



All About Florida

2023

LEGISLATIVE
ACTION PLAN

FAC EXECUTIVE COMMITTEE



LEE CONSTANTINE

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Seminole County



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Okeechobee County



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Immediate Past President
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SUSAN ADAMS

Indian River County
Chair



KELLY OWENS

Okeechobee County
Vice-Chair

ADOPTED

RURAL ECONOMIC & COMMUNITY DEVELOPMENT

FAC SUPPORTS a comprehensive rural economic & community development package to include:

- o Increase funding for rural infrastructure projects to the Florida Job Growth Grant Fund
- o Increase operational funding and regulatory flexibility for Rural Areas of Opportunity and local entities to promote job creation and economic expansion;
- o Rural Qualified Targeted Industries Tax Refund Reauthorization for 10 years;
- o Modify match requirements and provide flexibility to the following programs:
 - Regional Rural Development Grants Program;
 - Rural Community Development Revolving Loan Fund;
 - Rural Infrastructure Fund.

SMALL COUNTY SURTAX

SUPPORT legislation that allows fiscally constrained counties to place a referendum on the ballot for voters to determine whether or not that County can levy the Small County Surtax at a combined rate up to 2% in combination with the levy of the Local Government Infrastructure Surtax.

RURAL ENTERPRISE ZONES

SUPPORT re-establishment of rural enterprise zone programs in fiscally constrained counties, cities within fiscally constrained counties, and cities designated as part of a rural area of opportunity (RAO).

Amendments to ARA Guiding Principles

ARA 6. The Florida Association of Counties supports increased critical state funding for the Small County Road Assistance program (SCRAP).

ARA 7. The Florida Association of Counties supports increased state funding for the Small County Outreach Program (SCOP).

COMMUNITY & URBAN AFFAIRS



CHARLIE JUSTICE

Pinellas County
Chair



EILEEN HIGGINS

Miami-Dade County
Vice-Chair

ADOPTED

LANDLORD REQUIREMENTS

SUPPORT legislation that would 1) empower local governments to levy fines against landlords to recoup the costs of relocating residents from condemned properties, and 2) hasten the process allowing local governments, when in the interest of public safety, to foreclose on and take title to property owned by landlords who ignore code violations and fines.

CODE ENFORCEMENT ANONYMOUS COMPLAINTS

SUPPORT amending Florida law, relating to county and municipal code enforcement, to restore the authority of county code inspectors under s. 125.69(4)(a), F.S., and s. 162.06(1), F.S., and code enforcement officers designated under s. 162.21, F.S., to act on a complaint submitted anonymously.

SUPPORT legislation that also authorizes animal control officers to investigate alleged civil infractions, relating to animal control or cruelty, received anonymously from county residents, and to issue citations as provided in s. 828.27, F.S., or other state law.

EXTRA-JURISDICTIONAL MUNICIPAL UTILITY SERVICE

SUPPORT legislation that provides that where a county has, by ordinance, established one or more utility service areas in the unincorporated area and where the county has the current ability to provide service, a municipality may not provide utility services within such county service area(s) without consent of the county.

LOCAL OCCUPATIONAL LICENSING

SUPPORT legislation repealing Chapter 2021-214, Laws of Florida, including all the created or amended statutory provisions presently in effect, such as s. 163.211, F.S., to allow counties to retain the authority to operate programs requiring the licensure, certification, or registration of local general contractors and specialty contractors, and other occupations as determined by each county's governing body by ordinance or resolution.

SUPPORT legislation amending s. 163.211(2)(a), F.S., to remove the expiration date of local government occupational licensing requirements and programs existing on or before the effective date of Chapter 2021-214, Laws of Florida, including the job scopes identified in s. 489.117(4)(a), F. S., and others that were locally licensed prior to the effective date Chapter

2021-214, Laws of Florida, to ensure the health, safety and welfare of county residents and businesses.

LANDSCAPE PROFESSIONAL CERTIFICATION

SUPPORT allowing local governments to require certification for landscape professionals.

SPECIAL DISTRICT REAUTHORIZATION

SUPPORT legislation reauthorizing certain independent special districts, including those special districts located within fiscally-constrained counties, that were impacted by the enactment of Chapter 2022-266, Laws of Florida (also referred to as SB 4-C), during the 2022 Special Session C.

