



2010

LEGISLATIVE PROGRAM

ADVOCATE.
EDUCATE.
COLLABORATE.

President's Message

State Leaders,

It is with great honor that I present to you the Florida Association of Counties' (FAC) 2010 Legislative Priorities Program. Florida's county officials have come together and worked tirelessly to develop a unified legislative agenda that benefits all counties. The FAC Legislative Priorities Program outlines statewide issues important to our shared constituency.

The program includes a description of FAC's legislative priorities for the 2010 Session. These priorities underscore our commitment to protecting local government authority and provide focus for the Association in responding to legislative issues.

Florida's county commissioners, staff and the Florida Association of Counties look forward to working with you during session. Should you have any questions about particular issues or if we can be of assistance, please contact Chris Holley, FAC Executive Director or John Wayne Smith, FAC Legislative Director.

Best wishes for a productive and successful session! As always, I am



Willing to serve,

A handwritten signature in black ink, appearing to read "Rodney J. Long". The signature is fluid and cursive.

Commissioner Rodney J. Long
Alachua County Commission
FAC President

Florida Association of Counties

Mission

The Florida Association of Counties helps counties effectively serve and represent Floridians by strengthening and preserving county home rule through advocacy, education and collaboration.

About FAC

For 80 years, the Florida Association of Counties (FAC) has represented the diverse interests of Florida's counties, emphasizing the importance of protecting home rule – the concept that communities and their local leaders should make the decisions that impact their community.

FAC brings together the collective experience and knowledge of Florida's counties, represented by county commissioners and supported by county professional staff. FAC provides the cohesive platform that enables

county officials and staff to speak with a unified voice on behalf of all Floridians. Through FAC, counties are better able to serve not only their communities, but the entire state of Florida.

Throughout the state, Florida's counties perform vital public services such as public safety, fire and emergency medical services, jails, parks, libraries, healthcare, growth management, economic development, and roads to name a few.

Advocacy to Preserve Home Rule

The Florida Association of Counties is called upon to represent counties year-round on a range of issues from finance and tax to health care to transportation before the Florida Legislature, the Governor and Cabinet, various state agencies and the courts. The guiding principles that underlie FAC's efforts are to preserve county home rule authority, to provide a voice for the development and

implementation of statewide policies, and to protect local citizenry from the financial burden of unfunded mandates.

Local elected county commissioners guide the creation of FAC's legislative positions which are committed to sound public policy that makes Florida a better place to live and work.

2009-10 Executive Committee



President
Commissioner
Rodney Long
Alachua County



President-Elect
Commissioner
Ilene Lieberman
Broward County



1st Vice President
Commissioner
Doug Smith
Martin County



2nd Vice President
Commissioner
Bill Williams
Gulf County



Immediate Past President
Commissioner
Susan Latvala
Pinellas County

FAC Team at Your Service



Chris Holley
Executive Director
cholley@fl-counties.com



All About Florida



John Wayne Smith
Legislative Director
jsmith@fl-counties.com



Ginger Delegal
General Counsel
gdelegal@fl-counties.com



Cragin Mosteller
Communications Director
cmosteller@fl-counties.com



Valerie Rogers
Senior Executive Assistant
vrogers@fl-counties.com



Tracy M. Kusmierz
Executive Assistant
tkusmierz@fl-counties.com

Growth Management, Transportation & Emergency Management



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

- *Growth Management*
- *Transportation*
- *Affordable Housing*
- *Emergency Management*
- *DRI's (Developments of Regional Impact)*
- *Mobile Homes*
- *MPO's (Metropolitan Planning Organizations)*
- *Building Codes*
- *Regional Planning Councils*
- *School Concurrency*

Transportation

Regional & Rural Transportation Funding

Background: Decreased financial resources have placed a strain on state and local governments resulting in reduced spending in areas including transportation. During Florida's explosive growth, transportation demands were not met and many projects are still trying to catch up to existing growth. Preserving transportation funding or allowing alternative funding sources for transportation are critical to Florida's highways, streets and roads.

