



# 2017 LEGISLATIVE PRIORITIES



# WHY FLORIDA COUNTIES MATTER



## COUNTY POPULATION INFORMATION

  
**7 URBAN COUNTIES**  
Representing 9.9 Million People

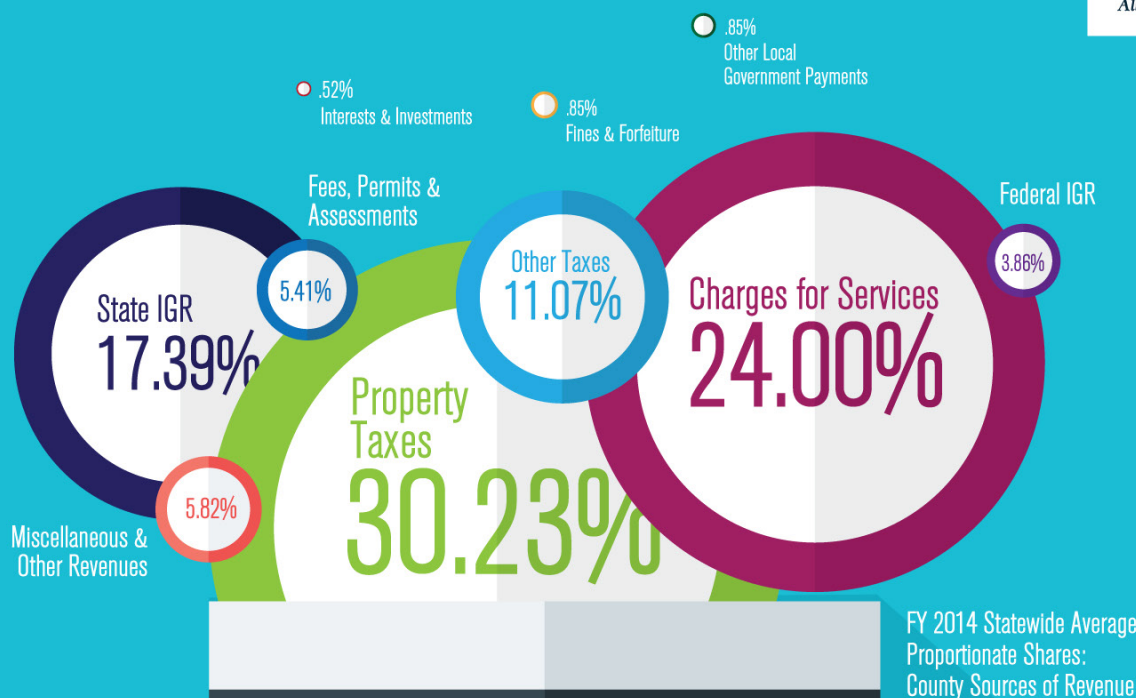
  
**29 FISCALLY-CONSTRAINED COUNTIES**  
Representing 1 Million People

  
**LARGEST COUNTY MIAM DADE**  
With 2.5 Million Residents

  
**29 MEDIUM-SIZED COUNTIES**  
Representing 8.2 Million People

  
**35 COASTAL COUNTIES**  
With 1,350 Miles of Shoreline

  
**SMALLEST COUNTY LIBERTY**  
With 8,314 Residents

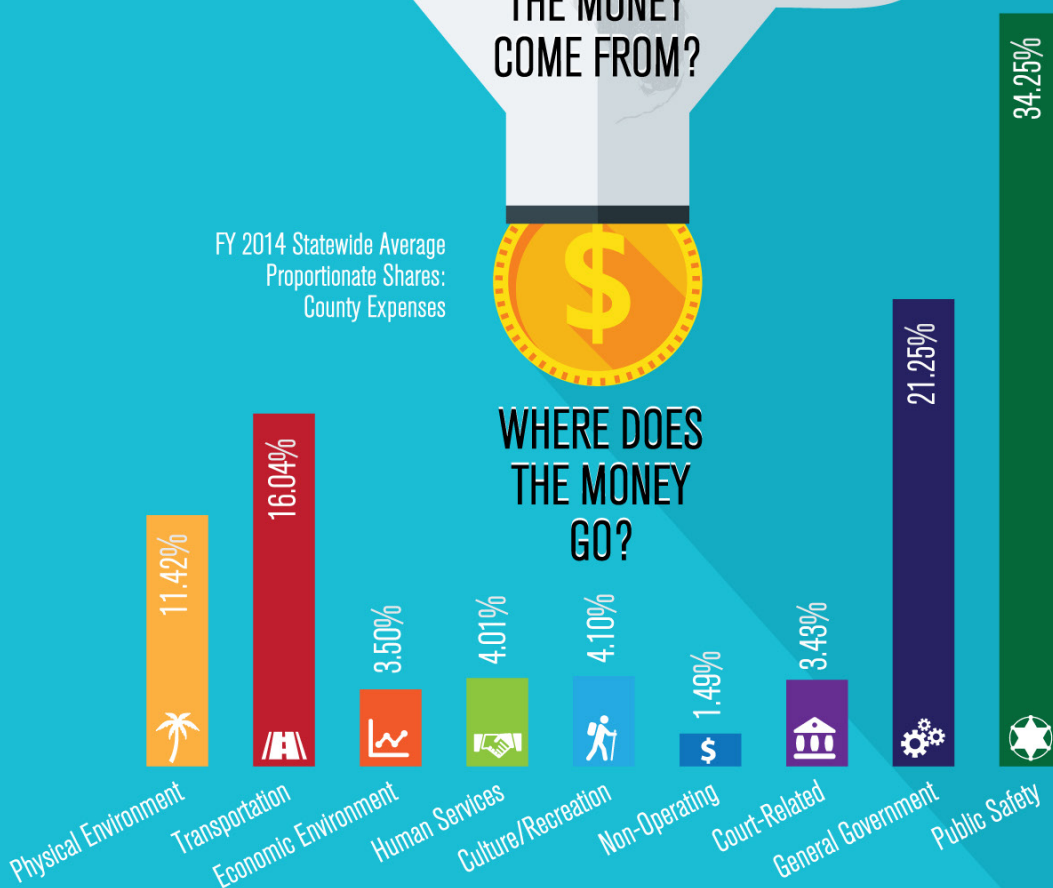


## WHERE DOES THE MONEY COME FROM?

FY 2014 Statewide Average Proportionate Shares: County Expenses



## WHERE DOES THE MONEY GO?





# COLLABORATIVE IMPLEMENTATION OF MEDICAL MARIJUANA

Preserve local control and allow for shared revenues to cover increased local costs of planning, law enforcement and unintended impacts when implementing medical marijuana.



## Policy Objectives:

The Florida Association of Counties SUPPORTS maintaining local authority to determine land use, zoning, and other regulatory standards for marijuana cultivation, processing, and distribution. In addition, the association SUPPORTS that 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. Finally, the association SUPPORTS 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.

## Key Points:

### Implementation:

The Florida Department of Health (DOH) is charged with implementation and enforcement of medical marijuana and ensuring availability and its safe use by qualifying patients within six months of the amendment's effective date. Required DOH regulations include: establishing processes for issuing and renewing patient identification cards; establishing standards for caregivers and processes for issuing and renewing caregiver identification cards; and, procedures for registering medical marijuana treatment centers (MMTCs). If the DOH does not begin issuing patient and caregiver identification cards within nine months of the effective date of the section, a physician certification will serve as a patient identification card until the DOH issues identification cards. The amendment language does not prohibit the legislature from enacting laws consistent with the section. FAC anticipates that the Legislature will consider implementing legislation during the 2017 Legislative Session.

