

PBC Legislative Update

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State Issues – Legislative Session – Week 1

County Priority Issue Updates

Palm Beach County Day

The first week of session has been traditionally marked by Palm Beach County Day and this year was no different. Gone were the breakfasts, luncheon and beads, but in its place was a focused attention on issues important to County interests. County Commissioners Greene, Marcus, Aaronson, and Kanjian joined a host of other local elected officials and business and community leaders in meeting with Tallahassee legislators and staff. Among the Highlights were meetings with Senate President Ken Pruitt, House Speaker Marco Rubio and Governor Charlie Crist. We shared issues regarding property taxes, unfunded mandates, education, regional transit, SIS funding, solid waste, area agency on aging, workforce development, and the new Glades hospital. Thank you to our entire Palm Beach County Legislative Delegation for the access they gave to our Palm Beach County Day participants to their offices. We especially thank Rep. Adam Hasner for facilitating our meeting with Speaker Rubio and Sen. Jeff Atwater for assisting us in securing a meeting with the Governor.

Property Taxes

By: County Staff

During Palm Beach County Day meetings with the Governor, Speaker and Senate President, County Commissioners and staff stressed that we were fully complying with the property tax restrictions imposed by the legislature and the voters of the state. The county was in the process of drafting budget recommendation to the Board which will include personnel, capitol construction, and service delivery reductions spanning almost every County department.

FY 2007 Budget Reductions

By: The Wren Group and County Staff

The first week of the Legislative session was dominated by the second series of budget reductions made in response to continuing shortfall in State revenues. Despite spirited debate, by Thursday, the House and Senate had reconciled their recommendations and final action of the cuts is scheduled to occur at the beginning of next week.

SB 7076 provides reductions and appropriations for the 2007-2008 fiscal year to pay salaries and other expenses for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government. Specifically, in the area of natural resources most of the cuts were limited to the elimination of unfilled positions and other administrative cuts. The proposed reductions will not impact issues critical to local governments such as, alternative water supply funding, beach renourishment or any of the water projects approved last year.

The Senate voted 27-13 on Thursday morning to approve a \$504.3 million plan in cuts to the state's \$70 billion budget including over \$350 in education and \$37 million from health care. The House voted 72-35 to cut \$518 million from the budget on Wednesday with over half of their cuts affecting public schools. The

House accepted the Senate's Committee on Criminal and Civil Justice Appropriations Amendment to cut the state's criminal justice budget by \$47 million. The amendment included the transfer of the Sago Palm Academy from the Dept. of Juvenile Justice to the Dept. of Corrections. The House and Senate will conference over the weekend to negotiate the differences. Among those differences include the Senate's proposal for a Medicaid rate freeze for certain providers. The House and Senate "bumped" this issue up to their top budget chiefs. A joint proposal of budget cuts is expected to pass next week.

Taxation and Budget Reform Commission

By: County Staff

Two important resolutions came before two separate subcommittees of the Taxation and Budget Reform Commission this week. The First resolution which passed successfully out of the subcommittee tightens language in the Constitution that addresses unfunded mandates. This proposal supported by the Florida Association of Counties and The League of Cities would make it more difficult for the legislature to pass down unfunded mandates to local entities.

The other amendment would limit all government revenue including the state, local governments and school boards. The version that narrowly passed out of committee this week, would limit annual revenue increases to inflation, population growth and an additional 1 percent adjustment using 2007-08 as a base year. Governments would be able to increase the cap for up to 10 years with a three-fourths vote. Some types of user fees, including those charged for water, electricity and natural gas, would be exempted.

Both proposals now go on to the full committee where 17 of 25 votes are needed for the amendments to go on the November ballot.

Juvenile Justice Legislation

By: County Staff and FAC Staff

This week HB 273 by Rep. Adams was debated in the Safety and Security Council this week. The legislation is proposes changes to law that are contrary to Blueprint Commission recommendations.

Essentially, the bill includes proposed changes that can be broken down into three major areas. First, the filed legislation proposes numerous changes to the use and length of detention for juveniles. Secondly, it allows the courts to hold the parents of juveniles, not just the juveniles alone, to certain jurisdiction for the purpose collecting payment of all court fees and costs prior to the age of 18. It also authorizes the court to hold juveniles beyond the age of 18 for any outstanding debt a juvenile may have after they turn 18. The bill also allows counties to access a court cost of up to \$50 for all juvenile proceedings and this fee would go to a newly created Juvenile Crime Prevention Fund and would be geared at prevention. Thirdly, it increases the judiciary role in residential placement decisions. These changes concerns county interests because they most directly affect county government and the level of safety provided in our communities.

