

PBC Legislative Update

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Coming Up Next Week

FEDERAL UPDATE

State Issues – Legislative Session – Week 4

County Priority Issue Updates

FAC Legislative Day

County Commissioners Addie Greene, Jeff Koons and Karen Marcus traveled to Tallahassee this week with **Assistant Count Administrator Brad Merriman** for the annual FAC Legislative Day. Commissioners, staff, and lobby team members met with numerous state and legislative leaders including the Governor and his Deputy Chief of Staff, Transportation Secretary Stephanie Kopelousos, Senate Majority Leader Dan Webster and House Budget Chair Ray Sansom.

In those meetings, Commissioner Koons spoke openly with Sen. Webster about Transportation issues that included the indexing of gas taxes, RTA funding and SIS dollars. Commissioner Marcus discussed budget issues with Rep. Ray Sansom and reiterated our position on unfunded mandates and cost shifts.

Property Taxes

By: Ericks Consultant and County Staff

HB 715 Local Government Revenue Sources by Flores passed favorably out of committee this week and is now in Government Efficiency and Accountability Council. This bill requires a super majority vote for actions by local governments to levy new, increase, expand, or eliminate exemptions from taxes, special assessments, non-ad valorem assessments, or impact fees. It requires a super majority vote of electors voting in referenda on laws taking same actions. It provides an exception for emergencies and provides for non-application to other specified revenue sources. In debate, **Rep. Skidmore** expressed her opposition to this bill by saying that it takes away local control.

Budget Issues

By: Pittman Law Group, The Wren Group and County Staff

The Senate released its first budget proposal for FY 2008/2009 that included significant reductions to many programs. Below are highlights of their proposed Water and Environment budget:

- \$300 million for the Florida Forever Program
- \$200 million for Everglades Restoration which includes Lake Okeechobee, Caloosahatchee and St. Lucie River and Estuaries
- \$43 million for Water Projects (as of yet unspecified)
- \$87.4 million for implementation of Fla. Water Protection and Restoration Act
 - \$17.4 million for Total Maximum Daily Loads
 - \$60 million for Alternative Water Supply Development
 - \$10 million for Disadvantaged Communities Wastewater Infrastructure
- \$18.9 million for Statewide Beach Projects
- \$43 million for Exotic Plant Control

The House will be releasing their budget recommendations on Sunday March 30th.

On Wednesday, the House Environmental and Natural Resources Council workshopped the Council recommendations for the 08-09 Budget. The Council's reduction allocation was \$15.6 million from general revenue. Most of the changes were based on the Departments 10% reduction recommendations and a few of the Governor's recommendations.

One area of note was a \$15 million decrease (from \$30 million down to \$15 million), to beach erosion programs. The cut was due to the decreased funds in the Ecosystem Trust fund because of decreased doc stamps. The Council was assured that there would still be enough to qualify for federal matching dollars.

They went on to explain that Total Maximum Daily Loads (TMDL) would continue to be fully funded through the Water Protection Sustainability Trust Fund. Even though \$80 million would be put into the Trust Fund and \$62 million would be redirected back into General Revenue for the next 5 years.

The reality is that the legislature must write a 2008-09 budget that is 16 percent lower - \$4.6 billion - than the \$72 billion budget they passed last year.

Taxation and Budget Reform Commission

By: County Staff, the Moya Group, and Foley and Lardner

The Taxation & Budget Reform Commission met on Wednesday, March 26, 2008. The Commission discussed the constitutional proposal (CS/ CP 6/ 8/ 34) on Working Waterfronts which they passed in a vote 24-1. The proposal will now be placed on the November ballot for final passage. Under this proposal, certain working waterfronts will be assessed based on "use" and not "best use" for the purposes of ad valorem taxation. The fiscal impact of the tax breaks for marinas and other working waterfront businesses is expected to be near \$70 million.

During the meeting the Commission also began debate on CP 0045, the Taxpayer Bill of Rights (TABOR). This proposal limits the amount of revenue all governments could collect to the rate of population or school enrollment growth plus 1 percent. This constitutional proposal was temporarily postponed, and will be discussed at the next TBRC meeting on April 4, 2008.

