

Legislative Update

2010

This report contains a summary of various legislative and budget issues that may impact Wakulla County currently being addressed in the State Legislature.



2010 Legislative Session Update

The report includes potential impacts of the 2010 legislative session to Wakulla County. In addition, the report outlines staff's participation, budget implications, legislation being tracked, ballot issues slated for the November election, as well as federal issues. This report is intended to serve as an opportunity to update the Board on the critical issues facing our county at this time. The contents of this report reflects a sampling of session issues, and not reflective of all session activities.

Staff anticipated a challenging session this year, due to the grim \$3 to \$5 billion budget deficit projected by the State for 2010-2011. The goal this year is to keep the programs and services that Wakulla County relies on from being further reduced or eliminated with a keen eye on legislation containing unfunded mandates with unintended consequences to our local government.

This year the County Budget did not include funding for state or federal legislative lobbying services. Staff has been serving as the primary lobbyist on behalf of Wakulla County utilizing staff experience, monitoring committee meetings and session, as well as the lobbytools bill tracking subscription. This tool has enabled Wakulla County to stay abreast of the legislative session's activities that are important to our citizens and government. Additionally, staff and Commissioners have taken part in various activities on the legislative front such as: Attending the Florida Association of Counties (FAC) Legislative Conference & Legislative Day, Springs Rally, the Senate Select Committee on Inland Waters and Small County Coalition meetings.

The Board approved its slate of 2010 legislative priorities to include:

- Wakulla Gardens Sewer Expansion-\$1m:
- Comprehensive Storm water Study-\$100,000
- Transportation Improvements to Hwy 319-\$2.5m
- Wakulla Community Center-\$200,000:
- Wakulla Courthouse Expansion-\$1,050,000
- Sewer Expansion to Live Oak Island-\$1.9m
- Improvements to U.S. 319 / Expanding/Widening-\$2.9m
- Seeking Amendment One Offset Funding
- Construction of a New Fire & EMS Facility

In addition to the priorities listed above, the Board has either formally supported or opposed the following:

- ✓ Resolution #09-51 in Opposition to Offshore Drilling. **(To date, the House and Senate have not taken a pro-active stance; Public hearings only)**
- ✓ Supporting the Supervisor of Elections to seek delaying the state mandate for ADA voting equipment until 2016.(HB 7101 Passed the House 113 to 0; Now in Senate Messages)
- ✓ Board approved Resolution #09-54 in support for a local bridge to be designated in honor of Gretchen Evans for inclusion in FDOT bill. (SB 520 Placed on Special Order Calendar for 04/15/10)
- ✓ Medical Inmate Expenses-Limiting inmate medical expenses to Medicaid/medicare rate

structure (On Special Order Calendar 4/15/10.)

2010 Legislative Session Update

The legislative session commenced on March 2nd, 2010. Since that time staff has been proactively involved with the day to day session happenings. Both Chambers have continued to hold committee meetings to address proposed legislation, and have focused on constructing their respective budgets based on the budget deficit.

State Budget

The House and Senate have approached the budget development process in different ways. At the time of this report, the Senate’s budget proposal includes Seminole compact being ratified and anticipated \$880 million in stimulus funding from the Federal Medicaid Assistance Percentage (FMAP) Funding. The House has proposed further reductions and sweeping trust funds. The preliminary House and Senate Budgets are at \$67.2 billion and \$69.9 billion respectively. The table listed below outlines the current General Appropriation Act bills, HB 5001 & SB 2700 as proposed by the House and Senate. These proposals will soon be debated during the Conference process, where the final budget proposal will be approved by both chambers. The table below represents the major state funding sources that we rely on to provide County programs and services, and a comparison of the House and Senate Budget Proposals, prior to the budget conference process.

Budget Issue	Last Year	Senate Proposal	House Proposal
Fiscally Constrained (Amendment 1 offset)	23,200,000	29,800,000	23,000,000
Distribution from ½ cent (Small counties)	16,167,042	16,167,042	16,167,042
Emergency Medical Svcs. County Grants	6,211,675	6,211,675	6,211,675
Mosquito Control	2,166,168	2,166,168	2,166,168
Home Energy Assistance (LIHEAP)	90,864,000	124,264,000	124,264,000
Weatherization	169,684,474 (fed stimulus pass thru)	9,700,000	9,700,000
Payment in Lieu of Taxes	1,360,000	1,360,000	1,360,000
SCOP	23,451,468	21,027,375	21,027,375
State Aid to Libraries	24,396,017	17,792,039	3,292,039
Small County Solid Waste Grants	78,787-County Share	43,388 County Share	76,470 County Share

GRANTS WE RELY ON	Last Year	Senate Proposal	House Proposal
Florida Forever	-0-	15,000,000	-0-
FRDAP Grants	-0-	300,000	-0-

BUDGET REDUCTIONS-Reductions of major concern in the areas of County Health Department, Clerk of Courts, and the Wakulla County Library. We will continue to closely monitor the actions taking place.