FAC Position:

- **SUPPORT** legislation that authorizes regional transportation finance authorities to pledge a portion of the capacity improvement funds historically allocated to the respective transportation district from the State Transportation Trust Fund to finance eligible transit or transportation improvements over 30 years.
- **SUPPORT** legislative efforts that create a dedicated funding source for Regional Transportation Authorities (RTAs), including but not limited to, allowing non charter counties who are members of an RTA to levy the Charter County Transportation Surtax.
- **SUPPORT** state funding for the Small County Road Assistance Program (SCRAP).
- **SUPPORT** continuing enhanced state funding for the Small County Outreach Program (SCOP).

Florida's Growth Management Framework

Background: FAC recognizes the critical role growth management plays in the state of Florida and the importance of having a community growth plan. However, every community is designed to be unique and therefore local governments should retain control over their comprehensive planning to develop the unique community their citizens demand.

State's Role in Growth Management

Background: FAC would like to see a growth management program that fosters a partnership between state and local governments. Empowering home rule while encouraging cooperation on a regional and state level and providing the funding needed to develop solid growth management plans.

Role of the Department of Community Affairs

Background: While local control is critical in growth management, having a state agency to assist smaller counties that do not have planners in place is critical for our state. In addition, someone that has the whole picture in mind when looking at local issues can make sure that local, regional and state growth plans work together.

FAC Position:

- FAC **SUPPORTS** the purpose and intent of the Local Government Comprehensive Planning Act, which is to strengthen the existing roles and home rule powers of local governments to implement comprehensive planning programs that guide future development and encourage the most appropriate use of land and natural resources.

FAC Position:

- FAC **SUPPORTS** a state role in growth management that will:
 - › Recognize the fundamental principle of county home rule power, which enables counties to develop local solutions to local problems;
 - › Foster partnerships with counties to ensure local planning goals are realized;
 - › Provide an appropriate vision and strategy for how the state should grow;
 - › Provide funding for key infrastructure systems; and
 - › Provide appropriate oversight in land use matters to minimize extra-jurisdictional conflicts.

FAC Position:

- Recognizing the state's need for comprehensive planning and strategic growth management, FAC **SUPPORTS** the Department of Community Affairs (DCA) as the State Land Planning Agency and, in the interest of all citizens, **SUPPORTS** having the agency maintain this responsibility.
- To ensure DCA can effectively carry out its responsibilities, serve as a technical resource for local governments, and implement a growth management vision for the state, FAC **SUPPORTS** state funding to the agency at a level that ensures it can meet these responsibilities.
- **SUPPORT** DCA's working effectively with counties to make the comprehensive review process more efficient.

Finance & Taxation



Sarah Bleakley, Esq.

Special Tax Counsel
Nabors, Giblin & Nickerson, P.A.
sbleakley@ngnlaw.com
Phone: 850-508-4816



Davin Suggs

Senior Legislative Advocate
dsuggs@fl-counties.com
Phone: 850-922-4300
Fax: 850-488-7501

- *Ad Valorem Taxes*
- *County Budget Process and Procedures*
- *Fiscally Constrained County Funding*
- *Home Rule Revenues*
- *Local Option Taxes*
- *Property Tax Assessment Classifications*
- *Revenue and Expenditure Caps*
- *Sales Taxes*
- *Unfunded Mandates*

Revenue & Expenditure Caps (TABOR)

Background: TABOR is a failed experiment in Colorado and should it pass in Florida it would hinder economic recovery and further reduce critical services counties provide. TABOR places an inflexible and rigid formula on budgets designed to provide services, yet does not account for unplanned expenses or items such as health care or gas that increase at a greater rate than the TABOR formula allows.

FAC Position:

- **OPPOSE** legislative or constitutional restrictions on county authority to determine local tax burden or local financial commitments to services and quality of life.

Public Safety & Administration



Sarah Troncoso

Legislative Advocate II
stroncoso@fl-counties.com
Phone: 850-922-4300
Fax: 850-488-7501

- *Article V*
- *Corrections*
- *Criminal Justice*
- *Elections*
- *Enterprise Florida*
- *Ethics / Gift Disclosure*
- *Florida Retirement System (FRS)*
- *Insurance*
- *Judicial*
- *Workers' Compensation*

Detention Cost Share

Background: Each year the Florida Department of Juvenile Justice provides counties with an estimated cost of services. However at the end of each year those costs are often more than the original estimate, making it impossible for local governments to manage their budgets. Counties should have the flexibility to contract with providers outside of the DJJ agency and when contracting with DJJ expect billing that is accurate and timely.

