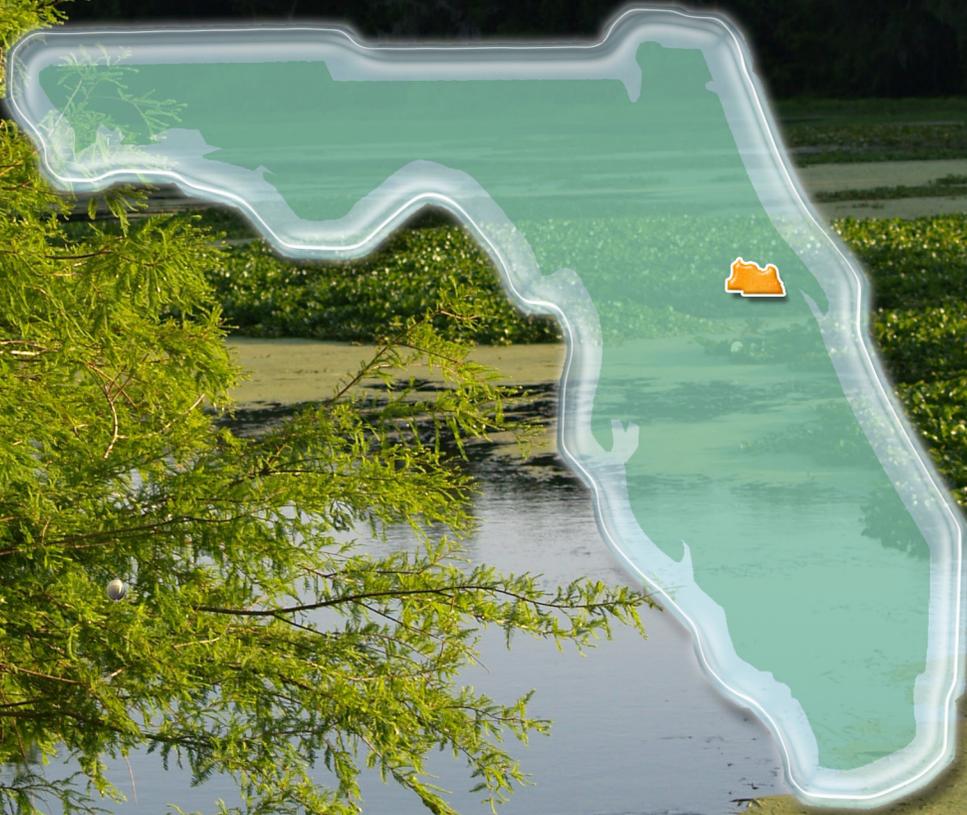


2011 LEGISLATIVE ISSUES FOR



SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE



PRIORITY PROJECTS

State Road 46 – Regional Evacuation Route (SR 415 to CR 426) - \$7 Million

SUPPORT to include this project as proposed on December 14, 2010 in the tentative FDOT five year plan. Request \$7 million to expand State Road 46 from State Road 415 to County Road 426. State Road 46 is a 2-lane Principal Arterial roadway connecting the East Coast of Florida (Volusia and Brevard Counties) to Central Florida and serves as a direct connection between Interstate 4 and Interstate 95. If Interstate 4 is closed due to an accident, or a hurricane evacuation is ordered, State Road 46 serves as an evacuation route for Orange, Volusia, Seminole and Brevard Counties. This request provides final design funding to address the 4-laning of State Road 46 from State Road 415 to County Road 426 (approximately 7.4 miles in length). The overall cost of the project (PD&E, Design, Right-of-Way Acquisition and Construction) is approximately \$106 million dollars. The PD&E study is expected to be completed in early 2012 with final design to begin after completion of the PD&E study.

The goals of the project are to provide an enhanced evacuation route from the East Coast to Central Florida, decrease traffic congestion, increase freight mobility, mitigate past environment impacts and provide jobs in the construction industry. The Metro Plan Orlando Board approved and adopted the project in 2004 as part of the Long Range Plan 2025.



