



## 2011-12 Guiding Principles

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### **HOME RULE**

County officials are dedicated to the preservation of democratic principles, specifically that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. Home rule is the right of the people to determine and implement a public purpose at the grassroots level. Home rule power is conferred to Florida counties by Article VIII, Sections 1(f) and 1(g) of the Florida Constitution (1968), and by Section 125.01, Florida Statutes. The preservation of this fundamental democratic concept is essential to the operation of county governments in Florida. Accordingly, the Florida Association of Counties is dedicated to maintaining the integrity of county home rule power, both administrative and fiscal, which allows counties to develop and implement community-based solutions to local problems.

### **UNFUNDED MANDATES**

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

### **COMMUNITY & ECONOMIC DEVELOPMENT**

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

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

### **REVENUE FLEXIBILITY**

The ad valorem tax is authorized to Florida counties by Article VII, of the Florida Constitution, and implemented by general law. Within limitations, the Constitution authorizes counties to levy up to 10 mills on all taxable property for county purposes. This tax is the primary revenue source for the operation of county government. However, the revenue generated by this tax has not kept pace with the demands and requirements of modern government in a rapidly growing state. As a result, counties have to resort to other tax and non-tax revenue sources to meet their demands. The Florida Association of Counties is dedicated to protecting the integrity and fairness of the ad valorem taxing authority, as well as that of the other locally imposed revenue sources. Also, the Florida Association of Counties encourages the creation or enhancement of alternative public financing mechanisms to meet the ever-increasing demands on county government service delivery.

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

The impact of growth and development in Florida during the last 30 years has brought significant benefits and costs to county government. Given Florida's substantial growth during this period, the Florida Association of Counties supports a comprehensive planning framework with state oversight, regional coordination, and minimum local requirements. At the same time, this planning framework must recognize that many local land use decisions result in little to no impact on state and regional interests. Furthermore, because Florida's communities are remarkably diverse, this planning framework must also allow maximum flexibility to Florida's counties to address unique local concerns and conditions. Thus, to the greatest extent possible, the state's comprehensive planning framework must defer to local decision-making and include an incentive-based approach to better growth management.

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

Conservation and protection of our natural resources is critical to managing growth, promoting economic development, and maintaining a healthy environment to ensure a high quality of life for county citizens. Accordingly, and in keeping with home rule

authority, the Florida Association of Counties supports the right to adopt local environmental regulations to protect a community's unique natural resources.

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

## **FINANCE & TAXATION**

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

## **HUMAN SERVICES**

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

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

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

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

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

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

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

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

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

## **PUBLIC SAFETY & SECURITY**

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

Florida's citizens and visitors look to county government as the first line of defense to ensure their communities are safe and protected in times of natural and man-made disasters, terrorism, emergencies, and public health threats. It is imperative for state policy to maintain county government control of emergency management systems during such emergencies and public health threats. It is equally important that, as Florida's population continues to grow, that the state provide a dedicated funding source for hurricane shelter space.

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

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

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

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

**Approved 11/18/11**