FAC Position:

- **SUPPORT** legislation that would give counties the option to invest in locally operated detention facilities and detention alternatives by reducing the number of children in the state's detention facilities, ultimately reducing the amount counties contribute to the Department of Juvenile Justice (DJJ) Shared County State Trust Fund. Detention alternatives should create efficiencies in the juvenile

system through reducing the number of Failure to Appear for juvenile delinquency hearings and ensuring that the public is safe while youth are awaiting case disposition.

- **SUPPORT** legislation that would implement a monthly reconciliation system for purposes of secure detention.
- **SUPPORT** legislation creating an expenditure and operational efficiency review team made up of county and state representatives to discuss and review DJJ operations, as well as alternatives to detention. This team would provide genuine budget input at the time DJJ makes its legislative budget request for budget sections affecting counties, and would focus on community efforts that divert children from detention.
- **SUPPORT** legislation that would establish a set per diem rate to create predictability and fairness in the cost of secure detention.

Health & Human Services



Heather Wildermuth

Senior Legislative Advocate
hwildermuth@fl-counties.com
Phone: 850-922-4300
Fax: 850-488-7501

- Behavioral Health Care
- County Health Departments
- Elderly
- Emergency Medical Services
- Health Care / Health Insurance
- Human Services
- Kidcare Program
- Social Services
- Substance Abuse
- Transportation Disadvantaged

County Health Departments

Background: Imposing rate caps or restrictions on County Health Departments has hindered their ability to meet the health needs of their local communities by significantly reducing their capacity to create new positions and appropriately compensate health care professionals. County Health Departments work in partnership with both state and county government. They receive funding from a variety of sources, outside of the general revenue dollars provided by the State, making it difficult for them to function appropriately under such regulations.

FAC Position:

- **SUPPORT** reinstating the exemption from rate control for county health departments.

Medicaid Nursing Home Services

Background: Florida has required counties to contribute financially to the Medicaid program, subsidizing the state's share. This policy leaves counties vulnerable each year to potential cost shifts when there is a state budget deficit or shortfall. Recent proposals suggest almost quadrupling the cost shift currently in place, putting an extreme burden on already struggling counties.

FAC Position:

- **OPPOSE** any increase to the County contribution for Medicaid nursing home services.

Environment, Agriculture & Utilities



Diana Ferguson

Legislative Staff Attorney
dferguson@fl-counties.com
Phone: 850-922-4300
Fax: 850-488-7501

- *Beaches and Coastal Management*
- *Energy*
- *Environmental Delegation and Permitting*
- *Everglades Restoration*
- *Land Acquisition and Management*
- *Solid Waste and Recycling*
- *Stormwater and Wastewater Utilities*
- *Water Quality and Supply*
- *Wetlands*

Conservation and protection of our natural resources is critical to managing growth, promoting economic development, and maintaining a healthy environment to ensure a high quality of life for Florida's citizens and businesses. Accordingly, and in keeping with home rule authority, the Florida Association of Counties supports the right to adopt local environmental regulations to protect a community's unique natural resources.

Many of Florida's counties have made energy efficiency and conservation a priority. Counties continue to lead by example when it comes to energy, by investing in fuel efficient fleets, energy efficient buildings, and renewable energy technologies, and by working collaboratively with stakeholders in the community to create innovative energy programs and encourage conservation.

Additionally, increased demand on Florida's water supply requires many diverse

interests, including county government, to work together in planning for the future of water supply in Florida. The primary goal of water resource planning efforts should be ensuring resource availability for all reasonable beneficial uses, consistent with the protection of water and related natural resources. The Florida Association of Counties strongly supports the policy of local sources first in providing water to the citizens of Florida. Additionally, the Florida Association of Counties opposes the creation of a statewide water commission. Decisions regarding water resources should be kept as local in nature as possible.

Finally, federal and state water quality regulations require county government to expend billions of dollars to improve water quality. Therefore, state environmental regulations should not hamper the ability of counties to realize water quality improvements that are required by federal or state law.

P.O. Box 549
Tallahassee, FL 32302
Phone: 850.922.4300
Twitter: @flcounties

www.fl-counties.com