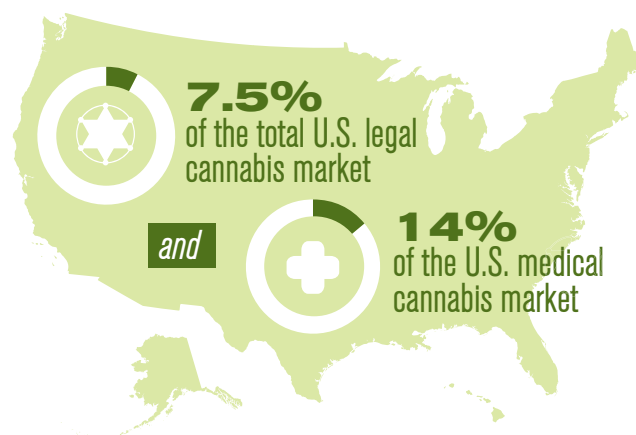
### Local Government Authority

Sec. 381.986, F.S., currently authorizes use of low-THC (non-euphoric) and medical cannabis under certain limited circumstances, although it does not authorize use of medical cannabis to the extent allowed under Amendment 2. Sec. 381.986(8)(a) explicitly preempts "all matters regarding the regulation of the cultivation and processing of medical cannabis of low-THC cannabis by dispensing organizations" to the state. Sec. 381.986(8)(b), however, provides that counties may enact ordinances specifying the numbers and locations of dispensing facilities as well as any other permitting requirements that do not conflict with state law or DOH rule. Thus, current law governing low-THC and limited medical cannabis affords local governments zoning authority over dispensing facilities.





By 2020, Florida could command as much as



Source: Arcview Market Research

### Background:

Florida Constitutional Amendment 2, adopted by the voters in on November 8, 2016, creates Article X, Section 29 of the Florida Constitution, which authorizes the use of medical marijuana to treat certain enumerated debilitating medical conditions. Under the provision, a physician can issue a physician certification to patient after conducting a physical examination and assessment of the patient's medical history. The Department of Health (DOH) will then issue the patient an identification card identifying the patient as a qualifying patient. The provision specifies that patients, caregivers, physicians, and medical marijuana treatment centers (MMTCs) in compliance with the section and DOH regulations shall not be subject to criminal or civil liability or sanctions under state law. The provision does not define a particular tax or fee structure applicable to entities that cultivate, process, or dispense medical marijuana.

Use For: Pain Relief,  
Stress, Anxiety

NOT FOR SALE  
Medical Use Only  
ORS 475.300-475.346

# STOP THE OPIOID EPIDEMIC

In recent years, Florida has seen a significant increase in heroin overdoses, with too many resulting in death. Local communities need funding to help combat this dangerous epidemic through expanded access to medical interventions and addiction treatment.



## Policy Objectives:

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

## Key Points:

- Medication-Assisted Treatment (MAT), which combines the use of medications (methadone, buprenorphine, or naltrexone) with counseling and behavioral therapies, has been shown to significantly reduce opioid dependency. Education and access for MAT should be expanded to medical providers and family members of individuals addicted to opioids.
- The charges for possession of Fentanyl should be reclassified to be considered trafficking due to the number of heroin-related arrests and purchases that have found to be pure Fentanyl which can lead to lethal overdoses. Fentanyl should be included as a trafficking classification equivalent to heroin under Florida State Statute Chapter 893.135.
- Access to Naloxone should be expanded to ensure that first responders are able to provide life-saving medication while transporting individuals to the hospital. Florida law should allow for wider distribution of Naloxone and permit pharmacists to dispense Naloxone.
- The federal government should allow greater flexibility in the Medicaid program for justice-involved populations and should require states to suspend, rather than terminate, coverage for incarcerated individuals. Doing so will allow counties and cities to better coordinate systems of care and treat previously undiagnosed individuals with substance abuse disorders.