Thank you to Rep. Taylor and Rep. Sachs for asking important questions during the Council hearing and for ultimately voting against this bill that will create higher costs for local governments due to longer stays in county jails by juveniles. Hopefully, this legislation can be amended to include alternative means of detention and programs for substance and mental health issues for juveniles rather than just keeping them locked in county jails.

Traffic Safety Photo Enforcement

By: County Staff, Moya Group, and Pittman Law Group

Commissioner Aaronson, county staff and lobbyists from Ericks Consultants, and Corcoran met with Representative Reagan and Senator Bennett, sponsors of the Traffic Photo Enforcement Legislation.

The Senate bill is scheduled to be heard in the Transportation Committee, its first committee of reference, on Tuesday March 11, at 9:00 a.m. Commissioner Aaronson, county staff and Corcoran met with Senator Baker, Chair of the Transportation Committee to discuss amendments that we anticipate to be filed to the bill prior to the Committee meeting. Commissioner Aaronson emphasized that Palm Beach County would like to remain revenue neutral but would like to have the camera costs paid for from citations and the remainder to go towards trauma care. Commissioner Aaronson stressed that the Palm Beach County is only interested in saving lives. Senator Baker felt that the bill would pass successfully through Committee.

The House Infrastructure Committee unanimously passed HB351 out of its first committee of reference during committee meetings in February. In meetings this week with Speaker Rubio, he indicated his support for this legislation.

Strategic Intermodal System Funding

By: County Staff, Ericks Consultants, Foley and Lardner, and Corcoran and Associates

Thank you to Senator Deutch, who in support of the initiative to resolve funding discrepancies within the DOT districts, has agreed to work with FDOT and if necessary file amendments that would create a funding formula for DOT districts based on population and motor fuel tax collections. We appreciate the continuing bipartisan support that both Representative Hasner and Representative Susan Bucher have given to this important issue.

SFTRA

By: County Staff

SB 1512 filed by Senator Geller redirects the \$2 rental car surcharge from the Florida Transportation Trust Fund to the South Florida Regional Transportation Authority. The Board of County Commissioners discussed the bill during the February 26th Workshop and asked the FDOT, MPO and SFRTA to work together to maximize funding.

In meetings this week with Speaker Rubio, he indicated his willingness to move forward with this legislation and to help work with DOT to ensure that if passed 5-year plan road projects would not be eliminated if these dollars were earmarked for transit.

Strategic Aggregates Review Task Force

By: The Wren Group

The House Environmental Protection Committee held a workshop to discuss the proposed recommendations of the Strategic Aggregates Task Force. Concerns were expressed by various parties and legislators about the need to streamline regulatory processes and eliminate duplication. The Florida Association of Counties testified that there were 4 counties where moratoria were currently in place. FAC provided information as to the particular circumstances leading to each of those local governments enacting the temporary restrictions. It is anticipated that the committee will develop a bill limiting the regulation of wetland and water resources by local governments, in favor of a new State permit for mining. This new permit will likely provide for increased, up-front coordination by the DEP with the elected local governments in order to ensure consistency with local growth management regulations and plans.

In addition, the State will propose the development of the Strategic Aggregate Resource Assessment, which will inventory the location of all mining aggregates in Florida, project future demand, identify enhancements to the SIS that will be required to move the supply from it's current location to where it will be needed, as well as identify local constraints which may limit the access to some of these aggregate resources.

Clerk of Courts Legislation

By: County Staff

County Staff and lobby team members met with Sen. Oelrich and Rep. Grant sponsors of the bills to discuss continued concerns they had with the legislation.

AIDS Testing for Jail Detainees *by: Pittman Law Group*

SB 212- Wilson, HB 1511- Braynon. Representative Braynon filed the companion bill on Thursday to Senator Wilson's bill, SB 212. It has not yet been referred to any committees. Pittman Law Group will continue to meet with the Representative and the appropriate committees chairs regarding the County's support.

