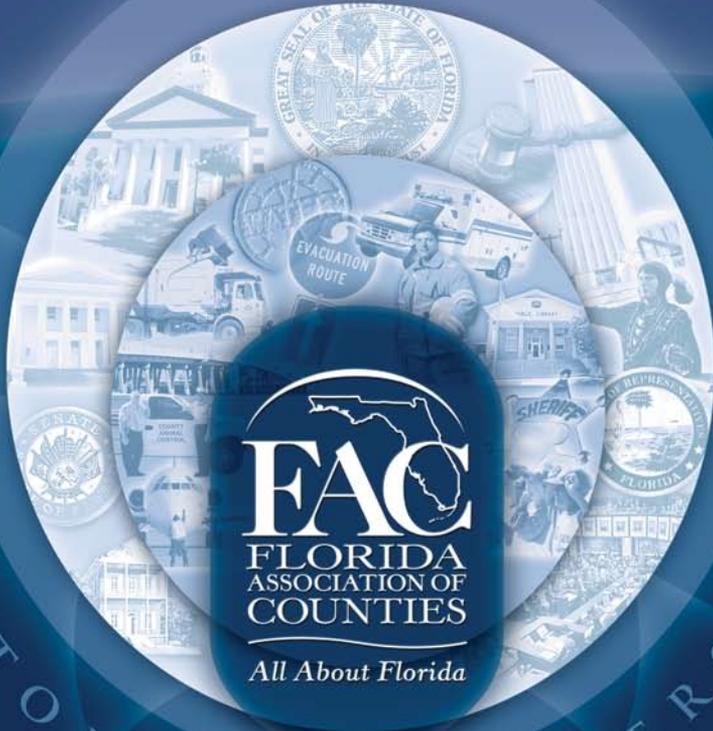


RESTORE The PARTNERSHIP



FAC
FLORIDA
ASSOCIATION OF
COUNTIES
All About Florida

2009
LEGISLATIVE PRIORITIES
PROGRAM

PRESIDENT'S MESSAGE

State Leaders,

It is with great honor that I present to you the Florida Association of Counties' (FAC) 2009 Legislative Priorities Program. Florida's county officials have come together and worked tirelessly to develop a unified legislative agenda that benefits all counties. The FAC Legislative Priorities Program outlines statewide issues important to our shared constituency.

The program includes a description of FAC's legislative priorities for the 2009 Session. These priorities underscore our commitment to protecting local government authority and provide focus for the Association in responding to legislative issues.

Florida's county commissioners, staff and the Florida Association of Counties look forward to working with you during session. Should you have any questions about particular issues or if we can be of assistance, please contact Chris Holley, FAC Executive Director or John Wayne Smith, FAC Legislative Director.

Best wishes for a productive and successful session!



Willing to serve,

A handwritten signature in black ink, which appears to read "Rodney J. Long". The signature is fluid and cursive.

Commissioner Rodney J. Long
Alachua County Commission
FAC President

80
YEARS

1929-2009

FLORIDA ASSOCIATION OF COUNTIES

MISSION

“The mission of the Florida Association of Counties (FAC) is to preserve and promote democratic principles by working to keep appropriate authority at the level of government closest to the people, and to increase the capacity

of Florida counties to effectively serve and represent the citizens of the state through legislative action, education of public officials, and enhancement of public awareness about the role and function of county government.”

ABOUT FAC

For 80 years, the Florida Association of Counties (FAC) has represented the diverse interests of Florida’s counties, emphasizing the importance of protecting home rule - the concept that communities and their local leaders should make the decisions that impact their community.

FAC is the only association representing every county in Florida - bringing together the collective experience and knowledge of 67 counties, represented by 377 county commissioners and supported by thousands of county professional staff. FAC provides

the cohesive platform that enables county officials and staff to speak with a unified voice on behalf of all Floridians. Through FAC, counties are better able to serve not only their communities, but the entire state of Florida.

Throughout the state, Florida’s counties perform vital public services such as public safety, fire and emergency medical services, jails, parks, libraries, health care, growth management, economic development, and roads just to name a few.