Traffic Safety Photo Enforcement

By: County Staff, Moya Group, Akerman Senterfit, Corcoran, and Pittman Law Group Foley and Lardner

Provisions in the strike all amendment adopted to SB 816 in committee two weeks ago address some of the following:

- Mandates flat fee arrangements with contractors
 - *No per citation fee for contractors*
- Preempts all photo traffic enforcement to the state— regulates the fee for citations
 - *Due to "preemption" language the county may be prohibited from producing its own local citation on photo enforcement.*
- Intersections with traffic cameras must be properly engineered according to DOT specifications.
- Specifies that counties or municipalities can record a maximum of 10 seconds of streaming video of only the back of a vehicle
- If there is a 10% increase in accidents at an intersection where photo traffic enforcement cameras are being used, they must be removed
- Municipalities that entered into contracts prior to March 1, 2008 will have until 2013 to get in compliance with the new proposed law. The citations provisions will take effect immediately

The Moya Group met with members of the Senate Criminal Justice Committee, as well as, with members of the Chairwoman's Staff, to gain support of SB 816 and

have it placed on the Committee's agenda. TMG also met with staff of the Senate sponsor regarding the early submission of withdrawal forms. TMG is trying to have SB 816 withdrawn from its reference to Health and Human Services Appropriations.

Pittman Law Group spoke to Chair Cannon on Tuesday about hearing the House bill, HB 351 by Reagan, in his committee, Economic Expansion & Infrastructure. The Chair said he would not be putting any bills on his agenda for this week, but agreed to put it on the agenda for next week. He supports the bill himself and feels confident that it will pass through without issue.

Growth Management

By: FAC Staff

The Senate Community Affairs Committee temporarily postponed its growth management bill (SB 474) this week in order to receive more input from the various interest groups. As reported previously, the bill generally reflects proposals developed by the Department of Community Affairs and includes, among other issues, the following: a citizens planning bill of rights; Everglades protection requirements for certain local governments; increased compliance requirements for land use amendments in coastal high hazard areas; urban concurrency exceptions and funding alternatives.

SFRTA

By: County Staff, Ericks Consultants

Commissioner Koons was in Tallahassee this week for FAC Legislative Day and had a number of meetings related to transportation. Included among the meetings were: Senator Dan Webster, FDOT Secretary Stephanie Kopelousos, and Shane Strum, Deputy Chief of Staff/Office of the Governor. Topics of discussion included the SB1512 and HB 1245 related to the RTA and the funding impact of current road projects in the work program.

Transportation Disadvantaged

By: Transportation Disadvantaged Staff and Ericks Consultants

In budgets released this week, on the Healthcare side for Medicaid Non-Emergency Transportation both chambers are proposing a **4% reduction in non-emergency transportation reimbursement**. However, legislators are also looking to "suspend" optional Medicaid services for a period of two years. These services include: adult dental, hearing and vision. Additional cuts include eliminating coverage for the Medically Needy Program, reducing the income limit for Medicaid eligibility for pregnant women from 185% to 150% of the poverty level, and reducing reimbursement for dialysis services. However, they are looking to increase rates for Medicaid Physicians.

On the transportation side of the budget with the Senate cutting back on a number of programs, they are looking to add to areas that are an "economic stimulus", transportation being one. In the House, the direction is to sweep as much as possible from the trust funds to cover the shortfalls.

AIDS Testing for Jail Detainees

By: Pittman Law Group and County Staff

SB 212- Wilson, HB 1511- Braynon We are working with Rep. Braynon's office to get both bills moving in Senator Wilson's absence. We are trying to have the House bill pulled up by the Healthcare Council as Health Quality is no longer meeting this Session. However, the \$3 million fiscal impact analysis received by Rep. Braynon's could hinder the bills progress. Rep. Bean, as Chair of the Healthcare Council said he will not put the bill on the agenda in his committee as long as it has a negative fiscal impact. We believe the language may need to be altered to ensure that there will not be an impact on the State if this bill is to be heard this year.