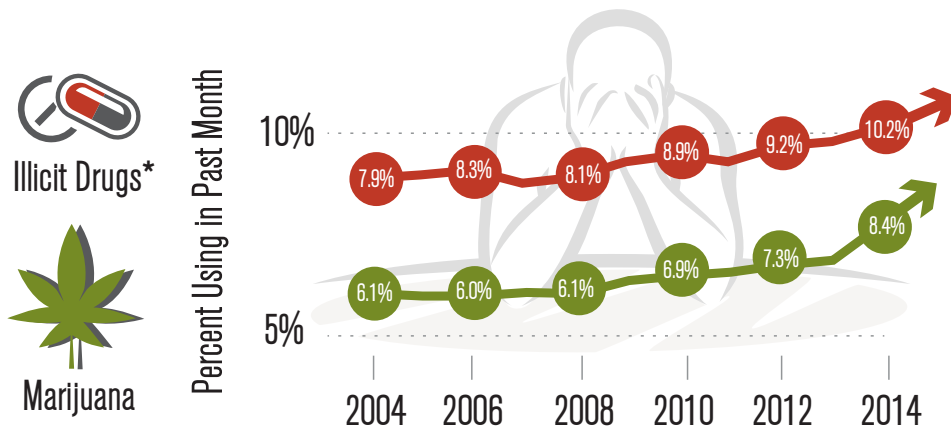


## Background:

The state of Florida has seen a significant increase in heroin overdose deaths in recent years. It is currently estimated that a person in Florida dies of an opioid overdose every 2 ½ hours; roughly 10 people each day. According to the Florida Medical Examiners Commission, the number of heroin overdose deaths have increased 124% between 2013 and 2014. Florida's crackdown on pill mills and doctor shopping for prescriptions for opioid pain medication has resulted in a reduction in the availability and an increased street price of narcotic medication. This occurred as international heroin production has dramatically increased. A critical factor in the increase in heroin-related deaths has been the increased practice of lacing heroin with Fentanyl, a powerful opioid that can be lethal at very low levels. Users are frequently unaware that heroin has been laced with Fentanyl and the quantity is uncertain and inconsistent. Because Fentanyl is a highly potent opioid, even small changes in the amount and purity of the substance could potentially lead to overdose and death. Florida's Central, Suncoast, and Southeastern regions have been hardest hit.

## Trends in Past 30-Day Use of Illicit Drugs Among Persons Aged 12 Years or Older

2014 National Survey on Drug Use and Health (NSDUH)



Illicit drugs include marijuana/hashish, cocaine (including crack), heroin, hallucinogens, inhalants, or prescription psychotherapeutics used non-medically. Nonmedical use of prescription psychotherapeutics includes the nonmedical use of pain relievers, tranquilizers, stimulants, or sedatives.

Source: Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs, and Health



# EMPOWER & GROW LOCAL ECONOMIES

For local economies to grow and allow for individualization the state should support various tax reforms, local revenue modifications & economic development.



## Policy Objectives:

### Tax Reform

The Florida Association of Counties SUPPORTS 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:

- **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.
- **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.
- **Property Taxes – "Elimination of Recapture Provision"**  
OPPOSE legislation that would eliminate currently existing recapture provisions for homestead and non-homestead property.
- **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.
- **10% Non-Homestead Assessment Limitation**  
SUPPORT legislation that would extend current 10% assessment increase limitation on non-homestead property.

### Local Revenue Enhancement/Modification

The Florida Association of Counties SUPPORTS 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:

- 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.
- SUPPORT expanding the eligibility to levy the Charter County Transportation Surtax to all counties.
- SUPPORT indexing local option fuel taxes to annual adjustments of the CPI.



## Economic Development

The Florida Association of Counties SUPPORTS 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:

- 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
- 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.