ADVOCACY

The diversity of services provided to Florida’s citizens by counties requires a strong legislative team in Tallahassee. FAC represents counties on a range of important issues before the state legislature, the governor and Cabinet, various state agencies, commissions, and the courts. The FAC advocacy team covers more than 80 percent of the thousands of bills proposed each legislative session, working hard to preserve home rule. FAC’s guiding

principles seek to preserve county home rule authority, to develop and implement statewide policies that improve public service, and to protect citizens from the financial burden of unfunded mandates.

Locally elected county commissioners guide the creation of FAC legislative positions which are committed to sound public policy that makes Florida a better place to live and work.

2008-09 EXECUTIVE COMMITTEE



President
Commissioner
Rodney Long
Alachua County



President-Elect
Commissioner
Ilene Lieberman
Broward County



1st Vice President
Commissioner
Doug Smith
Martin County



Immediate Past President
Commissioner
Susan Latvala
Pinellas County

80
YEARS
1929-2009

FAC TEAM AT YOUR SERVICE



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EMERGENCY MANAGEMENT, GROWTH MANAGEMENT & TRANSPORTATION

- *Growth management*
- *Transportation*
- *Affordable Housing*
- *Emergency Management*
- *DRI's (Developments of Regional Impact)*
- *Mobile Homes*
- *MPO's (Metropolitan Planning Organizations)*
- *Building Codes*
- *Regional Planning Councils*
- *School Concurrency*



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Transportation / Economic Stimulus

To help stimulate the state's economy and facilitate needed transportation improvements, the Florida Association of Counties supports a broad-based funding strategy for this infrastructure. With a decline in state revenues, the 2008 legislature diverted more than \$500 million from the state transportation trust fund for general revenue purposes. This diversion not only impacted critical state road projects but it also reduced important grant funds for local transportation initiatives. Moreover, this reduction ultimately impacts the economy, as it is estimated that every \$1 invested in transportation yields \$5.50 in positive economic activity.

In light of reduced revenues and the continued need for transportation improvements, FAC has adopted the following position statements regarding transportation and economic stimulus:

Infrastructure Funding:

SUPPORT restoring the statutory commitment from SB 360 directing documentary stamp tax revenues for transportation (\$541 million), water protection and sustainability (\$100 million), and for educational facilities (\$105 million).

Regional Transportation Finance Authorities: SUPPORT

legislation that authorizes regional transportation finance authorities to pledge a portion of the capacity improvement funds historically allocated to the respective transportation district from the State Transportation Trust Fund to finance eligible transit or transportation improvements over 30 years. **SUPPORT** allowing funds appropriated to a regional transportation authority to be extended over a term of years.

State Transportation Trust Fund:

OPPOSE any effort to divert revenues from the state transportation trust fund for non-transportation purposes.

Urban Transportation Funding:

To help reduce greenhouse gas emissions, promote energy conservation, and lower the number of vehicle miles traveled (VMT), FAC **SUPPORTS** a change to the state's transportation funding investment policy by creating a more flexible and balanced allocation of funds between transit and traditional highway capacity improvements.

Growth Management

Florida's rapid growth continues to place enormous demands on our state's infrastructure and natural resource systems. These growth pressures have been tempered, in part, by our state's growth management law and the agency charged with its oversight, the Department of Community Affairs (DCA).

For nearly twenty-five years, DCA has been at the forefront of our state's growth and development, ensuring that Florida's growth management requirements are implemented consistently by each local government. In this role, DCA has helped guide local governments through an array of complex issues that include infrastructure planning, natural resource protection, and more recently school planning.

Of particular importance is the role DCA plays in local land use issues, where the agency helps ensure that the extra-jurisdictional impacts from land use changes are properly addressed. Similarly, DCA represents an important planning resource to numerous local governments, providing direct technical assistance to counties with limited staff capacity, while giving direct financial assistance to others.