Trauma Care for Individuals in Multi County Areas

By: County Staff, Akerman Senterfitt, McGee

This week County staff and lobbyists met with Secretary Holly Benson of The Florida Agency for Health Care Administration (AHCA) and Carlton Snipes, Assistant Deputy Secretary for Medicaid Finance to discuss funding for state trauma care and the reimbursement for care and transportation from out of county residents. Different options were discussed including interlocal agreements between counties for reimbursement of residents treated and identification of dollars to fund the trauma network. Secretary Benson offered other suggestions, and staff will be researching their feasibility and following up with her office.

Also **SB 658** on Road Rage passed out of Senate Transportation. An amendment was added that re-allocates the funds deposited in the Administrative Trust Account as a result of fines. The funds will now be disbursed, 25% each, to level 1, 2 and pediatric trauma centers based on readiness costs; another 25% to those centers based on relative volume; 25% for EMS; and 25% for rural EMS.

Planning/Zoning/Building issues

By: Pittman Law Group

SB 1466- Aronberg, HB 407- Chestnut - After conferring with the County regarding construction industry concerns with SB 1466, we have been in contact with the Homebuilders and Construction Coalition, who are the major opposition to the bill. A meeting with the Construction Coalition has been scheduled for Monday, March 31st in Tallahassee to discuss their concerns with the bill and possible changes.

The identical bill by Rep. Chestnut had not yet been put on the agenda. Pittman Law Group continues to meet with Rep. Lopez-Cantera, Chair of Business Regulation, the first committee of reference, to discuss his reservations.

Florida Forever

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

ENRC 9/ SB 542 by Saunders Monday, the Senate conducted a workshop on their version of the Florida Forever Successor through Sen. Saunders bill, 542. On Thursday, the Senate bill came before its first committee, Environmental Preservation & Conservation. However, the bill was temporarily postponed without voting to adopt the strike all amendment adding the Florida Forever provisions. One area that was discussed during workshop meetings was the inclusion of language addressing the shared title of lands bought with state and local funds.

On Wednesday, House Conservation & State Lands voted to recommend ENRC 9 as a Council bill after three workshop sessions.

Enterprise Zone Boundaries

By: County Staff, Corcoran, Pittman Law Group

Senate and House bills identified as vehicles for the amendment to expand Enterprise Zones three additional miles in rural areas of critical economic concern have not yet been heard in referenced committees, possibly due to the original bill's fiscal impacts. County staff met with the staff director of economic development for possible inclusion of the amendment in an economic development package. This idea was met with positive response and the economic package should be out within the next week. Last week, County staff and Corcoran met with representatives of OTTED to discuss the county's amendment language for the Enterprise Zones. OTTED supports the language, and we will continue to work with sponsors of Enterprise Zone bills to amend the bills and have them added to the agenda of their referred committees.

Scanner Law

By: County Staff, Pittman Group, Corcoran

HB 151 by Representative Reed passed 16-0 out of the Safety and Security Council this week along with the County's amendment allowing employees of a local or state government agency to carry radios with access to law enforcement signals inside a non-emergency vehicle. Thank you to **Representative Snyder, Representative Sachs and Representative Taylor** for their support of the amendment and bill. The bill has been placed on the House Special Order Calendar for next week on April 2, 2008.

The companion bill, **SB 522 by Senator Hill** has two committees of reference and has been placed on the Criminal Justice calendar on April 1st. The lobby team has been working diligently to have these bills heard in their referenced committees.

Mining

By: Wren Group

ENRC 08-18 Resource Extraction / Mining as introduced in the House would pre-empt the ability of local governments to deny or limit the approval or operation of a mine due to concerns over issues regulated by the DEP pursuant to their authority. The proposed council bill was unanimously approved by the Environmental Protection Committee. The committee had much discussion about the impact the bill would have on the County's ability to fulfill its obligations under Ch. 163 relating to comprehensive planning which specifically requires local government to address impacts to wetlands and water resources when land use and zoning changes. These provisions and the proposed statute are clearly in conflict. The suggestion was made to have the State remove those criteria from the comp plans statutes. The bill will next be heard in Council where there will be an amendment to undertake the Strategic Aggregates Resource Assessment (SARA) as recommended by the Aggregate Review Task Force.

