



2010 LEGISLATIVE FINAL REPORT

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May 25, 2010

Dear Members,

The 2010 Legislative Session presented many challenges this year. Fiscal constraints and a policy of no new revenues coupled with multiple and significant elections created a variety of obstacles for FAC to overcome. Nevertheless, FAC is pleased to report that we had many successes on a variety of policy issues. More importantly, we were able to make significant progress on a number of issues that you - our membership - identified as top priorities for 2010.

Florida Association of Counties Legislative Program

As expected, TABOR did not get any real traction this year. For the third consecutive year, FAC has been able to sidestep this issue. We anticipate that TABOR will certainly get serious attention next year during Senator Haridopolos' Senate Presidency.

In the area of Transportation priorities, FAC was successful in expanding the use of the Charter County Transit Surtax to any county participating in a regional transportation authority. Additionally, the Legislature provided continued financial support for the Small County Road Assistance Program and the Small County Outreach Program at \$10 million and \$21 million, respectively. Unfortunately, the Legislature raided the state's transportation trust fund of \$140 million. However, FAC worked with the Senate to back the House down from their original position of removing \$430 million from the trust fund.

In the Growth Management area FAC was unable to convince the House to move forward with the reenactment of the Department of Community Affairs. However, FAC was able to fend off repeated attacks on concurrency management as it relates to transportation and other threats to local decision making.

In the area of Health & Human Services priorities, FAC won a major victory by fighting off the Agency for Health Care Administration's proposal to raise the county contribution rate for Medicaid nursing home services from \$55 to \$202. With the assistance of federal regulations tied to the expenditure of the Federal Medicaid Assistance Percentage funds, counties were able to avoid a \$70 million dollar cost shift. Likewise, FAC was able to secure additional funding (\$4.4 million) to offset rate controls for county health departments for key positions including doctors, dentists and nurses.

In the Public Safety area, FAC was able to secure a decrease of \$2.5 million in county contributions for juvenile detention. FAC worked hard to get the state to adopt a per diem rate for county contributions and a study by OPPAGA to review the Department of Juvenile Justice billing methodology.

80
YEARS
1929-2009

Letter to FAC Members
May 25, 2010
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FAC received strong support from the Senate, but these issues were not accepted by the House during the conference negotiations. On a positive note, FAC and others were successful in getting the legislature to authorize the use of red light cameras after an eight year battle.

"Local Savings Act"

In addition to the top priorities for 2010, FAC worked on passing several initiatives in hopes of saving counties money and providing budget flexibility for the 2010-2011 fiscal cycle. This initiative was better known as the "Local Savings Act". The following highlights key successes in this area:

- Postponing ADA Elections Requirements - Estimated Savings \$45 million;
- Eliminating Cost Index for County Article V Expenses - Estimated Savings \$6.2 million;
- Postponing Increase in Contribution Rates for the FRS Unfunded Liability - Estimated Savings \$144 million; and
- Legislative Review of State Agency Rules that Meet Mandates Threshold.

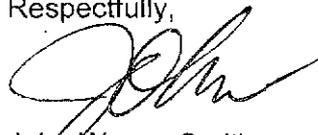
Defensive Issues (OPPOSE)

Every year, as part of our efforts, there are a number of proposals that FAC has to work to defeat. FAC spends a majority of its efforts defending counties from mandates and preemptions. The following list highlights some of the major proposals FAC defeated:

- DOT.com (Exemption for Online Travel Companies)
- Pre-Trial Release
- County Interest Income
- Term Limits
- Environmental Preemptions
- Medicaid Reform (Expanding the Pilot Program)

It was another busy and successful campaign for the Florida Association of Counties on many fronts. On behalf of the FAC legislative team, it is both an honor and pleasure to represent county commissioners and their communities in the legislative process. Please feel free to contact me if you have any questions or require additional information. If not, enjoy your summer and we look forward to seeing you at the Annual Conference in June.

Respectfully,



John Wayne Smith
Legislative Director

ABOUT THE 2010 LEGISLATIVE REPORT

The Florida Association of Counties (FAC) is pleased to present the 2010 Legislative Report. This report represents the hard work of many county officials, FAC staff and our team of lobbyists who spent numerous hours lobbying on the critical issues important to county government.

Section I summarizes FAC's Legislative Priorities Program for the 2010 Session.