SB 212 by Senator Wilson is not yet on the agenda. The first committee of reference is Criminal Justice, scheduled to meet next on Tuesday, the 11th. Sen. Wilson herself is on Criminal Justice

Planning/Zoning/Building Issues *by: Pittman Law Group*

SB 1466- Aronberg, HB 407- Chestnut. Senator Aronberg's bill, SB 1466 relating to construction contracting, has been put on the agenda for Tuesday, March 11th in Regulated Industries. While the bill almost lines up with the county's priorities, it only imposes civil penalties on contractors who perform work without the required licensure and not criminal penalties. Our office has been in contact with Sen. Aronberg's office and is in the process of setting a meeting to discuss the Senator's opinion on a possible amendment.

The identical bill by Rep. Chestnut has the same deficiency. It has not yet been placed on the agenda.

Enterprise Zone Boundaries *by: Pittman Law Group*

SB 1572- Lynn, HB 511- Chestnut. Representative Chestnut received the County's amendatory language and confirmed this week that he will take it as a friendly amendment. His office will file the amendment for the County this coming week. It has not been placed on the agenda yet, but the first committee stop will be Economic Development, scheduled to meet next on Thursday, the 13th.

Scanner Law *by: Pittman Law Group*

SB 522- Hill, HB 151- Reed. Rep. Reed received the amendatory language and requested an opinion from Law enforcement on the change. The letter from Chief Stephen J. Stepp provided by the County was delivered to her office this week.

Senator Hill agreed to follow the House sponsor on any changes. While it has not been put on the agenda as of Friday the 7th, the first committee of reference in the Senate, Criminal Justice, is scheduled to meet this Tuesday, the 11th. Rep. Reed's office will forward their authorization to Sen. Hill's office.

Trauma Care

By: Akerman Senterfitt

Akerman Senterfitt is working on arranging a meeting with AHCA Secretary Holly Benson and Palm Beach County staff in order to discuss our needs regarding increased trauma funding. We have also been working closely with the Florida Hospital Association and researching bills in order to determine if there are vehicles to insert our trauma language.

Palm Beach County

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Federal Update

Congressional Hill Visits

County staff and US Strategies presented the County appropriation priorities last week in Washington DC to members of our Congressional Delegation. We met with Congressman Mahoney and Klein and staff from Congressman Hastings and Wexler's office and Senator Nelson and Martinez's office to discuss this year's legislative program.

Thank you to Congressman Hastings for sponsor the County's \$7.5 million request for the Lake Region Water Treatment Plant and the \$2 million request for the Belle Glade Bus Maintenance Facility.

Congressman Klein has agreed to take the on the \$5 million request for Palm Tran Bus replacement, \$5 million for the Congress Avenue Right of Way Acquisition, and \$2 million for the Lake Worth Lagoon Restoration. In addition County staff, representatives of the Port of Palm Beach and the Mayor and Town Manager from the Town of Palm Beach met with Congressman Klein to secure his continued support for Port and Inlet Dredging and Sand Transfer Plant replacement dollars. We again thank Congressman Klein for his efforts in securing significant funding last year for these projects and look forward to working with him again this year.

We thank Congressman Mahoney and his staff for sponsoring our \$800,000 request for bus shelters and \$5 million request for Loxahatchee River Land Acquisition. Additionally, Congressman Mahoney and Senator Bill Nelson's legislation to designate the Jupiter Inlet Lighthouse as a Federal Outstanding Natural Area is moving even closer toward passage. We hope that sometime before the end of April, time will be secured to hear these bills before the full bodies of their respective Chambers.

Congressman Wexler will be joining Congressman Klein in sponsoring the Congress Avenue Right of Way project. We thought it would be a perfect compliment since he has been so successful in securing almost \$20 million toward the PBIA airport tower replacement in previous sessions. We also appreciate Congressman Wexler's lead on our \$3 million request for future Park and Ride Lot's for Palm Tran.

We worked with Senator Nelson and Senator Martinez's staff on all of the above appropriation requests and submitted each of them to their offices for consideration during this session. We appreciate their efforts to support our priority funding requests and look forward to working with them this year.

County Staff also worked with DEP and The Beach and Shore Preservation Association to move forward statewide beach funding requests. County Staff also attend the National Association of Counties Legislative Conference in Washington DC last week and lobbied for NACo legislative priorities on the Hill with colleagues from around the Country.