In the Senate an amendment which requires a supermajority vote of the local government governing body to deny any land use, zoning or mining permit for a project already approved by the DEP, was passed this week after a similar measure was voted down by the committee last week.

Agriculture Enclave

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

This week, **HB 1173** on Land Development Regulation was TP'd in the House Environmental & Natural Resources Council due to meeting time constraints. However, the Senate bill **SB 2246 by Baker** was heard in the Senate Agriculture Committee on Thursday. County staff testified in committee against the bill. As requested by the County, our lobby team met with several committee members prior to the meeting to express the county's concerns with the legislation.

In the Senate Committee, the bill was defeated 2-4 and then temporarily brought back to life in a procedural move that will leave the bill temporarily postponed and available to bring back for consideration at a future meeting. During the course of the debate which lasted about 40 minutes, there were several concerns brought up by members of the Committee that included Senators Ted Deutch and Larcenia Bullard who represent portions of Palm Beach County and Senators Jeremy Ring (Broward County) and Alex Diaz de la Portilla (Miami-Dade County). Sen. Bullard began questioning of the legislation by asking the effects the bill would have on a local government's land use authority and what impact it would have on a local government by forcing more cases to go to Bert Harris hearings.

Sen. Diaz de la Portilla interjected with strong questioning of the expansion of limiting local government control in these types of land use situations and Sen. Deutch followed up with questions regarding the current limited scope of the amendment potentially only dealing with one parcel of property in the state and the expanded role of litigation in these circumstances if issues couldn't be easily resolved.

In the end, Senators Deutch, Diaz de la Portilla, Ring, and Chair Alexander voted against the legislation, and Senators Bullard and Peaden voted for the bill. Chair Alexander, in a procedural motion, as voting on the prevailing side moved to reconsider the bill and left it temporarily postponed in committee before adjourning the meeting. A special **THANK YOU** should be given to **Sen. Ted Deutch** for his understanding and support of this issue and his questioning which brought light to the application of this sweeping proposed change to state law.

Clerk's Bill

By: County Staff, Moya Group, Pittman Law Group

HB 399/ SB 640- Financial Management by Local Governments

The Moya Group met with the Chairman of the Community Affairs Committee and with staff members to discuss an amendment to the bill. The Moya Group along with county and FAC staff has continued to have ongoing discussions with the sponsor of SB 640 on an amendment to the bill. We feel the sponsor is amenable to language that we have proposed. As conveyed in our meetings with Fred Baggett, lobbyist for the Florida Association of Clerks, he continues to support the changes we have recommended.

Mike Harrell continues to meet with Representative Grant regarding HB 399 and to encourage his support for compromise language that has been negotiated among the interested parties.

HB 399 has been placed on the Calendar for second reading.

Fertilizer Bill

By: Wren Group

HB 1267 Protecting Urban and Residential Environment by Nelson

This bill addresses the findings of the "fertilizer task force." This has been, and remains, a very dynamic bill - there have been several substantial amendments to the language of the bill that have changed its requirements significantly since the originally filed version - with regard to the requirements imposed upon local governments, powers of local governments to adopt more stringent regulations on fertilizers, as well as duties and responsibilities of the Department of Environmental Protection and Department of Agriculture and Consumer services.

The House bill passed Environment and Natural Resources Council with a committee substitute. The companion bill, **SB 2352 by Aronberg**, also was amended in committee with a strike-everything amendment and passed out of Senate Agriculture.

Emergency Management/Good Samaritan

By: Foley and Lardner

The Foley & Lardner team continues to work with County staff on the Good Samaritan amendment language that would provide immunity for certain employees in specific emergency situations. Mike Harrell met with Ted Granger of the United Way to discuss their interest in the proposed Good Samaritan language.

