

## **2016-2017 FAC Legislative Program**



**2016-2017 FAC Legislative Priorities, Policies & Guiding Principles**

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**2016-2017 Federal Legislative Priorities & Policies**

**1. 2016-2017 Federal Priorities**

NATIONAL FLOOD INSURANCE PROGRAM

**National Flood Insurance Program (NFIP) Reform:** FAC **SUPPORTS** reauthorization of the NFIP with legislative, policy and programmatic modifications to ensure no coverage lapses and to improve the affordability, transparency and financial stability of the program through reforms in the following areas: 1) Affordability/Rate Structure; 2) Mapping/Data Collection/Modeling; and, 3) Mitigation.

DISASTER RECOVERY

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

WATER RESOURCES

**Water Resources Development Act:** **SUPPORT** bi-annual passage of the Water Resources Development Act that authorizes Corps of Engineers projects and policies that often have state-wide impacts to Florida, including Everglades restoration, port and inlet construction, and beach nourishment projects.

GENERAL PUBLIC SAFETY

**Opioid Funding:** **SUPPORT** providing life-saving interventions, medically-assisted detoxification programs, and diversions from the criminal justice system for those suffering from opioid addiction. **SUPPORT** efforts to stop international and interstate opioid trafficking and increased penalties for dealers and traffickers whose actions result in loss of life.

ZIKA / MOSQUITO CONTROL

**Zika Funding:** To eliminate the risk associated with the Zika virus, FAC urges the federal government-to develop a comprehensive eradication strategy that identifies and allocates the appropriate amount of funding needed to support state and local governments.

## 2. Monitoring Issues

### 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

**Truck Weights / Size:** Due to safety concerns and potential impacts to local roads, FAC **OPPOSES** legislation that seeks to increase truck size or weight limits beyond those in current federal law.

### ENERGY, ENVIRONMENT & AGRICULTURE

**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.

## 2016-2017 State Legislative Priorities

### OPIOID ABUSE

**SUPPORT** providing life-saving interventions, medically-assisted detoxification programs, and diversions from the criminal justice system for those suffering from opioid addiction. **SUPPORT** efforts to stop opioid trafficking and increased penalties for dealers and traffickers whose actions result in loss of life.

### MEDICAL MARIJUANA

**SUPPORT** Home Rule: maintaining local authority to determine land use, zoning, and other regulatory standards for marijuana cultivation, processing, and distribution.

**SUPPORT** Recurring Revenue: A taxation or fee structure should be implemented with the state or independently to help counties recoup any and all costs in public services, including but not limited to law enforcement, and regulatory enforcement.

**SUPPORT** legislation that provides a comprehensive health-based regulatory system where the DOH is responsible for licensing cultivation sites, dispensing facilities, and manufacturers of marijuana for medicinal purposes.

### TAX REFORM / LOCAL REVENUE ENHANCEMENT and ECONOMIC DEVELOPMENT

**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. Aviation Fuel Taxes

**OPPOSE** legislation that would modify current aviation fuel taxes in a manner that would negatively impact counties or the state’s ability to provide resources in support of aviation transportation related operations.

E. 10% Non-Homestead Assessment Limitation

**SUPPORT** legislation that would extend current 10% assessment increase limitation on non-homestead property.

**SUPPORT** measures that enhance the effectiveness of existing local revenue sources to meet current and future public service demands.

Potential proposals that are of major interest to FAC include:

A. **SUPPORT** modifications to existing laws governing local discretionary sales and gas tax revenue sources to provide greater simplification, flexibility and more efficient administration and management.

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

C. **SUPPORT** indexing local option fuel taxes to annual adjustments of the CPI.

**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, as well as an enhanced level of national and global competitiveness.

Related issues that are of major interest to FAC for the 2017 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 strategic investments in infrastructure (traditional and high-tech); and programmatic enhancements designed to induce sustainable economic activity resulting in a consistent positive return on investment for both state and local governments

**B. Rural Economic Development**

**SUPPORT** legislation and appropriation that eliminates the program match requirement in grant program Florida Statute 288.018 and increase the appropriation from \$150,000 to \$250,000 for each of the three Rural Areas of Opportunity (RAO) designated by Governor's Executive Order.