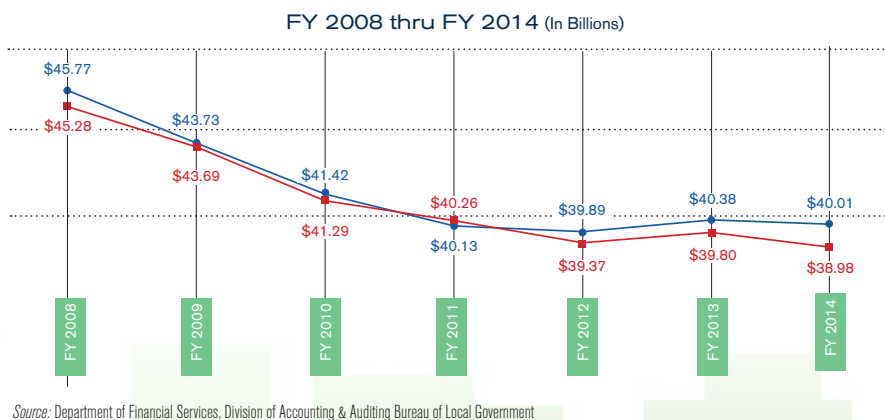
### Key Points:

Targeted and strategically deliberative changes to revenue structures, as well as, focused investment in state and local economic infrastructure assets can aid in a sustained economic recovery while preserving resources necessary to provide essential services as identified by the respective citizens of these various local communities.

### Background

Counties are responsible for providing core services and related infrastructure in areas such as human services, criminal justice, public safety and welfare, comprehensive planning, economic development and transportation to communities of all sizes across Florida. To ensure the maintenance of adequate resources that will enable the delivery of these essential services, and support local economic growth, counties must continue to develop innovative solutions.

From FY 2008 to FY 2014, County revenues and expenditures have declined by more than \$5 billion. This decline has been accompanied with reductions in services and investments in critical infrastructure needs. Moving forward, as state and local economies rebound, local communities will have to balance the need for essential resources to provide services and infrastructure with strategies inclusive of tax reductions and the removal of barriers to growth that will aid in fueling a sustained economic recovery.



# SAFEGUARD WATER QUALITY AND QUANTITY

Protecting the quality and quantity of our water resources remains the biggest challenge in ensuring the overall health of Florida's economy, its people and its environment. In short, clean and abundant water is paramount to preserving our way of life.



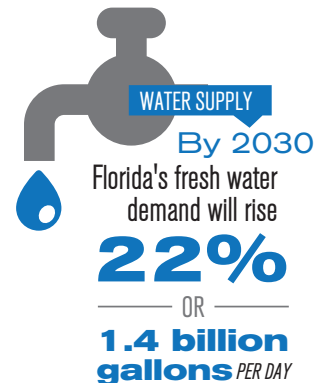
## Policy Objective:

### 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.

## WATER QUALITY

# Numeric Nutrient Criteria Will Cost **\$3.1 billion** TO **\$8.4 billion**

*ACCORDING TO ECONOMIC STUDIES*

## Key Points:

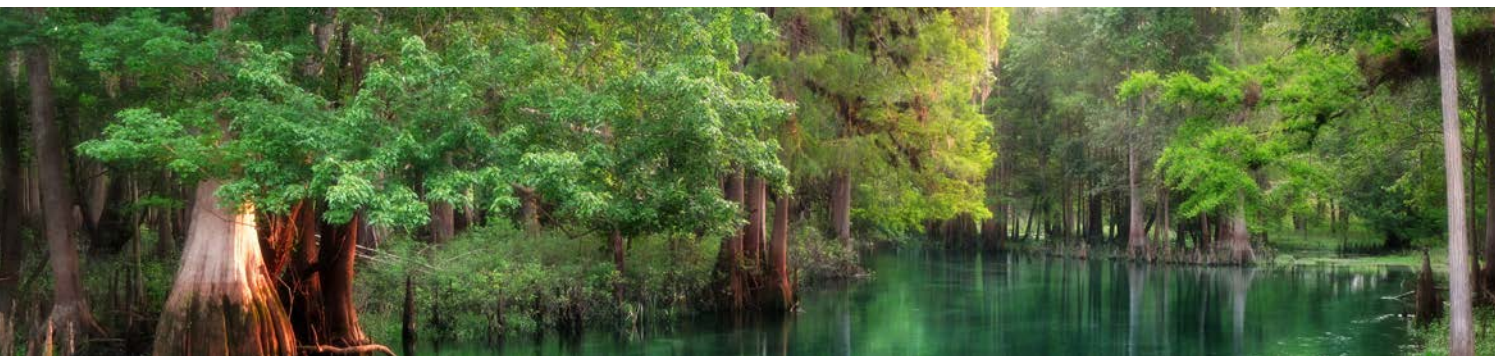
According to the published research, Florida's population is expected to increase between 20 and 30 percent by the year 2030. Along with this growth, Florida's demand for fresh water is estimated to increase by 22%, or approximately 1.3 billion gallons per day (BGD). Conservation efforts are improving and have become standard conditions in consumptive water use permits, although more needs to be done. Alternative water supply (AWS) projects have been identified but are awaiting funds. These AWS projects, if constructed, could add nearly 2.0 BGD of fresh water supply by 2030.