Amendments to CUA Guiding Principles

CUA 7. The Florida Association of Counties supports retaining the full amount of dedicated documentary tax revenue to fund state and local affordable housing programs. The Florida Association of Counties further supports increased flexibility to counties participating in the State Housing Initiative Partnership program to maximize the distribution of funds in a manner that more effectively implements each county's local housing assistance plan, adopted local housing incentive strategies, housing-related priorities, and funding for housing projects; and also achieves greater housing availability and affordability for essential service personnel, very low-income, low-income and moderate-income residents, and residents with special housing needs consistent with each county's housing market.

PRESIDENTIAL SELECT COMMITTEE ON BROADBAND



LARRY HARVEY

Putnam County
Chair



GREGG WEISS

Palm Beach County
Vice-Chair

ADOPTED

STATE DIGITAL EQUITY GRANTS

FAC SUPPORTS funding for State Digital Equity grants to include digital navigator programs at the local level.

STATUTORY REVISIONS TO THE BROADBAND OPPORTUNITY PROGRAM

FAC SUPPORTS the following statutory revisions to the state broadband grant program, Broadband Opportunity Program:

- o Removal of the Federal funding prohibition
- o Inclusion of waiver of match & rural considerations in grant review
- o Removal of challenge processes that result in grant blocks
- o Inclusion requirements for local involvement & strategic plan alignment
- o Clarifying definitions to align grant final rule & statute



ROBERT BENDER

Escambia County
Chair



MARIA MARINO

Palm Beach County
Vice-Chair

ADOPTED

Building Inspection Fund Carryforward

FAC SUPPORTS changes to the Florida Statute regarding building inspection funds, which has severely limited local government's ability to ensure they carry forward enough funds to cover pending inspections.

Transportation Sales Surtax for Non-Charter Counties

FAC SUPPORTS modification to existing laws to allow for the enactment by referendum of the Charter County and Regional Transportation System Surtax for those non-charter counties not currently authorized to levy the surtax.

Deferred Retirement Option Program (DROP) Extension

FAC SUPPORTS expanding the Deferred Retirement Option Program (DROP) to allow all eligible FRS employees to extend their participation in DROP for up to 36 months beyond their initial 60-month eligibility period. This would match the DROP participation extension now permitted for eligible law enforcement officers.

Public Records Exemption—Senior County Leadership

FAC SUPPORTS amending s.119.071, F.S., to grant a public records exemption to allow the protection of the County Administrator/Manager/Coordinator, the County Attorney, and the senior-most security personnel.

Supplemental Distribution Full Funding

FAC SUPPORTS creating a separate statutory allocation of a percentage of state sales tax necessary to provide \$2.5 Million for the Supplemental Distribution to achieve full formula funding for those counties eligible to receive funds from the Supplemental Distribution while preserving the current percent of sales tax provided to small counties through the Emergency Distribution.

FINANCE, TAX, & ADMINISTRATION (FTA)

Public Records Request Aggregation

FAC SUPPORTS legislation clarifying the aggregation of serial public records requests and requiring requestors pay outstanding record request bills before any further requests be processed.

PACE Program Accountability

FAC SUPPORTS legislation that addresses problems and abuses within the state of Florida's Property Assessed Clean Energy (PACE) program specifically, but not limited to requiring the PACE program to include greater consumer protections and awareness, and/or requiring financing be based on the ability to pay, reviewing and requiring program adjustments to prevent contractors from unjustly marking up prices of services and penalties for paying off loans early. Also, requiring the Florida Attorney General's Office to begin reviewing and investigating PACE program contractor issues for potential fraud and abuse.



JERRY DEMMINGS

Orange County
Chair



RICK MINOR

Leon County
Vice-Chair

ADOPTED

HEMERGENCY BRIEFINGS PUBLIC MEETING EXEMPTION

FAC SUPPORTS legislation granting an exemption for county elected officials to be able to participate in emergency-related briefings during a declared state of emergency.

Amendments to HSJ Guiding Principles

HSJ 33. The Florida Association of Counties supports policies that protect the ability of counties to provide for coordinated, countywide systems of emergency medical services through the Certificate of Public Convenience and Necessity Process, and not limit the ability of ambulance and other emergency medical transportation providers to be reimbursed for their services.

HSJ 53. The Florida Association of Counties supports increased state funding for the state corrections system to address compensation, retention, and recruitment of state correctional staff. As the state reviews the current prison system, the Florida Association of Counties supports monitoring DOC review of state-operated facilities with particular focus on any recommendations that may impact local community employment and revenue sharing, as well as other local impacts and supports minimizing any affects to local employment and revenue sharing resulting from DOC reviews.