Regional Alternative Water Supply Program/Yankee Lake Facility \$2 Million

Request \$2 Million to assist in the design of the Yankee Lake Regional Surface Water Facility for potable water production. This project includes the design for the base infrastructure expansion to a regional 25 million gallon per day potable water treatment plant to further offset regional groundwater withdrawals. The project will serve the Northwest/Northeast Service Areas of the County as well as provide potential resources to the Seminole Cities and neighboring Counties. St. Johns River Water Management District (SJRWMD) has determined, through studies conducted since the mid-1990s that the withdrawals from the Upper Floridian aquifer may result in adverse environmental impact. This project will help us meet the SJRWMD regulatory controls. The estimated project construction for expansion to potable water production is \$100 million.



Central Florida Commuter Rail (SunRail) & High Speed Rail Corridors

Continue support of FDOT/CSX terms for joint use, appropriation for 61-mile track purchase and other regions' commuter/light rail goals. SunRail is the first piece of a larger, regional transit system. Support efforts to bring high-speed passenger rail projects to Florida.



State Road 429 – Wekiva Parkway & SR 46 Bypass

The Wekiva Parkway, now in development by the Florida Department of Transportation (FDOT) – District 5 and the Orlando-Orange County Expressway Authority, is critical to accommodate inter-county travel between Lake, Seminole, and Orange Counties. The 25-mile project will relieve congestion on US Highway 441, State Road 46 and local roads, and complete the beltway on the western side of Metropolitan Orlando. FDOT is overseeing development of the Lake and Seminole County portions of the roadway. An environmental study is pending by FDOT. Lake County listed this project as a legislative priority. Seminole County supports the development of the Wekiva Parkway.



SEMATECH Project - \$8 Million

The Photovoltaic Manufacturing Consortium (PVMC) proposed for Florida would be led by SEMATECH, the nation's foremost industry consortium. This proposal presents an opportunity for Seminole County – in partnership with the City of Winter Springs, State of Florida, Brevard County, City of Palm Bay, University of Central Florida (UCF), Florida High Tech Corridor Council and SEMATECH (which stands for SEMiconductor MANufacturing TECHnology) – to play a catalytic role in propelling our region and nation to the forefront of the growing, worldwide photovoltaic industry.



The Board of County Commissioners committed to invest \$7.5 million, which would be matched by a \$7.5 million commitment from the City of Winter Springs. These local commitments are contingent upon SEMATECH and its partners receiving the proposed DOE grant, and realization of the funding commitments from the other supportive entities. The local funding will be used to underwrite a portion of the construction cost for a 100,000 square feet research, development, and incubation facility for PVMC in Winter Springs. The site, which is in close proximity to the interchange of State Roads 417 and 434 and across the street from UCF's Seminole County – Winter Springs Incubator, will be owned by UCF for the specific purposes stated above.

ISSUES & PRIORITIES



SUMMARY OF SUPPORT, MONITOR & OPPOSITION POSITIONS

FUNDING SUPPORT FOR PRIORITY PROJECTS:

State Road 46 - Regional Evacuation Route (SR 415 to CR 426), \$7 Million

Regional Alternative Water Supply Program/Yankee Lake Facility, \$2 Million

SUPPORT POSITIONS

(Detailed information on these support statements are on the following pages)

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- Home Rule Authority
- Better enforcement of state regulations
- Tourist Development Tax (TDT) / Sales Tax
- Budget and Finance Administration - 911 Fees
- Maintaining current state appropriations/specific county based
- Infrastructure Funding
- Local Option Rental Car Surcharge
- Libraries

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- Water Quality, Stormwater Management and Total Maximum Daily Loads (TMDLs)
- Florida Forever
- Behavioral Health System
- County Health Departments (CHD)

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- Community Care for the Elderly
- Medicaid Services
- Legislation to assist with homelessness
- Fireworks Regulation

Page 6

- Legislation to Reduce Distracted Driving
- Drug Court Funding
- Increase Local Ordinance Violation Caps
- Pre-Trial Release programming
- Inmate Medical Costs
- Juvenile Justice Blueprint Commission
- Detention Cost Share
- Cost of Care
- Detention Risk Assessment Instrument (DRAI)