- CHD--The legislature is proposing reorganizing the Department of Health, including a 34% potential cut in the current Medicaid reimbursement rate. The Senate is proposing a 10% reduction with a 57% proposed cut in Healthy Start, 15% cut in GR, 3% pay cut. The impact to our Wakulla County's Health department is hard to determine at this time due to the limited services provided. Reductions in the Medicaid reimbursement rate will adversely effect other programs.
- Clerk of Court--The Court reductions of varying size are part of both the House and Senate versions of the state budget. Senate cuts are larger. It is estimated that Wakulla County will experience a 5% to 8% reduction in the Court budget.
- Wakulla County Library--The reduction to the State Aid to Libraries based on the \$15 million appropriation represent an estimated budget reduction of \$60,866 to our local library.

Legislation- Due to the large numbers of bills filed each year, and the expedited budget process, it is extremely difficult to manually track the action during session with limited staffing. This year, the Board approved utilizing the lobbytools subscription services to aid staff in monitoring legislation. Listed below are a few of the key bills that have been tracked to date. For a complete listing see the accompanying attachments for Bills of Interest and Priority bills. All bills contingent upon both House and Senate approval and are subject to the Governor's veto power. Listed below is a sampling of bills identified as priority in nature or of interest and are being tracked this session.

Priority Bills

SB 218/HB 319 Inmate Medical Expenses	Filed amendments to the Senate bill place the cap at 110% of Medicare allowable rate, absent a formal written agreement, and changes some of the language in the required timing of the health care provision. On
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	Special Order Calendar 4/15/10. Passed the Senate Health Regulation Committee 4-0. Its companion, HB 0319 has been temporarily postponed in committee since 02/16/10.
SB 550/568 Water Issues	Senate Omnibus bill contains numerous water provisions. Of note to counties is the requirement to create a "Responsible Management Entity" (RME) to manage the maintenance, operation, and replacement of septic tanks. Several counties would be required to complete a first wave of RMEs by 2012— <u>INCLUDING WAKULLA COUNTY</u> .. Opens up low-interest revolving loan funding for the creation of these entities. It does not yet have a clear companion. Staff is still analyzing the 186 page bill.
SB 570 Environmental Protection/Recycling	Requires all public entities to report recycling data to the county using the format designated by the DEP. Requires Enterprise Florida, Inc., and the DEP to create the Recycling Business Assistance Center. Requires counties to meet specific recycling benchmarks. Requires the recycling of materials for new commercial and multifamily projects. Requires liners for new construction and demolition debris landfills, etc. EFFECTIVE DATE: 07/01/2010.Next Stop General Government Appropriations.
HB 1211 Public Records & Meetings	Includes Open Government Bill of Rights within general state policy on public records & delineates rights of persons & requirements of agencies thereunder; revises, clarifies, transfers, & reorganizes various provisions of law governing public records; revises fees for duplication of specified documents; revises & clarifies provisions governing public meetings & meeting records & access to public meetings; prohibits agency from holding public meeting at any facility or location that discriminates on basis of sex, age, race, creed, color, origin, or economic status or that operates in such manner as to unreasonably restrict public access to facility or location. Not Moving-filed and referred
SB 1598 Relating to Public Records and Public Meetings	Creates the "Sunshine in Government Act." Requires all elected and appointed public officials to undergo education and training on the requirements of the Sunshine in Government Act. Provides that if the nature or volume of the public record requested to be inspected or copied

	requires more than 30 minutes of agency resources, the agency may charge a fee for the agency resources incurred, etc. EFFECTIVE DATE: 10/01/2010. In last Committee of Reference.
SB 2372/HB 1221 Relating to Animal Control or Cruelty Ordinances	The bill revises the provisions allowing local governments to impose a surcharge for violations of animal control and cruelty ordinances. Specifically, the bill requires the governing body of a county or municipality to collect a \$15 surcharge for each civil penalty for said violations. The bill allocates the proceeds from the surcharge in the following manner: Authorizes \$1 to be retained by the clerk of the court, Preserves the current \$5 allocation used for the costs of training for animal control officers, and Requires the remaining \$9, if the clerk of the court retains the \$1 or \$10 if they do not, to be used to subsidize the costs of spaying or neutering dogs and cats whose owners voluntarily submit their animals for sterilization. Provides owners of dogs and cats who voluntarily submit their animals for sterilization may not be charged more for the spaying or neutering than the cost of sterilization less the subsidy paid from the surcharge. Effective Date: July 1, 2010. On Committee agenda - Judiciary, 04/19/10, 1:00 pm.
HB 1301/SB 1980 - Relating to Violations of County Ordinances	The bill authorizes counties to specify, by ordinance, that a violation of any provision of an ordinance imposing standards of conduct and disclosure requirements is punishable by a fine not to exceed \$1,000 or a term of imprisonment in the county jail not to exceed one year Now in Economic Development & Community Affairs Policy Council the last committee stop.