**SUPPORT** appropriation that increases the rural infrastructure fund from \$1.6 million to \$5 million annually.

COMPREHENSIVE WATER

• **Amendment 1 – The Florida Water and Land Conservation Amendment**

**SUPPORT** the allocation of matching funds to county governments to purchase environmentally sensitive and endangered lands, and to restore impaired estuaries, lagoons and other waterbodies in accordance with state policy and local needs.

**SUPPORT** the distribution of land management appropriations to local governments in proportion to the percentage of public conservation lands managed within those local jurisdictions.

• **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 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:** **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.

#### BEACH RENOURISHMENT

**SUPPORT** the creation of a new dedicated and recurring statutory funding source for beach renourishment projects which accurately reflects the increase in participating programs and future beach and inlet project funding needs.

**SUPPORT** the revision of statutory criteria for the annual ranking of beach projects for state cost sharing; specifically, the inclusion of criteria that recognizes economic benefits and cost effectiveness, reduction in storm damage, ability to leverage matching funds, and dune restoration as an investment in beach protection and preservation.

**2016-2017 Growth Management, Agriculture & Environment (GMAE) Policies**

**1. 2016-2017 GMAE Priorities**

GROWTH MANAGEMENT

**Cell Towers:** FAC **SUPPORTS** the current statutory framework and Home Rule authority that allows communication services providers to place traditional communication services infrastructure within county rights-of-way, subject to local rules, regulations, and permit processes.

However, FAC **OPPOSES** extending this authority to third-party / pass-through providers, who do not provide communication services or remit communications services tax.

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**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 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**

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## BEACH RENOURISHMENT

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## 2. GMAE Policies

### GROWTH MANAGEMENT

**CRA:** The Florida Association of Counties **supports** implementation of the community redevelopment agency related recommendations in the Auditor General’s Performance Audit Report No. 2015-037, relating to the Local Government Financial Reporting System, which are as follows:

- 1) Providing more specificity as to the types of expenditures for which redevelopment trust fund revenues may be used, particularly concerning promotional activities;
- 2) Requiring county approval of adopted or amended municipal CRA redevelopment plans;
- 3) Requiring all CRAs to abide by the same redevelopment plan content requirements;
- 4) Authorizing CRAs to establish reserves for mitigating current and future risks and exempt such reserves from ending fund balance disposition requirements; and
- 5) Ensuring financial audits of CRA trust funds include a determination of compliance with Section 163.387(6), F.S. and Section 163.387(7), F.S., relating the expenditure of CRA trust fund revenues and disposition of unexpended CRA trust fund balances.

**Growth Management Reform:** FAC **OPPOSES** any further reductions in state planning oversight or other efforts preempting local planning decisions.

**Development Impacts:** **SUPPORT** legislation that provides a mechanism to ensure the extra-jurisdictional impacts from large-scale development projects are adequately addressed within the impacted counties prior to development approval.

**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** recent legislative efforts that mandate minimum land use densities for properties that meet specific size, use, and location characteristics.

**Concurrency:** FAC **SUPPORTS** county home rule authority, and current statutory provisions, which allow counties to retain their current transportation concurrency systems, as adopted by local ordinance.

**Regional Planning Councils (RPCs):** FAC **SUPPORTS** the legislative findings enumerated in Ch. 186, F.S, which states that the regional planning councils are recognized as Florida’s only multi-purpose regional entity to plan and coordinate intergovernmental solutions to growth problems on greater-than-local issues, provide technical assistance to local governments, and meet other needs of communities in the region. To that end, FAC recognizes and supports the critical role RPCs play in supporting communities by providing, among others, the following key services:

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

**Flood Risk Mapping:** FAC **SUPPORTS** comprehensive strategies that reduce a county’s risk to the impacts of coastal and inland flooding. To that end, FAC **SUPPORTS** a statutory change to Section 163.3178 that clarifies for state and local officials how risk reduction is evaluated in special flood hazard areas (SFHA), as shown on FEMA Flood Insurance Rate Maps (FIRMs).

