN SERVICES

Health Care: Monitor and report on implications of health care reforms for potential fiscal and health delivery impacts. Monitor and report on implementation of the Patient Protection and Affordable Care Act and changes to Medicaid that would further shift the financial burden to states and counties.

Veterans Health: SUPPORT NACo's efforts to assure that:

- U.S. Department of Veterans Affairs (VA) funds are made available to reimburse counties for the services provided to veterans eligible for VA services and for services provided to veterans awaiting determination of eligibility.
- VA funds are made available to reimburse services provided to veterans eligible for VA services by public and private providers under contract with the VA.
- U.S. Department of Defense (DOD) funds are made available to reimburse counties for the services provided to veterans eligible for DOD services.
- Appropriate county level data are available so that counties know how many veterans are returning to their local areas.