- Juvenile Assessment Centers (JACs)
- Disaster Funding

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- Assistance (EMPA) Trust Fund

Page 7

- Emergency Operation Centers (EOCs)
- Non-Emergency Governmental Telephone System
- Shelter Funding and Standards
- Emergency Management Credentialing

MONITORING ITEMS:

- Changes to the Florida Retirement System
- Septic tank regulations
- Department of Juvenile Justice chargeback system
- The role of the Department of Community Affairs
- Delegation of additional authority to the Regional Planning Councils.
- Mobility fees

OPPOSITION POSITIONS:

- Unfunded mandates
- Revenue & Expenditure Caps (TABOR)
- Preemption of county authority to regulate water quality or would restrict counties in implementing TMDLs
- Diversion of current local funding to Medicaid managed behavioral health care programs
- Reductions to the County Health Department Trust Funds
- Increase to the County contribution for Medicaid nursing home services
- Shift funds away, or impede counties from, building and maintaining an interoperable radio communication system as authorized by statute
- Limits local regulation, or enforcement, of illegal fireworks
- Limiting the discretion of the first appearance judge, requiring written reports and certification of defendants for release and eliminating the presumption of release on non-monetary conditions
- State mandated training and hiring requirements for County Emergency Management Directors

STATEMENTS

- **Oppose unfunded mandates requiring the County to provide services without appropriate funding sources.**
- **Maintain Home Rule Authority to develop community based solutions to local problems.**
- **Encourage better enforcement of state regulations to minimize the financial impacts to local communities (e.g. pill mills, copper theft, gaming cafes, etc.)**

☒ = ITEMS SUPPORTED BY METROPLAN OR LYNX

Finance, Transportation and Administration Issues

Finance and Tax Policy

Unfunded Mandates:

SUPPORT an amendment to Florida's constitution that provides meaningful enhancements to the existing unfunded mandates provision including, but not limited to:

- eliminates exemptions from unfunded mandates;
- provides greater public notice, legislative scrutiny and fiscal information;
- enhances accountability and transparency;
- preserves self-determination and local fiscal stewardship;
- provides a process to resolve conflicts and disputes; and
- requires legislative support through the development of implementing legislation.

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.

Tourist Development Tax (TDT) / Sales Tax:

SUPPORT legislation that enhances the collection of existing TDT revenue not currently remitted by online travel companies.

OPPOSE legislation that would exempt online travel companies' room sales from TDTs.

Finance and Tax Policy

Tourist Development Tax (TDT) / Sales Tax (Cont'd):

SUPPORT Florida's participation in the Streamlined Sales Tax Compact to require remote vendors to collect and remit Florida's state and local option sales tax.

Budget and Finance Administration - 911 Fees:

SUPPORT the most effective and efficient method of implementation of the collection of 911 fees on wireless pre-paid calling cards.

Appropriations - Specific County Based:

SUPPORT maintaining current state appropriations critical to the delivery of public services at the county government level as it relates to currently funded county based appropriations in the SFY 2010-2011 budget. ☒

SUPPORT maintenance of existing appropriations currently funded in support of fiscally constrained counties.

Transportation/Economic Stimulus

Infrastructure Funding:

SUPPORT restoring the statutory commitment from SB 360 (2005) directing documentary stamp tax revenues for transportation (\$541 million), water protection and sustainability (\$100 million), and for educational facilities (\$105 million). ☒

Authorize Local Option Rental Car Surcharge

SUPPORT a \$2 per day, voter referendum based on local option rental car surcharge would generate \$40 million for critical transportation projects in the region and provide a dedicated funding source for future transit-related projects. ☒

Administration Section

Libraries:

SUPPORT measures that ensure decisions and policies regarding county libraries are made at the local level.

SUPPORT full funding of State Aid to Libraries based on the current statutory formula that provides counties 25 cents for every local dollar spent. As an interim step in accomplishing full funding,

SUPPORT a \$10 million increase in state aid to public libraries.

SUPPORT full funding of Public Library Construction Grant requests at \$12.4 million.

OPPOSE legislation that allows individuals to bring civil causes of action against counties relating to internet filtering devices and/or policies.