#### AFFORDABLE HOUSING

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

#### TRANSPORTATION

**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 \$1,000,000) 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.

**Local Option Fuel Tax (Indexing):** Recognizing that an efficient and modern transportation system is critical to support and expand the economy, counties annually invest billions in this infrastructure. Unfortunately, the primary funding source for county roads – the local option fuel tax – is not indexed to keep pace with inflation, forcing counties to use other revenue sources to meet increased demand. In light of this, and recognizing that the State Motor Fuel Tax has been indexed to the Consumer Price Index (CPI) since 1985, FAC **SUPPORTS** indexing local option fuel taxes to annual adjustments of the CPI.

#### RECLAIMED WATER

**SUPPORT** the economically, technically and environmentally feasible use of reclaimed water with incentivized infrastructure investment and reliable distribution including reuse service areas and prioritized irrigation and nonpotable uses.

**SUPPORT** the use of surface water or stormwater to supplement reclaimed water systems to increase the customer base and reduce reclaimed water disposal without imposing unduly burdensome treatment requirements.

#### ZIKA / MOSQUITO CONTROL

**SUPPORT** Federal and State funding for Zika Virus prevention and control.

**SUPPORT** a legislative policy that entitles each county, irrespective of population, to a pro rata share of waste tire grants from the fee imposed on motor vehicle tires for use in mosquito control programs. Such grants should supplement the Small County Consolidated Grant Program to ensure that all counties can implement successful and synergistic controls.

#### PUBLIC NOTICE OF POLLUTION

**SUPPORT** the enhanced public awareness of pollution incidents that may threaten public health, safety and welfare and regulations with well-defined standards, and clear scope and applicability.

**SUPPORT** a manner of public notice that is consistent and commensurate with the potential impact.

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** funding of the Florida Forever Grant Program and Florida Communities Trust which provide recreational opportunities for parks, open space, greenways and trails to help meet growth challenges and protect natural resources.

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.

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.

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.

#### ENERGY

**Hydraulic Fracturing (Fracking):** **OPPOSE** a state preemption of fracking activities – especially the siting of wells within sensitive areas – and ancillary activities such as waste storage, handling and disposal, truck traffic and other local public health and safety impacts. **OPPOSE** any state legislation which would create a public records law exemption for proprietary information provided by drilling companies to the Florida Department of Environmental Protection through the department’s online chemical disclosure registry. **SUPPORT** a moratorium on all new well stimulation activities, including hydraulic fracturing and acidization, until an independent and comprehensive Florida-specific study has been completed and peer-reviewed.

**Waste To Energy:** **SUPPORT** the amendment of 366.91 Florida Statutes to expand net metering of local government-owned renewable energy generation to the local government’s offsite facilities within the same service area.



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

**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.

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

**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).

**2016 -2017 Finance, Tax & Administration (FTA) Policies**

**1. 2016-2017 FTA Priorities**

FINANCE & TAX POLICY

**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. Aviation Fuel Taxes

**OPPOSE** legislation that would modify current aviation fuel taxes in a manner that would negatively impact counties or the state’s ability to provide resources in support of aviation transportation related operations.

E. 10% Non-Homestead Assessment Limitation

**SUPPORT** legislation that would extend current 10% assessment increase limitation on non-homestead property.

**Local Revenue Enhancement / Modification: SUPPORT** measures that enhance the effectiveness of existing local revenue sources to meet current and future public service demands.

Potential proposals that are of major interest to FAC include:

- D. **SUPPORT** modifications to existing laws governing local discretionary sales and gas tax revenue sources to provide greater simplification, flexibility and more efficient administration and management.
- E. **SUPPORT** expanding the eligibility to levy the Charter County Transportation Surtax to all counties.
- F. **SUPPORT** indexing local option fuel taxes to annual adjustments of the CPI.

#### 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, as well as an enhanced level of national and global competitiveness.