With DCA scheduled to undergo legislative sunset review in 2009, and recognizing the need for continued planning in our state, it is critical that our state's growth management law and the agency responsible for its oversight remain intact. The Florida Association of Counties has adopted the following position statements with regard to Growth Management:

The Role of the Department of Community Affairs: Recognizing the state's need for comprehensive planning and strategic growth

management, FAC **SUPPORTS** the Department of Community Affairs (DCA) as the State Land Planning Agency and, in the interest of all citizens, **SUPPORTS** having the agency maintain this responsibility. To ensure DCA can effectively carry-out its responsibilities, serve as a technical resource for local governments, and implement a growth management vision for the state, FAC **SUPPORTS** state funding to the agency at a level that ensures it can meet these responsibilities. **SUPPORT** DCA's working effectively with counties to make the comprehensive review process more efficient.

Florida's Growth Management Framework: FAC **SUPPORTS** the purpose and intent of the Local Government Comprehensive Planning Act, which is to strengthen the existing roles and home rule powers of local governments to implement comprehensive planning programs that guide future development and encourage the most appropriate use of land and natural resources.

The State's Role in Growth Management: FAC **SUPPORTS** a state role in growth management that will:

- Recognize the fundamental principle of county home rule power, which enables counties to develop local solutions to local problems;
- Foster partnerships with counties to ensure local planning goals are realized;
- Provide an appropriate vision and strategy for how the state should grow;
- Provide funding for key infrastructure systems; and
- Provide appropriate oversight in land use matters to minimize extra-jurisdictional conflicts.

FINANCE & TAXATION



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- *Ad Valorem Taxes*
- *County Budget Process and Procedures*
- *Fiscally Constrained County Funding*
- *PILT (Payment in Lieu of Taxes)*
- *Property Tax Assessment Classifications*
- *Revenue and Expenditure Caps*
- *Sales Taxes*
- *Tourist Development Taxes*
- *TRIM (Truth in Millage)*
- *Unfunded Mandates*

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. The Florida Association of Counties has adopted the following position statements regarding finance and tax issues affecting Florida local governments:





Revenue & Expenditure Caps (TABOR): **OPPOSE** legislative or constitutional restrictions on county authority to determine local tax burden or local financial commitments to services and quality of life.

Fiscally Constrained Offset: **SUPPORT** full funding for the legislative commitment to offset Amendment 1 for fiscally constrained counties and future legislation that preserves the financial capacity of fiscally constrained counties in a manner that does not replace or reduce existing programs and revenues for small rural counties and that does not divert funds from other counties or from cities.

Working Waterfront Property: **SUPPORT** implementing legislation authorizing defined properties to be assessed by factors other than highest and best use.

Truth-in-Millage (TRIM): **SUPPORT** establishing a TRIM notice that is streamlined and easier for the taxpayer to understand. **SUPPORT** replacing rollback millage with the maximum millage calculation. **SUPPORT** listing each constitutional officer's total budget on the TRIM notice to reflect the proportion of millage rate or property taxes.

Payment in Lieu of Taxes (PILT): **SUPPORT** fully funding PILT to counties impacted by state and water management district land purchases, basing payments on the acquisition price or current use of the property.

Tourist Development Tax/Sales Tax: **SUPPORT** clarifying the definition of timeshares and codifying case law that provides a definition of transient rentals to include intermediary transactions via internet resellers.

Conservation Use Property Tax Assessment Classification: **SUPPORT** implementing legislation authorizing counties to classify agricultural land taken out of agricultural use or production as conservation land for the purpose of providing a local option agricultural classification when determining taxable value. **SUPPORT** legislation that implements the intent of Amendment 4 to promote land conservation without having a significant impact on local ad valorem revenues.

PUBLIC SAFETY & ADMINISTRATION



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- *Article V*
- *Corrections*
- *Criminal Justice*
- *Elections*
- *Enterprise Florida*
- *Ethics / Gift Disclosure*
- *Florida Retirement System (FRS)*
- *Insurance*
- *Judicial*
- *Workers' Compensation*

Due to the way the court system is funded, the judicial branch has been disproportionately affected by state budget cuts. Whereas certain agencies are substantially trust funded, the court system is almost wholly funded by general revenue dollars.