Procurement:

SUPPORT the non-publishing of detailed bid estimates by creating an exemption for county and municipality projects in statute.

ISSUES & PRIORITIES



SUPPORT establishing an optional (alternative) process for state and local entities to consider cost in the award of professional services agreements pursuant to the Consultants' Competitive Negotiation Act.

Growth Management Section

General Planning Issues:

MONITOR the Role of DCA with a focus on more local control over the direction of development within the County and less state oversight.

MONITOR regional delegation and any item that delegates additional authority to the Regional Planning Councils.

MONITOR mobility fees especially any movement/mandate requiring counties to implement a statewide consistent fee, retain home rule authority.

Environmental Planning Section

Water Quality – Numeric Nutrient Criteria:

SUPPORT science-based numeric nutrient criteria for Florida's waters. Florida Association of Counties (FAC) encourages the United States Environmental Protection Agency (EPA) and Department of Environmental Protection (DEP) to ensure that any rulemaking to promulgate new nutrient criteria:

- is based upon or correlated with cause and effect relationships between nutrients and biological impairment;
- is economically and technically feasible;
- achieves environmental benefits;
- takes into account existing state water quality and water supply programs; and
- includes meaningful stakeholder participation.

FAC encourages EPA to conduct a thorough independent scientific and economic peer review of its proposed numeric nutrient criteria and to modify its rulemaking in accordance with the outcome of the analysis.

Water Quality, Stormwater Management and Total Maximum Daily Loads (TMDLs):

SUPPORT the continued or enhanced funding of the Water Protection and Sustainability Program within the DEP for TMDL and stormwater programs.

SUPPORT measures to preserve county authority to address water quality problems or those that provide flexibility to county governments in crafting solutions to water quality problems at the local level.

OPPOSE legislation that would preempt county authority to regulate water quality or would restrict counties in implementing TMDLs.

Florida Forever:

SUPPORT the continuation of the Florida Forever land acquisition program, to the extent the program is sufficient to acquire land for the protection of natural resources and green spaces.

SUPPORT continuation of a dedicated state funding source which provides local match funding for local land acquisition.

SUPPORT legislation that would require land acquisition projects to be ranked according to their consistency with the local comprehensive plan.

OPPOSE any efforts to undermine local government zoning authority.

Health Care Section

Behavioral Health System:

SUPPORT appropriate funding for core mental health and substance abuse services and continued efforts to work through Medicaid reform initiatives to ensure that persons with substance abuse and mental health treatment needs are appropriately served.

SUPPORT efforts to increase supportive housing, employment and education initiatives for people with behavioral health issues and/or disabilities.

OPPOSE diversion of current local funding, including but not limited to, diverting funding provided for non-Medicaid patients to Medicaid managed behavioral health care programs.

Baker Act:

SUPPORT appropriate funding as outlined in the existing state capacity formula for crisis mental health and substance abuse beds statewide.

SUPPORT increased funding for public receiving facilities and maintaining funding for public facilities if new state general revenue is provided to private receiving facilities.

County Health Departments (CHD):

SUPPORT maintaining state general revenue funding for CHDs.

SUPPORT legislative efforts to retain Cost Based Reimbursement for CHDs and to align reimbursement methodologies with Federally Qualified Health Center's reimbursement methodologies under managed care.

SUPPORT efforts to enable CHDs to transition to managed care under Medicaid reform without impacting service capacity.

SUPPORT reinstating the exemption from rate control for CHDs.

OPPOSE any state reductions to the County Health Department Trust Funds.

Health Care Section (Continued)

Community Care for the Elderly:

SUPPORT restoration and expansion of state funding for the Community Care for the Elderly Program, which provides cost efficient diversion from nursing home placement for impaired elders.

Medicaid Nursing Home Services:

SUPPORT a fair and equitable billing methodology for purposes of assessing the amount of county subsidization of the state's Medicaid expenditures for nursing home services.

SUPPORT legislation that provides flexibility at the local level for counties to actively participate in the state's efforts to reduce unnecessary nursing home placement by allowing counties to re-direct their Medicaid match to fund local health care services or community-based care programs that will divert premature nursing home placement.