Related issues that are of major interest to FAC for the 2017 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 strategic investments in infrastructure (traditional and high-tech); and programmatic enhancements designed to induce sustainable economic activity resulting in a consistent positive return on investment for both state and local governments
- D. Rural Economic Development  
**SUPPORT** legislation and appropriation that eliminates the program match requirement in grant program Florida Statute 288.018 and increase the appropriation from \$150,000 to \$250,000 for each of the three Rural Areas of Opportunity (RAO) designated by Governor's Executive Order.  
  
**SUPPORT** appropriation that increases the rural infrastructure fund from \$1.6 million to \$5 million annually.

## 2. FTA Policies

### GENERAL ADMINISTRATION

**Payment In Lieu of Taxes:** **SUPPORT** the comprehensive Payment In Lieu of Taxes programs that offset the impact of lands acquired by Federal, State, or other tax-exempt entities. PILT programs should be funded in a fashion, so as not to diminish the fiscal capacity of small counties. **SUPPORT** legislative consideration of adjusting PILT payments to accommodate the increased value and/or the valued use of the property by the purchasing entity.

**Worker's Compensation:** **SUPPORT** legislation that reforms existing worker's compensation laws that provide accessibility, predictability and stability to the market respective rates.

**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** any 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.

## 2016-2017 Health & Human Services (HHS) Policies

### 1. 2016-2017 HHS Priorities

#### 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.

#### EMERGENCY MEDICAL SERVICES

**Emergency Medical Services (EMS):** **OPPOSE** legislation that limits the ability of county EMS providers to be reimbursed for out-of-network transports. **SUPPORT** maintaining a countywide regulatory system for EMS through the current Certificate of Public Convenience and Necessity (COPCN) process.

### 2. 2016-2017 HHS Policies

#### ZIKA / MOSQUITO CONTROL

**Zika:** **SUPPORT** federal and state funding for Zika Virus prevention and control. **SUPPORT** a legislative policy that entitles each county, irrespective of population, to a *pro rata* share of waste tire grants from the fee imposed on motor vehicle tires for use in mosquito control programs.

#### HEALTHCARE/HUMAN SERVICES FUNDING

**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.

**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.

**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.

**Digital Divide: SUPPORT** efforts to collaborate with school boards and other stakeholders to reduce the digital divide and expand Internet access into areas of Florida where it is not currently available.

**Early Learning/School Readiness: SUPPORT** appropriate funding for children in early learning and school age care to ensure children's access to educational, enrichment programs that support low-income working families and children's readiness for and success in school.

**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.

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

**Homelessness: SUPPORT** 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).

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

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

**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.

**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.

#### HEALTHCARE/HUMAN SERVICES POLICY

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

**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.

**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.

**Volunteer Fire Fighters:** FAC **SUPPORTS** efforts to recruit and retain volunteer firefighters in rural communities with state funding for training and certification. FAC **SUPPORTS** reciprocity of training and certification from other accredited agencies as credit toward training hours required for volunteer firefighters

## 2016-2017 Public Safety Policies

### 1. 2016-2017 Public Safety Priorities

#### JUDICIAL SYSTEM

**Clerks of Court: SUPPORT** adequate funding for the court related functions of the clerks of court, including an allocation process that results in a fair and sufficient distribution of court generated revenue.

#### GENERAL PUBLIC SAFETY

**Opioid Abuse: SUPPORT** providing life-saving interventions, medically-assisted detoxification programs, and diversions from the criminal justice system for those suffering from opioid addiction. **SUPPORT** efforts to stop opioid trafficking and increased penalties for dealers and traffickers whose actions result in loss of life.

**Medical Marijuana: SUPPORT** Home Rule: maintaining local authority to determine land use, zoning, and other regulatory standards for marijuana cultivation, processing, and distribution.

**SUPPORT** Recurring Revenue: A taxation or fee structure should be implemented with the state or independently to help counties recoup any and all costs in public services, including but not limited to law enforcement, and regulatory enforcement.