Bills of Interest

State Retirement (FRS Contributions)-	.25 of 1% ex. 30k salary pays 75 per year towards retirement and is portable. The two large retirement packages that are moving now are SB 2022 by Senator Alexander and HB 5307
SB 2420 TABOR-Taxpayer Bill of Rights	Amends the Florida State Constitution implementing a cap on the growth of state and local revenues and expenditures. Requiring voter approval for new taxes or fee increases. The state and local budgets would be subject to a mathematical formula; heard in the Senate Community Affairs where the bill was substantially amended to remove the direct application of revenue and expenditure caps from

	local governments. The bill was passed favorably by the committee.
HJR 495-Term Limits	<p>The resolution is to increase the length of a single term for a state representative from two years to four years and a state senator from four years to six years. In addition proposed extending the number of consecutive years in office for state representatives and state senators from eight years to twelve years <u>and to impose a twelve consecutive year limit for county and municipal elected officials</u>. An amendment was offered that removed the increases to the length of legislators' single terms <u>but maintained the twelve consecutive year limit for legislators and local officials</u>. Just after the Committee began taking public testimony, the Chairman adjourned the meeting without notice at 10:45 A.M. because that was the scheduled time to conclude the meeting. No votes were taken.</p> <p>A Senate companion bill has been filed and referred, but has not been considered. If approved by the electorate, the Legislature would have to adjust their staggered terms as they begin deliberating reapportionment for 2012. Locally elected officials would be prohibited from the 2012 ballot if they have previously served 12 consecutive years in the same position.</p> <p>HJR 495 must be approved by a 3/5 vote of the Legislature in both chambers to be placed on the November 2, 2010 general election ballot and would require 60 percent voter approval</p>
SB 690 Local Government Accountability	Includes additional reporting requirements for local BOCCs, Supervisors of Elections, Tax Collectors, Property Appraisers, and Clerks of courts. Adds additional reporting details to be included in budgets. Provides additional transparency by specifying budget information be published on the local government websites with deadlines. On Committee agenda - Policy & Steering Committee on Ways and Means, 04/15/10, 2:00 pm, 412 K

Constitutional Ballot Issues-To date, there are currently (6) six approved Constitutional ballot measures for consideration in November 2010.

1. Repeal of public financing requirement 2010 Constitutional Amendment Matters
2. Tax Break for deployed military personnel
3. Property Tax limit for non-homestead property; added exemption for new homestead owners
4. Florida Hometown Democracy—Requires referenda for adoption & amendment of local government Comp. Land Use Plans (*which the Board opted to not take a position at this time*)
5. Standards for Legislature to Follow in Legislative Redistricting
6. Standards for Legislature to Follow in Congressional Redistricting

Federal Issues- The County Administrator attended the NACo Legislative Conference in Washington, D.C. to advocate for approved Board legislative issues on behalf of Wakulla County. Meetings were held with Senator Nelson, Congressman Boyd, and Senator LeMieux's staff to discuss important infrastructure issues to Wakulla County. The County Administrator remains optimistic in receiving federal appropriations this year. As of this printing Wakulla County's federal legislative requests being put forward by Congressman Boyd include:

- Smith Creek Communication Unification - \$165,000

- Countywide Storm Water Plan – \$1,000,000
- Improvements to US 319 – \$1,500,000

ARRA- It should also be noted that the projects included as the Board's legislative priorities will be considered as priorities for any potential ARRA funding opportunities as well. To date, stimulus funds have aided in transportation improvements of (2) turn lanes along US 319, and has funded a portion of the construction of a new transfer station. Staff continues to identify opportunities to critical projects.

CONCLUSION

Despite the economic climate, it appears that the impacts of the legislative session to Wakulla County were not as drastic as once thought. The major impact to our county will be determined by the overall state revenue sharing funds, and fiscally constrained funding. Funding these and the other areas mentioned above will allow for continuation of services to be provided for Wakulla County citizens.

Staff will continue to analyze the effects of the bills that pass as unfunded mandates to determine specific impacts to the County, and monitor the bills up for potential veto by the Governor. Following conclusion of the legislative session, staff will provide an end of session update to Board.

Listed below is the contact information for your local delegation, should you have any concerns or questions.

State Legislative Delegation:

Representative Leonard Bembry
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402 South Monroe Street
Tallahassee, FL 32399-1300
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Representative Marti Coley
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Senator Al Lawson
228 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100
(850) 487-5004

If you have any questions, please contact Jennifer Langston, Special Projects Coordinator at 926-0919 or email at jiangston@mywakulla.com.