SUPPORT utilizing dollars for job creation at the local level to allow patients to age in place.

OPPOSE any increase to the County contribution for Medicaid nursing home services.

Medicaid Reform:

The Medicaid program is recognized nationally as a partnership between the federal and state governments to provide medical assistance to individuals and families with low incomes and resources. Unlike other states, Florida has required counties to contribute financially to the Medicaid program, subsidizing the state's share. This policy leaves counties vulnerable each year to potential cost shifts when there is a state budget deficit or shortfall. Medicaid reform efforts should recognize the unique role that counties play both as payers and as providers in the Medicaid program. In order for reform activities to be successful, counties must be integrally involved as partners in the development of those reforms to ensure that they effectively meet the needs of county citizens.

SUPPORT legislation that fully maintains and preserves critical mandatory and optional Medicaid services such as the Medically Needy program without imposing additional costs on local governments.

SUPPORT Medicaid reform that considers the uniqueness of each of Florida's counties.

SUPPORT efforts to ensure that CHDs are able to provide primary care and other health care services within the Medicaid program.

SUPPORT effective external choice counseling and case management that ensures Medicaid recipients receive the level and intensity of services that meets their needs and promotes wellness.

SUPPORT external quality assurance monitoring and measures

that hold managed care plans and provider service networks accountable for appropriate care.

SUPPORT carving out Transportation Disadvantaged services so that they can continue to provide comprehensive, coordinated service. ☒

FAVOR efforts to implement a Medicaid Medical Home emphasis within Medicaid reform efforts that seeks to improve patient care through a patient centered, family centered, coordinated approach.

Partner Agency Request/Health Department - Dental and Prenatal Funding for County Health Departments

RECOGNIZE AND SUPPORT local county health department with legislation to maintain Cost Based Reimbursement funding for dental and maternity services provided by local CHDs.

Human Services Section

Homelessness:

SUPPORT legislation that streamlines current state statutes relating to homelessness and associated programs.

SUPPORT a process that would waive the fees related to obtaining personal identification from the state for persons identified as homeless.

SUPPORT the implementation of discharge protocols and/or procedures for hospitals and correctional facilities when releasing homeless persons.

SUPPORT the development of strategies that would allow local governments to work with the state and federal government to serve target populations: the chronically homeless, Veterans, families and children, with particular emphasis on children aging out of the foster care system.

SUPPORT continued coordination with the State's Homeless Planning Council, specifically as it develops policies in support of the new Federal Strategic Plan to end homelessness.

General Public Safety

County Emergency Radio Systems:

OPPOSE legislation that would shift funds away, or impede counties from, building and maintaining an interoperable radio communication system as authorized by statute.

Fireworks Regulation:

SUPPORT revisions to Chapter 791, Florida Statutes (F.S.), which strengthens state and local regulations of the sale of fireworks and their illegal use.

OPPOSE legislation that limits local regulation, or enforcement, of illegal fireworks.

ISSUES & PRIORITIES



Enact Legislation to Reduce Distracted Driving

SUPPORT legislation to reduce distracted driving and improve transportation safety by regulating the use of electronic wireless communications devices and similar devices that cause distractions while operating a moving motor vehicle. ☒

Judicial System

Drug Court Funding:

SUPPORT legislation that would allow each county with a drug court program established under Section 397.334, F.S., to require by ordinance the assessment of a mandatory sum of \$6 by both the circuit court and the county court against each person who either a) Pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of Chapter 893, F.S., b) Pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of a municipal ordinance or a county ordinance, or c) Pays a fine or civil penalty for any violation of Chapter 316, F.S., to fund any aspect of the Criminal Conflict and Civil Regional Councils.

Local Ordinance Violation Caps:

SUPPORT legislation that raises the cap on county ordinance violations in Section 125.69, F.S., to \$1,000.

Pre-Trial Release:

SUPPORT maintaining county ability to provide non-monetary pre-trial release services that ensure the safety and welfare of local communities.

SUPPORT changing pretrial program reporting requirements as provided in Section 907.043, F.S., from weekly to monthly updates.