The Foley team discussed the proposed language with Constitution & Civil Law Staff Director Stephanie Birtman to get a read on the concerns that might arise from the proposed language and the team has communicated those concerns to the county. Harrell also met with Chairman Attkisson regarding the proposed language to discuss potential vehicles for an amendment.

One potential vehicle for an amendment is HB 839 regarding Sovereign Immunity for emergency healthcare providers; however, this bill was again temporarily postponed but is expected to be brought back up in the House Safety and Security Council next week. The Senate companion, SB 1640 by Baker has not yet been considered by a committee in the Senate.

Agriculture/ Farm Buildings

By: Wren Group

SB 2060 Agriculture by Dean and HB 0761 Agriculture by Pickens

This bill addresses a number of issues related to agriculture. It:

- ***Prohibits a county government to impose a tax, assessment or fee for stormwater management on agricultural land, if the agricultural operation has an agricultural discharge permit or implements best-management practices adopted by the state;***
- Expands eligibility for exemption from a local business tax receipt for persons who sell farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured there from;
- Provides indemnity for an agricultural landowner for an easement or any other right secured by a water management district for access to recreational lands provided to the public by a district;
- Authorizes the Department of Agriculture and Consumer Services to adopt by rule comprehensive best-management practices for agricultural production and food safety;
- ***Expands county and municipal exemptions for nonresidential farm buildings to include permits and impact fees;*** and
- Expands the materials used in agricultural operations that can be openly burned.

HB 761 was passed by the Environment & Natural Resources Council this week.

Local Government Transparency

By: County Staff

SB 392 by Senator Storms relating to General Local Govt. Transparency and Contract Information requires local governments with a website to electronically post contract information relating to certain contracts. Access to the website would be provided at no cost. It also requires the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information and that contract information should be posted at least on a quarterly basis. The Sheriff's, Tax Collector's, Property Appraiser's, Supervisor of Election's and Clerk of Court's contracts must also be maintained by the County. The requirement to post contracts on their respective website is also required for special taxing districts, municipalities and water management districts. In addition, the bill requires that each local government must designate one central office to maintain all contract information. The implementation schedule for counties with a population of 300,000 or more is December 31, 2009.

Arguments were made by local governments that this is an undeterminable unfunded mandate which is consistent with staff analysis of the bill, and that local governments can expect to incur the costs to comply with the reporting requirements for both the website maintenance and staff. In response to this argument, the bill sponsor has testified that this is a simple process that will not be time consuming. On Thursday, an amendment was added that would require the state to comply with the same mandate. **Thank you to Senator Oelrich**, the only dissenting vote on the bill, for continuing to impress upon the committee the fiscal impact these requirements will have on local government. The bill has passed two of its four committees of reference. Similar legislation, HB 181 by Representative Harrell has passed one of three committees of reference.

Equine Activities

By: County Staff

HB 305 by Representative Vana and SB 964 by Senator Aronberg designates the "Nicole Hornstein Act", which provides that a person under the age of 16 must wear a helmet if they are riding a horse on public lands. The requirement does not apply if the person is involved in an activity such as a parade or rodeo, where helmets are not historically part of the event, or if the person is riding a horse on private property. In 2006, Palm Beach County resident Nicole Hornstein was thrown off a horse she was riding and hit her head on a paved area of ground. Hornstein was not wearing a helmet at the time. As a result of the fall, Hornstein fell into a coma for 20 days before passing away at age 12. Both bills passed unanimously out of committee this week with the County waiving in support of the bills. The House bill has one more committee of reference and the Senate bill has three more committees of reference.

Scripps Research Institute

By: County Staff

SB 2778 by Senator Fasano requires the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program, and requires the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds. One of the concerns in the bill is the requirement that no more than 50 percent of the total appropriation from the Innovation Incentive Grant Program in any given fiscal year can be given to life science companies. This may limit opportunities to continue to grow the Bioscience clusters.

County staff is planning on meeting next week with the OTTED Senior Attorney to discuss the bill. The bill has passed one of three committees of reference and has no House companion.