At the same time reductions have occurred, the demand on the judiciary has climaxed. Tough economic times result in more civil and criminal cases. Not adjusting for the increased number of cases results in caseload levels that cannot be

efficiently managed, creating a backlog in the criminal justice system that has a multitude of compounding effects. For instance, overcrowding in county jails is directly linked to the number of days one has to wait in jail until adjudication which is a direct and positive correlation with high caseloads amongst state attorneys, public defenders and judges. The Florida Association of Counties has adopted the following position statements regarding judicial funding:





Judicial Funding:

Trust Funding of the Judicial Branch: **SUPPORT** the creation of trust funds for the Judicial Branch in an attempt to identify a dedicated revenue source for the third branch of government. **OPPOSE** additional cuts to the judicial branch.

Funding for Court-Related Infrastructure: **SUPPORT** increasing the current \$15 maximum surcharge on criminal and non-criminal traffic violations to \$30, as authorized in s. 318.18(13)(a), F.S., to provide counties with additional financial resources to construct new courthouses, to reconstruct, renovate or improve existing courthouses, and to construct other court-related capital improvements including parking facilities for court personnel and court users. **SUPPORT** allowing counties the option of concurrently imposing the surcharges authorized under paragraphs (a) and (b) of s. 318.18(13), F.S., and expanding the bond payment surcharge to include those facilities constructed on or after July 1, 2004.

Small County Courthouse

Funding: **SUPPORT** continued state general revenue funding for capital improvements to county courthouses and other court-related facilities located in rural counties.

Traffic Hearing Officer

Program: **SUPPORT** funding for traffic hearing officer programs statewide including restoring all funds eliminated from this important public safety program during FY 2007-08 and FY 2008-09. In addition, **SUPPORT** a local option surcharge up to \$3 on all traffic-related violations to provide continued funding for traffic hearing officer programs around the state.

Criminal Conflict and Civil

Regional Councils: **SUPPORT** the elimination of the provisions that require counties to fund any aspect of the Criminal Conflict and Civil Regional Councils.

HEALTH & HUMAN SERVICES



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- *Behavioral Health Care*
- *County Health Departments*
- *Elderly*
- *Emergency Medical Services*
- *Health Care / Health Insurance*
- *Human Services*
- *Kidcare Program*
- *Social Services*
- *Substance Abuse*
- *Transportation Disadvantaged*

Florida's counties are doubly impacted by smoking related health care costs. Not only are they employers providing health care coverage to their employees, but counties are also paying a portion of the state's share for certain Medicaid services, contributing funding to their local County Health Departments and Federally Qualified Health Centers, and

in some instances, managing county indigent health care programs to help the uninsured and underinsured. According to the America Heart Association, American Lung Association and American Cancer Society, the annual health care costs in the state of Florida directly caused by smoking is \$6.32 billion, of which \$1.2 billion is provided by Medicaid.





Florida's current tax per pack is \$.34 and has not been increased in almost 20 years. The state ranks 46th in the nation when compared to the national average of \$1.18 per pack. A \$1.00 increase could raise as much as \$1 billion in additional revenue which would help to offset reductions for essential services in the state's health care budget.

There is also a correlation between higher cigarette taxes and reductions in smoking rates among both youth and adults. Florida counties have a vested interest in seeing the number of smokers in our state reduced. The Florida Association of Counties has adopted the following position statement regarding the cigarette tax:

Cigarette Tax: SUPPORT legislation that will increase the state's cigarette tax per pack, bringing Florida closer to the national average. **SUPPORT** earmarking the resulting revenue specifically for health care services.

ENVIRONMENT, AGRICULTURE & UTILITIES



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- *Beaches and Coastal Management*
- *Energy*
- *Environmental Delegation and Permitting*
- *Everglades Restoration*
- *Land Acquisition and Management*
- *Solid Waste and Recycling*
- *Stormwater and Wastewater Utilities*
- *Water Quality and Supply*
- *Wetlands*

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 Florida citizens and

businesses. 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.





Additionally, increased demand on Florida's water supply requires many diverse interests, including county government, to work together in planning for the future of water policy in Florida. The primary goal of water resource planning efforts should be ensuring resource availability for all reasonable beneficial uses, consistent with the protection of water and related natural resources. The Florida Association of Counties strongly supports the policy of local sources first in providing water to the citizens of Florida.

Finally, federal and state water quality regulations require county government to expend billions of dollars to improve water quality. Therefore, state environmental regulations should not hamper the ability of counties to realize water quality improvements that are required by federal or state law.





All About Florida

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