**SUPPORT** legislation that provides a comprehensive health-based regulatory system where the DOH is responsible for licensing cultivation sites, dispensing facilities, and manufacturers of marijuana for medicinal purposes.

### 2. 2016-2017 Public Safety Policies

#### 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.

#### MENTAL HEALTH AND SUBSTANCE ABUSE

**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. **SUPPORT** continued efforts to work through Medicaid reform initiatives to ensure that persons with substance abuse and mental health treatment needs are appropriately served.

**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.

#### IMPACTS TO COUNTY JAILS

**Shift of Prison Inmates to Jails:** **OPPOSE** sentencing of state inmates to county jails, but support counties' ability to contract with the Department of Corrections for housing state inmates.

**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

**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. **SUPPORT** measures that ensure that adequate safety, supervision, and facility maintenance is provided at juvenile residential assessment centers and secure detention facilities.

**Juvenile Assessment Centers (JAC Centers):** **SUPPORT** state funding of JAC Centers throughout Florida to strive to achieve equal treatment of youth offenders.

**Juvenile Direct File:** **SUPPORT** legislation that increases judicial oversight and authority for charging and sentencing juvenile defendants as adults without creating additional county service requirements.

#### GENERAL PUBLIC SAFETY

**Human Trafficking:** **SUPPORT** legislation and programs designed to prevent trafficking, protect victims, prosecute traffickers, and create partnerships across all levels of government, the private sector, and state agencies to provide training opportunities for local government employees and their agents to recognize the signs of trafficking including government inspectors, law enforcement, criminal justice, health care, transportation and public transit, educational partners, and employees working with vulnerable populations.

**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

**Disaster Funding:** FAC **SUPPORTS** the legislative intent of Section 252.37, F.S., which states that it is the public policy of the state that funds to meet emergencies shall always be available. To that end, FAC **SUPPORTS** Section 252.37(5)(a), F.S., which calls for the state to provide to local governments half of the non-federal share (12.5%) for Public Assistance projects. Additionally, to ensure the public health, safety and welfare can be met following a disaster, FAC **SUPPORTS** that state match funds be provided for all projects deemed eligible and approved by FEMA.

**Mitigation Funding:** **SUPPORT** a 50/50 cost-share arrangement with the state for the non-federal portion of the Hazard Mitigation Grant Program (HMGP).

**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.

#### **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 remained 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:** **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 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.

## **2016-2017 Proposed Guiding Principles**

### **HOME RULE**

County officials are dedicated to the preservation of democratic principles, specifically that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. Home rule is the right of the people to determine and implement a public purpose at the grassroots level. Home rule power is conferred to Florida counties by Article VIII, Sections 1(f) and 1(g) of the Florida Constitution (1968), and by Section 125.01, Florida Statutes. The preservation of this fundamental democratic concept is essential to the operation of county governments in Florida. Accordingly, the Florida Association of Counties is dedicated to maintaining the integrity of county home rule power, both administrative and fiscal, which allows counties to develop and implement community-based solutions to local problems, without State limitations or mandates.

### **UNFUNDED MANDATES**

A state directive that compels local governments to provide a service, program, or benefit without providing the appropriate monies or a funding source is regarded as an unfunded mandate. County officials recognize that some state-funded mandates are justified because they achieve agreed upon statewide policy goals. However, many, if not most, mandates on counties are imposed without the consensus of local governments or the resources for implementation. Mandates drain the financial lifeblood from county governments and impede their ability to adequately deliver the fundamental services required by law. Mandates also compromise a county's ability to provide discretionary services requested by the local community. Thus, the Florida Association of Counties opposes any state or federal actions that limit the ability of local elected officials to make fiscal and public policy decisions for the citizens they represent. Furthermore, counties support the establishment of an agreed upon course of action whereby state and county elected officials deliberatively evaluate the appropriate funding and delivery of intergovernmental service responsibilities between counties and the state.