With regard to water quality, nutrient over-enrichment has become one of the most challenging issues facing Florida in recent years. Nutrient runoff -- from agriculture, livestock, urban fertilizer use and septic tanks -- has resulted in impairments to our lakes, springs and coastal waters. Exacerbating this condition are releases of nutrient-rich freshwater from Lake Okeechobee into estuaries to the east and west, which have contributed to algal blooms, fish kills and unsafe recreational conditions. Federal rules and state laws intended to ensure clean water are helping but could result in burdensome compliance costs, challenging the budgets of even the most affluent communities. Moreover, the age and condition of Florida's water and wastewater infrastructure systems will require very expensive upgrades and repair in the near future.

## Background:

The Florida Legislature recognized the need for investment in water resources, creating the Water Protection and Sustainability Trust Fund (WPSTF) in 2005 to assist in the implementation of water protection and supply development programs. The WPSTF provides funding support for projects including alternative water supply, the Total Maximum Daily Load (TMDL) Program, the Surface Water Improvement and Management (SWIM) Program and Disadvantaged Small Community Wastewater Grants. Unfortunately, the economic circumstances of recent years have resulted in significant reductions in funding for these and other water resource programs.

The Florida Water and Land Conservation Amendment ("Amendment 1") that was passed in 2014 provides a dedicated funding source for specified land acquisition and resource protection purposes. Last year, the Legislature further earmarked allocations from that funding source for Everglades restoration and springs protection. The Legislature also passed a comprehensive water policy bill that requires additional protections in springsheds, which include addressing septic systems that contribute to water impairment. Finally, the Department of Environmental Protection (DEP), pursuant to legislative direction, has identified fiscal constraints and other complicating factors regarding the expansion and beneficial use of reclaimed water and excess stormwater and surface water. With so many competing needs for water supply and water quality projects, and funding in an increasingly short supply, the policy decisions are some of the most important facing the legislature this year.



## RE-NOURISH DEPLETED BEACHES

Healthy beaches are vital to protecting Florida's tourism industry, upland and coastal properties, unique flora and fauna, and our quality of life. Counties are asking the state to dedicate and increase funding to ensure Florida's 825 miles of sandy beaches can continue to be an economic engine and a natural protective barrier.



### Policy Objective:

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.

### Key Points:

- Healthy beaches are vital to protecting Florida's tourism industry, upland and coastal properties, unique flora and fauna, and our quality of life. Maintaining our beaches has proven to be a worthwhile investment, not only bringing measurable economic benefits and jobs, but also habitat improvement, erosion protection and increased recreational opportunities. Unfortunately, of Florida's 825 miles of sandy beaches, nearly half are critically eroded and in need of restoration and management.
- The erosion of Florida's beaches is an unrelenting challenge caused by a number of factors including natural wave action, severe weather events, coastal inlets interrupting the movement of sand, and poor construction practices. In recognizing this state-wide challenge, the Florida Legislature created a comprehensive beach and inlet management program with dedicated funding for partnerships with coastal communities. The state's statutory funding commitment of \$30 million was often the financial lift communities needed to move forward with successful shoreline protection projects.