SPECIAL EMERGENCY MANAGEMENT (SEM)

My Safe Florida Program

FAC SUPPORTS the continued investment in the My Safe Florida Program, and therefore:

- o The Legislature should create a dedicated funding source to support the program on an annual basis.
- o The Legislature should expand program eligibility to properties located outside the Windborne Debris Region.
- o The Legislature should consider a match waiver for property owners who have received wind damage in the past and/or meet certain income thresholds

HEALTH SAFETY AND JUSTICE (HSJ)

Maintain State Housing Initiative Partnership (SHIP) Guaranteed Amounts

FAC SUPPORTS Preserving the Guaranteed Amount of State Housing Initiatives Partnership (SHIP) Program to all Counties.

FAC SUPPORTS Preserving the Current Statutory Split Between SHIP and the State Apartment Incentive Loan Program (SAIL)

- o To ensure county SHIP funds are available to all 67 counties on a population-based formula to finance and preserve affordable housing for very low-, low-, and moderate-income families based on locally adopted housing plans, the Florida Legislature:
 - Should not redirect any of the FY 22/23 Sadowski Housing Trust Fund monies that are guaranteed to counties, pursuant to s.420. 7093, Florida Statutes
 - Should honor the integrity of the statutory funding split between SAIL and SHIP.
- o Should support the impacted communities by (1) encouraging those counties to draw down any unencumbered SHIP funds to assist with housing recovery and (2) encourage the Florida Housing Finance Corporation to prioritize any disaster “hold back” funds to the most severely impacted counties
 - Should use General Revenue dollars for any unmet disaster housing needs.
 - Should work with the Governor’s Office and Florida’s Congressional delegation for supplemental disaster housing recovery.

Hazard Mitigation Grant Program

FAC SUPPORTS the protection of Hazard Mitigation Grant Program (HMGP) Funding.

- o The Legislature should acknowledge and protect the current HMGP fund allocation process outlined in 27P-22, FAC. The process ensures that a county’s fund allocation is based on its share of total disaster damages compared to all other declared counties.
- o The Legislature should acknowledge the locally driven and vetted HMGP project selection process and not divert HMGP funds for non LMS initiatives.
- o The Legislature should set up a process that provides matching funds for HMGP projects.

Emergency Management Preparedness and Assistance Trust Fund

FAC SUPPORTS the audit of the Emergency Management Preparedness and Assistance Trust Fund (EMPA) surcharge. The Legislature should direct the Florida Department of Revenue to audit how the Emergency Management Preparedness and Assistance Trust Fund (EMPA) surcharge is applied to all residential and commercial properties for compliance with s. 252.372, Florida Statutes.

Community Development Block Grant – Disaster Recovery (CDBG-DR)

FAC recommends the following for the Housing Federal Supplemental Funding post Hurricane Ian:

- o Anticipating that Congress will pass a disaster supplemental bill for Hurricane Ian recovery, FAC recommends Congress either (1) reduce the regulatory restrictions associated with housing recovery under HUD (CDBG-DR), or (2) direct those funds to FEMA but ensure, like CDBG-DR, they lose their federal identity and can be used to match FEMA federal dollars.
- o Alternatively, at a minimum, Congress should allow “Entitlement Communities” to receive CDBG-DR funds directly.



BRIAN HAMMAN

Lee County
Chair



SEAN PARKS

Lake County
Vice-Chair

ADOPTED

Waste-to-Energy Program Funding

FAC SUPPORTS funding the Municipal Solid Waste-to-Energy Program.

Bacteria Total Maximum Daily Loads

FAC SUPPORTS a thorough and methodical approach to bacteria Total Maximum Daily Load (TMDL) development for individual waterbodies based on adequate data regarding source identification, as opposed to the general consolidated statewide approach currently drafted by the Department of Environmental Protection.

Statewide Water Resources

FAC SUPPORTS creation of a recurring five-year water-related work plan and statewide strategic plan.

SUPPORT increased funding for local water infrastructure projects with direction for coordination of the various state/regional entities funding water issues toward local priorities.

Conversion of Private Wells and Septic Tanks

FAC SUPPORTS recurring funding for conversion programs designed to move private wells to potable drinking water and private septic tanks to public wastewater collection systems.

SUPPORT greater flexibility for programs that address the costs incurred by residents connecting to sewer and the proper abandonment of septic systems.

Trail Improvements

FAC SUPPORTS state construction, improvement, and designation of additional trails for Floridians to increase accessibility between urban and rural areas.