Airport Issues / WiFi

By: County Staff, Foley and Lardner

HB 1029 by Kravitz and SB 2232 by Fasano relate to the protection of minors online. Leonard Schulte of Foley & Lardner researched the issue as it relates to WiFi use at airports and provided County staff with suggested legislative changes that would further refine internet access at airports. It is unclear whether there is a federal preemption that may apply in this case and further review may be necessary. HB 1029 was on the agenda this week; however, the committee ran out of time before the bill was considered. The bill is on the agenda for the House Safety and Security Council next week.

After working with the bill sponsor to address airport's concerns, the bill was amended by the sponsor defining "Internet access provider" as "any entity who, as one of its primary business activities, provides consumers with access to the Internet." This will serve to exempt airports from the requirements in the bill.

Energy

By: Pittman Law Group

ENRC1- Energy This bill came up in Environment & Natural Resources Council on Wednesday. Assuming there would not be enough time to finish hearing the bill this week, Chair Mayfield plans to continue the discussion in next week's meeting.

The nearly 200 page bill was summarized by staff before the amendatory process. Some of the main points were:

- The implementation of a Carbon credit Cap & Trade program
 - Authorize the Dept. of Environmental Protection to implement rules governing the Cap & Trade program, to be ratified by the Legislature
 - Requires the Cap & Trade Program to create a maximum emission output, trading allowances, and cost containment measures including a safety valve to stop credit prices from going to high
- Net metering for all utilities
- Implementing an ethanol percentage requirement for gasoline
- Requiring new construction to meet increased energy efficiency standards
- Requires an economic and environmental study
- Transfer governance of the Florida Energy & Climate Commission to the Governor's office
- Create the Florida Renewable Energy/Energy Efficiency grant program
- Require emissions reporting

Medicaid Benefits

By: FAC Staff

SB 1456 by Wilson passed without opposition in the Senate Health Policy Committee on Wednesday. Commissioner Lieberman (Broward) and Commissioner Heyman (Dade) both testified in support of the legislation that suspends versus terminates Medicaid benefits for those incarcerated for less than a year. This legislation has brought up the discussion of high medical costs to Sheriffs when they are forced to bring inmates to hospitals to receive care.

COMING UP NEXT WEEK

Autism

By: County Staff,, Akerman Senterfitt and Ericks Consulting

Tuesday, Sen. Geller's bill SB 2654 will be on the agenda in Senate Health Policy.

Wednesday is Autism Awareness Day in Tallahassee and Commissioner Kanjian is expected to attend for the day's events

MPO Day

Thursday is MPO day in Tallahassee. MPO Director Randy Whitfield and Commissioner Jeff Koons will be in attendance.

House Session Schedule

Next Wednesday, legislation regarding **Dart Firing Stun Guns** and **Scanner Radios** will be heard in Session before the House of Representatives.

FEDERAL ISSUES

Foreclosure Prevention Act

By: US Strategies

Senate leaders are expected to try again next week to call up legislation introduced mid-February by Senate Majority Leader Harry Reid (D-NV) that would provide \$4 billion through the Community Development Block Grant for the purchase and rehabilitation of foreclosed properties in areas with high foreclosure rates. S 2636 contains additional proposals to ease problems for mortgage holders and home buyers, including one that would allow bankruptcy court judges to modify mortgage terms, potentially reducing the outstanding principal on a loan; it was this provision that drew lending industry opposition and prompted Republicans to block the bill a month ago. Minority Leader Mitch McConnell (R-KY) was quoted as saying that the removal of the bankruptcy provision next week would be a "good start" toward getting agreement on foreclosure relief legislation.

Budget

By: US Strategies

Congress has been on a two week Easter recess since Friday March 14th and will return on Tuesday, March 31st. As expected, the last days were very contentious between the Democrats and Republicans as well as the Administration. The Senate's three presidential contenders, who have been largely absent from Washington in recent months, turned up the spotlight on their chamber Thursday, March 13th, by returning for votes on the FY2009 fiscal budget resolution.