### Background

With the passage of Amendment 1 in 2015, the dedicated trust fund and set aside of documentary stamp revenues for the beach management program were eliminated from law. A provision in the text prohibited the commingling of these dedicated funds with any general revenue of the state, and so there is no longer any dedicated funding source for beach renourishment. Although Florida Statutes authorize disbursements from Amendment 1 funds, the amount of revenues that are not committed (for example, to Everglades restoration, springs protection, and debt service) will continue to decrease while the competition for those funds increases.

In the two years since the implementation of Amendment 1, the numbers of beach projects funded and the amount of funding have declined from the two preceding years. This is even more noteworthy considering that the number of project applications continues to increase. This year, only 35% of projects requesting matching funds received funding, and the funding amount was only 33% of the amount requested. Against this growing backlog, we must make the case for predictable, dedicated funding needed to sustain the beach management program.

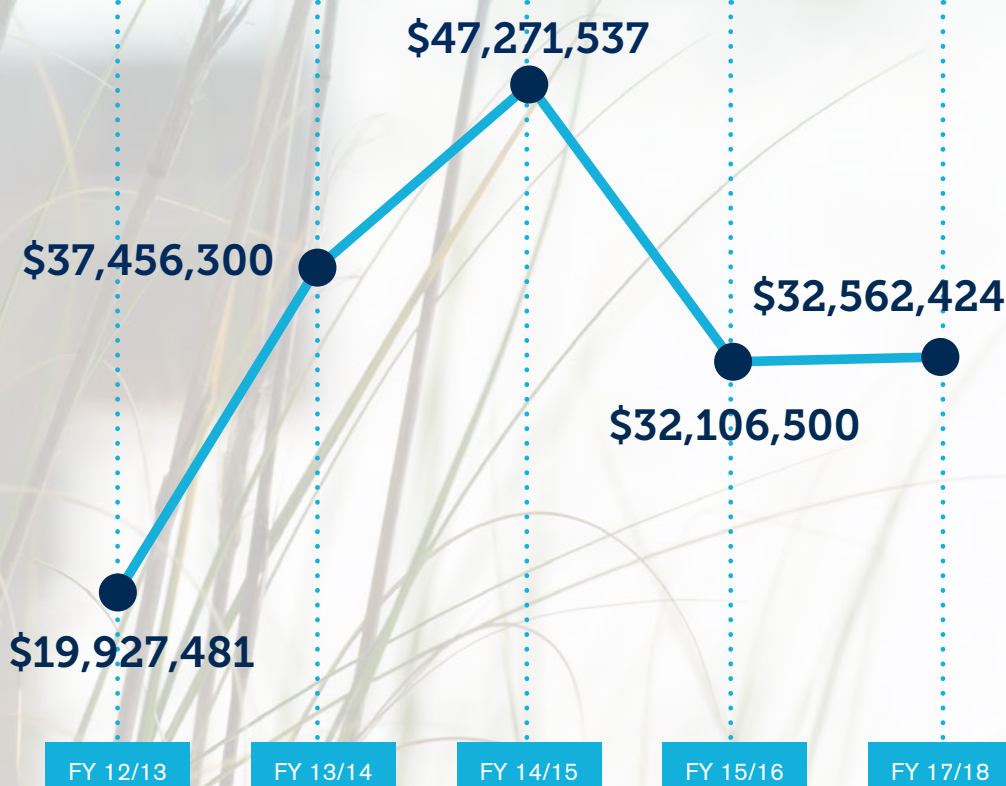


# FLORIDA HAS 1,350 MILES OF COASTLINE

APPROXIMATE AVERAGE COST IS  
**\$4 MILLION PER MILE OF BEACH**  
TO RESTORE

THE STATE IS FUNDING  
RE-NOURISHMENT FOR  
**LESS THAN 1%**  
OF FLORIDA'S  
COASTLINE

## APPROPRIATED STATE FUNDING



Source: Florida Department of Environmental Protection

## **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.

## **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 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.

## **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 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.





## 2016-17 EXECUTIVE COMMITTEE



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Marion County



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