Amendments to WES Guiding Principles

WES 2. The Florida Association of Counties supports state funding for water quality improvement projects designed to reduce nutrient pollution in Florida's impaired waterbodies, recognizing that multiple sources contribute to nutrient loading, including, but not limited to, stormwater runoff, wastewater and septic systems, industrial, agricultural, and residential water use.

WES 28. The Florida Association of Counties supports the acquisition of conservation lands that ensure the continued viability, preservation, and enhancement of the Florida Wildlife Corridor.



KATHRYN STARKEY

Pasco County
Chair



KEN CORNELL

Alachua County
Vice-Chair

Existing Federal Policies/Adopted (2022)

RETAINED

NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REFORM

SUPPORT reauthorization of the NFIP with legislative, policy and programmatic modifications to ensure no coverage lapses and to improve the affordability, transparency, and financial stability of the program through reforms in the following areas: 1) Affordability/Rate Structure; 2) Mapping/Data Collection/Modeling; and 3) Mitigation.

OPPOSE any reauthorization efforts that are detrimental to policy holders, local governments, and the integrity of the program.

WATER (Water Resources Development Act)

SUPPORT bi-annual passage of the Water Resources Development Act that authorizes U.S. Army Corps of Engineers projects and policies that often have state-wide impacts to Florida, including Everglades' restoration, port and inlet construction, and beach nourishment projects.

SUPPORT restoration of congressionally directed spending.

UPPER KISSIMMEE BASIN WATER STORAGE PROJECTS

SUPPORT the inclusion of funding in the Water Resources Development ACT (WRDA) for studies and implementation of water storage projects within the Upper Kissimmee Basin to reduce harmful discharges, enhance central Florida water supply, and to mitigate negative economic impacts on communities surrounding Lake Okeechobee.

SUPPORT including the following language in the next WRDA bill: The Secretary is authorized to conduct a feasibility study for the following - Expanding the Lake Okeechobee Watershed Program, to the fullest extent of the Comprehensive Everglades Restoration Program (CERP), to include the Upper Kissimmee Basin and the headwaters of the Kissimmee River at the Shingle Creek tributary.

DISASTER RECOVERY & PREPAREDNESS

SUPPORT increased investment in mitigation programs such as the Building Resilient Infrastructure and Communities (BRIC) Program, the Hazard Mitigation Grant Program and other partnerships between local and federal governments to complete mitigation projects and increase resiliency to disasters.

SUPPORT measures that ensure any supplemental disaster recovery assistance appropriated by Congress, including the Community Development Block Grant Disaster Relief (CDBG-DR), is expedited to states to be made available to disaster-impacted counties.

OPPOSE programmatic changes that would increase the local cost share for disaster recovery, such as implementation of a disaster deductible.

OFFSHORE OIL DRILLING

SUPPORT keeping Florida's east coast free from off-shore drilling and **OPPOSE** inclusion of Florida from offshore leasing in the proposed National Outer Continental Shelf Oil and Gas Leasing Program.

FEDERAL APPROPRIATIONS

SUPPORT the continuation of adequate funding of critical programs that provide resources for the provision of local services and local public infrastructure. These funding programs include, but are not limited to, the following:

- U.S. Army Corps of Engineers funds – Everglades' restoration, port & inlet construction, maintenance, and beach nourishment (USACOE)
- Community Development Block Grant program (CDBG)
- Community Services Block Grant program (CSBG)
- Social Services Block Grant program (SSBG)
- Economic Development Administration (EDA)
- State Criminal Alien Assistance Program (SCAAP)

VETERANS

SUPPORT legislation requiring the U.S. Department of Veterans Affairs (VA) to provide case management support to local housing authorities under the VA-supported housing program.

HEALTH CARE FOR NON-CONVICTED PERSONS

SUPPORT the reinstatement of federal health care benefits, including those benefits awarded to veterans, for non-convicted justice involved individuals.

NON-DOMESTIC SAND SOURCES

SUPPORT enabling the Secretary of the U.S. Army Corps of Engineers to allow counties to acquire sand by purchase, exchange or otherwise from non-domestic sources for the purpose of beach renourishment.

COVID-19 FEDERAL SUPPORT FOR STATE AND LOCAL GOVERNMENTS

SUPPORT the continuation and flexibility for state and local governments to assist with critical local response efforts and services from the COVID-19 pandemic through recovery funds.

LOW INCOME HOUSING TAX CREDIT

SUPPORT legislation expanding the 4% and 9% tax credits of the Low-Income Housing Tax Credit program to encourage more private development of affordable housing units.