SUPPORT legislation that allows counties to impose pre-trial release fees based on an individual's ability to pay

OPPOSE legislation limiting the discretion of the first appearance judge, requiring written reports and certification of defendants for release and eliminating the presumption of release on non-monetary conditions.

Impacts to County Jails - Inmate Medical Costs:

SUPPORT legislation that reduces jail expenses by setting a standardized statewide reimbursement amount paid by counties to medical providers for health care services provided to inmates and arrestees at the established Medicaid rate or less.

Juvenile Justice Blueprint Commission:

SUPPORT the findings and recommendations of the Department of Juvenile Justice (DJJ) Blueprint Commission report.

Detention Cost Share:

SUPPORT legislation that would give counties the option to invest in locally operated detention facilities and detention alternatives by reducing the number of children in the state's detention facilities, ultimately reducing the amount counties contribute to the DJJ Shared County State Trust Fund.

Cost of Care:

SUPPORT legislation allowing counties to charge juveniles, or the parents of juveniles, for the costs of providing pre-adjudicatory, secure detention care based on their availability to pay.

Detention Risk Assessment Instrument (DRAI):

SUPPORT legislation that implements juvenile detention alternatives and revises the DRAI to divert children from detention facilities.

Juvenile Assessment Centers (JAC Centers):

SUPPORT uniform state funding of JAC Centers throughout Florida to strive to achieve equal treatment of youth offenders.

Emergency Management Section

Disaster Funding:

SUPPORT a 50/50 cost-share arrangement with the state for the non-federal portion of the Hazard Mitigation Grant Program (HMGP).

SUPPORT the current HMGP fund allocation and project selection process developed by the Department of Community Affairs, and as defined in Rule 9G-22, Florida Administrative Code.

SUPPORT the creation of an emergency bridge loan program for counties to provide a source of expedient cash flow to counties impacted by a major catastrophe.

Alternatively, **SUPPORT** expanding the current Florida Small Business Emergency Loan Program by making counties eligible applicants.

Emergency Management Preparedness and Assistance (EMPA) Trust Fund:

SUPPORT maintaining the original intent and purpose of the EMPA Trust Fund, which is to serve as a funding source for state and local emergency management programs, by ensuring that all monies collected for purposes of funding emergency management, preparedness and assistance are deposited into the EMPA Trust Fund and spent on emergency management activities.

SUPPORT changes to the EMPA trust fund by ensuring the \$2.00 and \$4.00 annual surcharge on all homeowner and business insurance policies is assessed on either a per-parcel or per-unit basis of coverage, rather than on a single policy.

(Continued on back page)

Emergency Management Preparedness and Assistance (EMPA) Trust Fund (Continued):

SUPPORT a repeal of the seven percent service charge on the EMPA trust fund and redirect these monies back to the counties in the same manner in which the EMPA base grant is distributed.

Emergency Operation Centers (EOCs):

SUPPORT continued state funding for county EOCs to ensure each is able to meet the minimum structural survivability and operational space criteria established by the state and federal government and the American Red Cross.

Non-Emergency Governmental Telephone System:

SUPPORT creating a statewide grant program to support 2-1-1 and 3-1-1 telephone systems to provide seamless government access and relieve calls from 9-1-1 that are important but nonemergencies.

Shelter Funding and Standards:

SUPPORT additional state funding for hurricane shelter

spaces, including retrofitting existing facilities, and providing for the increased cost of construction for Enhanced Hurricane Protection Areas (EHPA) associated with new school construction consistent with the provisions of Section 252.385, F.S., which states that it is the intent of the Legislature that this state not have a deficit of safe shelter space by 1998 and thereafter.

SUPPORT statutory revisions requiring nursing homes and assisted living facilities to have back-up power supply sources that operate a majority of the mechanical systems in the facility for a minimum of 72 hours.

SUPPORT state funding for county and regional special needs patients and shelters.

Emergency Management Credentialing:

SUPPORT enhanced training and education opportunities for County Emergency Management employees.

OPPOSE any state mandated training and hiring requirements for County Emergency Management Directors.



Board of County Commissioners

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