### **COMMUNITY & ECONOMIC DEVELOPMENT**

The strength and vitality of local and state economies are built upon the foundation of infrastructure and services provided by county government. Furthermore, our economic prosperity rests on the stability of community leadership and the tools that are made available to county officials. Lastly, our community's quality of life requires even more cooperation and teamwork between public and private sectors. Therefore, counties need flexible tools to develop economic strategies that target local strengths, enhance and expand employment opportunities, and maintain adequate infrastructure.

While economic development occurs primarily at a local and regional level, it is imperative that the state assists local communities by providing its resources through incentives, marketing and technical assistance. Accordingly, incentives at the state and local level should be based on need and provide for a return on public investments.

### **REVENUE FLEXIBILITY**

The ad valorem tax is authorized to Florida counties by Article VII, of the Florida Constitution, and implemented by general law. Within limitations, the Constitution authorizes counties to levy up to 10 mills on all taxable property for county purposes. This tax is the primary revenue source for the operation of county government.

However, the revenue generated by this tax has not kept pace with the demands and requirements of modern government in a rapidly growing state. As a result, counties have to resort to other tax and non-tax revenue sources to meet their demands. The Florida Association of Counties is dedicated to protecting the integrity and fairness of the ad valorem taxing authority, as well as that of the other locally imposed revenue sources. Also, the Florida Association of Counties encourages the creation or enhancement of alternative public financing mechanisms to meet the ever-increasing demands on county government service delivery.

### **GROWTH MANAGEMENT & ENVIRONMENTAL PROTECTION**

The impact of growth and development in Florida during the last 30 years has brought significant benefits and costs to county government. Given Florida's substantial growth during this period, the Florida Association of Counties supports a comprehensive planning framework with state oversight, regional coordination, and minimum local requirements. At the same time, this planning framework must recognize that many local land use decisions result in little to no impact on state and regional interests.

Furthermore, because Florida's communities are remarkably diverse, this planning framework must also allow maximum flexibility to Florida's counties to address unique local concerns and conditions. Thus, to the greatest extent possible, the state's comprehensive planning framework must defer to local decision-making and include an incentive-based approach to better growth management.

The Florida Association of Counties supports the right of county officials to responsibly perform their planning, police power, and other functions to address local issues at the local level. County officials must have the ability to make reasonable decisions for the advancement of the local community on zoning, comprehensive planning, and infrastructure issues without being subjected to prohibitive claims for damages for infringement on private property rights. Additionally, and consistent with counties' home rule powers, county officials must have the latitude to develop and impose revenue sources that allow growth to pay its fair share.

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 county citizens. 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.

Finally, increased demands on Florida's water supply are forcing many diverse interests to work with county government to plan the future of water policy in Florida. In an effort to achieve the best possible result, county government should continue to expand partnerships with the agricultural community, urban water users, regional government agencies, and environmental organizations to encourage water conservation, water resource, and water supply development projects. The primary goal of such water resource planning efforts should be ensuring resource availability for all reasonable beneficial uses, consistent with the protection of water and related natural resources.

### **FINANCE & TAXATION**

The backbone of good government is financial accountability. For public officials to be accountable to taxpayers, the decision to tax should occur at the same level of government where the decision to enact a new program is made. County governments have a responsibility to raise the necessary revenues to finance a wide variety of critical, basic public services. Counties need a revenue base that adequately finances the services and programs required by the state, and the programs and services needed locally. If counties are to succeed in meeting their responsibilities, an adequate and fair local tax policy that is commensurate with the many responsibilities of modern county government must be developed.

### **HUMAN SERVICES**

County officials recognize the importance of adequately providing for quality human services to protect and assist citizens in need. Counties have demonstrated this commitment by providing preventive services, medical assistance, social and aging services, and housing assistance. While most human service programs and the laws that govern these programs are established by federal and state governments, many of these services are being provided through community-based services at the local level.

As a critical link in the federal/state/county human services partnership, counties must be included in formulating and implementing policies that protect the health, safety, and welfare of all the citizens of the state; allow for flexibility within communities to achieve the desired level of services based on local needs and priorities; and encourage the integration and coordination of human services.