CORAL REEFS

SUPPORT the State of Florida delegation working with the State of Hawaii delegation, and other delegations represented on the U.S. All Islands Coral Reef Committee and NOAA's Coral Reef Conservation Program, to hold a Congressional hearing on the status, trends, and urgent issues facing the U.S.'s coral reefs.

SUPPORT reauthorization of the Coral Reef Conservation Reauthorization Act of 2000, and additional recurring funding dedicated to improving the health of the nation's coral reefs. Also, recommend that NOAA (National Oceanic & Atmospheric Administration), in coordination with the states and territories, update the economic value of coral reefs for each region and establish a regular update schedule for these studies.

HOUSING CHOICE VOUCHERS (SECTION 8) PORTABILITY

SUPPORT legislation to reform the Housing Choice Voucher (HCV) Program's mobility feature by eliminating the negative fiscal impact to an initial Public Housing Agency (i.e., the PHA that initially issued the HCV to a family) that results when a voucher family moves to a high-cost area and the receiving PHA bills the initial PHA to administer the voucher instead of absorbing the moving family into its (i.e., the receiving PHA) program.

OPPORTUNITY ZONES

SUPPORT legislation allowing county governments to select additional eligible census tracts within the limits of their boundaries to be designated as opportunity zones when an existing opportunity zone does not attract investment or is subject to documented insufficient investment.

IMMIGRATION

SUPPORT federal legislation that establishes a secure border, but ensures a reasonable and workable process for individuals who desire to better their economic prosperity to apply to come and work in the US, especially those in the agricultural and hospitality industries.

New Federal Proposals

17

ADOPTED

TRUCK WEIGHT RESTRICTIONS

OPPOSE legislation that seeks to increase truck size or weight limits beyond those in current federal law due to safety concerns and potential impacts to local roads.

ARPA FUNDING RECOUPMENT

SUPPORT legislation to prohibit the U.S Department of Treasury from recouping previously awarded funds for projects and services that have been certified as complete, for at least three years, which will be 2029.

SUPPORT the implementation of a statute of limitations for the remediation and recoupment of funds directly allocated to Counties under the American Rescue Act.

REAUTHORIZATION OF WORKFORCE INNOVATION AND OPPORTUNITY ACT

SUPPORT reauthorization of Workforce Innovation and Opportunity Act (WIOA) and the continuation of adequate funding of critical programs that provide resources for the provision of local workforce programs; **OPPOSE** redefining local workforce development board member participation to increase percentage of union representation due to the shortfall of union representation in the state.

Florida Resolutions Adopted by NACo

ADOPTED

NACo Resolutions submitted by Florida Commissioners (As published @ www.facpolicy.com)

Telecommunications & Technology Resolutions

Resolution to Support Federal Solutions to the “Homework Gap,” Commissioner Terry Burroughs of Okeechobee County, Florida.

Resolution to Support a Permanent Federal Broadband Assistance Program, Commissioner Terry Burroughs of Okeechobee County, Florida.

Health Resolutions

Resolution Urging the Federal Government to Suspend, Instead of Terminate, Medicaid Coverage for Incarcerated Individuals, Sally Heyman, Commissioner, Miami-Dade County, Fla.

Environment, Energy and Land Use Resolutions

Proposed Resolution on the Inclusion of Waste-to-Energy, Melissa McKinlay, Commissioner, Palm Beach County, Fla.

Proposed Resolution Supporting the Reauthorization of the Coral Reef Conservation Act, Doug Smith, Commissioner, Martin County, Fla

Proposed Resolution Supporting Affordable Beach Renourishment Projects, Doug Smith, Commissioner, Martin County, Fla.; Sally Heyman, Commissioner, Miami-Dade County, Fla.

Proposed Resolution on National Estuary Program Designation, Robert “Bob” Cole, Commissioner, Santa Rosa County, Fla.



GINGER DELEGAL

Executive Director



DAVIN SUGGS

Deputy Executive Director



BOB McKEE

Deputy Director of Public Policy



EDDY LABRADOR

Senior Legislative Counsel



JEFF SCALA

Associate Director of Public Policy



SARA HENLEY

Policy Analyst



SHILOH MCPHERSON

Policy Analyst



JARED GRIGAS

Policy Analyst



JASON MANN

Public Policy Coordinator



100 S Monroe Street, Tallahassee FL 32301
(850) 922-4300

flcounties.com



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