FY 2009 Budget Resolution

During the week of March 10, the House and Senate passed their respective versions of the FY 2009 budget resolution. The Senate vote, which came early in the morning of March 14th, was 51-44, with two Republicans – Senators Susan Collins and Olympia Snowe (ME) – voting for it and one Democrat – Senator Evan Bayh (IN) – voting against it. The House version passed Thursday, March 13th, on a 212-207 vote, with no Republicans voting for it and 16 Democrats voting against it.

A conference to reconcile differences in the two versions is expected after Congress returns from its two week Spring break. *The budget resolution provides non-binding guidance to the Congress on spending, taxes, and domestic policy; it is not a law and so does not go to the President for signature.*

Both versions assume that the President's 2001 and 2003 tax cuts will expire as scheduled in 2010 or be fully offset if they are extended. The Senate version calls for extending provisions aimed at lower- and middle-income taxpayers and would pay for that extension with projected surpluses. The House version would extend those tax cuts only if they can be offset by tax increases or spending cuts elsewhere in the budget. It is expected that the biggest sticking point to resolving differences between the two chambers will be whether another one-year patch for the alternative minimum tax will have to be offset. The House version calls on Congress to pass a fully offset "patch" and would protect that provision from a filibuster through the reconciliation process. The Senate version provides no such provision; it calls for a one-year patch but doesn't require offsets.

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The table below highlights other key provisions of the House and Senate resolutions:

Provision	FY 2009 House Budget Resolution	FY2009 Senate Budget Resolution
FY 2009 Total Federal Spending	\$3.1 trillion	\$3.1 trillion
FY 2009 Discretionary Spending Amount Over President's Discretionary Spending Proposal	1.014 trillion (25.4 billion)	1.010 trillion (21.8 billion)
FY 2009 Federal Revenues	2.7 trillion	2.7 trillion
Projected FY 2009 Deficit	340.4 billion	366 billion
Projected FY 2013 Surplus	178.2 billion	160 billion
FY 2009 Discretionary Budget Authority		
Defense	537.8 billion	607.8 billion
International affairs	38.3 billion	35.7 billion
General science, space and technology	29.8 billion	29.8 billion
Energy	6.1 billion	8.4 billion
Natural resources and environment	37.6 billion	38.7 billion
Agriculture	6 billion	6 billion
Commerce, housing and credit	5 billion	4.8 billion
Transportation	24.6 billion	27.3 billion
Community and regional development	14.5 billion	15 billion
Education, training, employment and social services	85.3 billion	84.2 billion
Health	57.6 billion	58.9 billion
Medicare	5.2 billion	5.4 billion
Income Security	55.6 billion	55.5 billion
Social Security	5.2 billion	5.5 billion
Veterans benefits and services	48.1 billion	48.2 billion
Administration of justice	45.1 billion	44.3 billion
General government	17.8 billion	17.8 billion
Overseas deployments and related activities	70 billion	--

Examples of the specifics in the FY09 Budget Resolution:

- Both resolutions would reject many of the President's proposed cuts in domestic discretionary programs and provide for more discretionary spending than the President proposed. The House version would provide an additional \$22 billion, the Senate an additional \$18 billion.
- The Senate resolution includes \$35 billion for a second stimulus bill; the House resolution has no stimulus provision.
- Both versions provide up to \$50 billion in additional funds for the State Child Health Insurance Program (SCHIP), with those funds offset.
- The House resolution instructs the Ways and Means Committee to find \$750 million in savings over six years; the Senate resolution has no similar provision.
- The House version endorses offsets to pay for a one-year AMT patch (expected to cost \$62 billion); the Senate version provides for the one-year patch to be made without offsets.
- Both versions would extend tax breaks such as the 10 percent tax bracket, the child tax credit, and provisions to obviate the marriage penalty, but the House resolution would require that these extensions be offset.
- Both versions project revenue levels which assume that the 2001 and 2003 tax cuts will expire in 2010 or be fully offset if extended by tax increases or spending cuts elsewhere. (The Congressional Budget Office estimates that allowing the tax cuts to expire would increase revenues by \$683 billion over five years.)

Both resolutions show budget surpluses in FY 2012 and FY 2013.