Counties support expanding health care access and believe that efforts to refine and enhance state and local programs that provide access to affordable health care are essential. FAC supports limiting county funds expended under the Health Care Responsibility Act mandate for emergency room services as defined by law.

Additionally, emergency medical services (EMS) are a vital role of county government. FAC supports county commissions maintaining authority to issue certificates of public

convenience and necessity at the county level to ensure countywide uniformity of the EMS system.

In addressing critical social services needs related to child welfare and long-term care, the Florida Association of Counties strives to increase state funding for child protective and dependency case services and other state-related programs. Furthermore, counties need the capacity to define local systems of care and increase funding flexibility by removing budget categories so that monies can be directed locally to meet community needs.

The Florida Association of Counties supports enhancing the state funding for elder and long-term care services and directing existing funding from institutional care to community-based care programs such as Community Care for the Elderly, Home Care for the Elderly, Medicaid Waiver, Alzheimer's Disease Initiative, Senior Centers and the Assisted Living Waiver programs, respectively.

Availability of services and funding in the area of behavioral health are also important to our county officials. The Florida Association of Counties supports the establishment of integrated systems of care for individuals with co-occurring behavioral and physical health problems in addition to efforts to enhance prevention and intervention services for children and families to divert children from the child welfare system. The Florida Association of Counties believes that developing a comprehensive services act of mandatory planning, development, funding, implementation and evaluation of mental health and substance abuse services for elder Floridians is also necessary to ensure continuity of care.

Given the varying capacity and funding capabilities of counties, the Florida Association of Counties supports adequate federal and state funding to ensure uniformity in the human services continuum.

### **PUBLIC SAFETY & SECURITY**

Protecting the health, safety, and welfare of the citizenry are of paramount importance to county officials. County governments have a long tradition of ensuring the public's safety and security through operating county emergency management centers, providing fire and rescue services, and assisting in funding the state's court system, sheriffs' offices, juvenile programs, victims' assistance, and the jail system in each county.

Florida's citizens and visitors look to county government as the first line of defense to ensure their communities are safe and protected in times of natural and man-made disasters, terrorism, emergencies, and public health threats. It is imperative for state policy to maintain county government control of emergency management systems during such emergencies and public



health threats. It is equally important that, as Florida's population continues to grow, that the state provide a dedicated funding source for hurricane shelter space.

It is only through a county partnership with the other levels of government that a full-scale comprehensive and coordinated approach may be taken to address crime and public safety problems. It is of the utmost importance to maintain and seek out open lines of communication between all parties involved to ensure the public's safety and security. Adequate resources must be in place so counties are in the strongest position to protect their communities. Increased funding for security enhancements are needed to support measures which include, but are not limited to, airports, seaports, public buildings, public health infrastructure, and preparedness training for emergency personnel. Increased federal and state funding is essential to ensure that effective public safety systems are provided throughout Florida.

Since 1972, statutory changes and case law have expanded county court-funding responsibilities to include an ever-increasing multitude of costs. Those costs include providing office space for judges, public defenders, and state attorneys, expert witness fees, court appointed counsel costs, and many other related expenditures. Accordingly, the Constitutional Revision Commission proposed Revision 7 to require the State of Florida to fund a larger portion of the state court system, allowing counties to more ably meet local needs. That constitutional revision was approved by the Florida voters in 1998.

Since 1998, the Florida Legislature has been implementing the constitutional revision, having completed that initial process on July 1, 2004. Some elements of the state court system have remained a county responsibility. For some of those responsibilities, the Legislature has provided some revenue sources but these sources are grossly inadequate. The revenue from ad valorem taxes still funds a significant portion of the county's mandated share of the operation of the state court system.

The counties' long-held policy is that the funding of the state court system is the responsibility of the state. County funding of the state's courts causes ad valorem taxes, intended to fund programs truly local in nature, to be used for state programs over which counties have no control or accountability. Accordingly, the Florida Association of Counties opposes the use of local revenue sources to fund the state's judicial responsibilities and supports the continued implementation of Article V, Section 14 of the Florida Constitution, its language and intent, which provides for a more equitable manner of court funding.