Section II summarizes legislation impacting counties approved by the Legislature.

Section III summarizes legislation that would have impacted counties but was **NOT** passed by the Legislature.

Section IV consists of the Budget Summary. County by County Allocations for SFY 2010 are available [here](#).

Section V is a chart displaying how each Legislator voted on several key issues during the 2010 session.

FAC hopes that the FAC 2010 Legislative Report is a valuable source of information for your county. The Florida Senate 2010 Session Summary can be accessed [here](#) and copies of the Senate bills listed in this report are available [here](#). The Florida House of Representatives 2010 Session Summary can be accessed [here](#) and copies of the House bills listed in this report are available [here](#).

FAC MISSION STATEMENT

The Florida Association of Counties helps counties effectively serve and represent Floridians by strengthening and preserving county home rule through advocacy, education and collaboration.

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SECTION I

2010 LEGISLATIVE PRIORITIES PROGRAM

PRIORITIES PROGRAM

FINANCE, TRANSPORTATION & ADMINISTRATION

FAC Policy Statement - 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!

TABOR – DEFEATED

SB 2420 by Sen. Haridopolis

This bill would have proposed an amendment to Section 1 of Article VII of the State Constitution, as well as an entirely new section to the same article of the constitution. The bill, **as amended**, would have allowed for the following changes: replaced the existing state revenue limit based on Florida personal income growth with new state revenue limits based on a combination of the rate of inflation and growth in population; required excess revenues to be deposited into budget stabilization funds and provided for distribution of the excess fund; authorized legislature to permit the collection of revenues in excess of the limit by a 2/3 majority of each house; authorized the legislature to approve emergency taxes by a 2/3 majority vote; prohibited state government from imposing new taxes, fees, assessments, or charges for services, as well as, incurring multi-year debt without first obtaining approval by a 2/3 vote of electors voting on the issue; and authorized the legislature to revise the revenue limits for specific reasons or events.

TABOR – DEFEATED

FTC13 by House Finance and Tax Council

This bill would have proposed an amendment to Section 1 of Article VII of the State Constitution, as well as an entirely new section to the same article of the constitution. The bill would have allowed for the following changes: replaced the existing state revenue limit based on Florida personal income growth with new state revenue limits based on a five year average of the combination of the rate of inflation and growth in population plus 1.1%; required excess revenues to be deposited into budget stabilization funds and provided for distribution of the excess funds to taxpayers; authorized the legislature, in a single fiscal year, to permit the collection of revenues in excess of the limit by a 2/3 majority of each house; and authorized the legislature to revise the revenue limits for specific reasons or events.

FAC Policy Statement - Elections: *SUPPORT expanding the types of facilities for early voting and restoring hours on weekends to 8 hours per day at the discretion of the supervisor of elections. SUPPORT full state funding of all expenditures by supervisors of elections to comply with the requirements of the federal Help America Vote Act. SUPPORT the extension of the 2012 deadline that requires new voting equipment for persons with disabilities found in s. 101.56075, F.S.*

Elections – PASSED

CS/CS/HB 131 and CS/CS/SB 900 by Sen. Thrasher

The requirement that counties purchase voter interface devices for persons with disabilities by 2012 was extended to 2016, **saving counties \$45 million statewide**. The bill also reflects the federal Military and Overseas Voter Empowerment (MOVE) Act, which changes procedures for how overseas electors can vote. This bill preempts all elections laws from chapters 97-105 to the state for the purpose of having uniform audit and recount procedures. It declares that the Secretary of State shall order recounts for federal, state and multicounty races, and that the county canvassing board shall certify elections and is responsible for ordering recounts in all other races. Finally, the bill defines “electioneering communication organizations”, yet did not address the language relating to local government expenditures. SB 900 was heard in Ethics and Elections and sat dormant for several weeks before moving to the Senate floor. HB 131 was passed by the House, sent to the Senate where they amended SB 900 on to HB 131, and sent it back to the House for final passage. Effective date: upon becoming law.

FAC Policy Statement - Regional & Rural Transportation Funding: *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 legislative efforts that create a dedicated funding source for Regional Transportation Authorities (RTAs), including but not limited to, allowing non charter counties who are members of an RTA to levy the Charter County Transportation Surtax. SUPPORT state funding for the Small County Road Assistance Program (SCRAP). SUPPORT continuing enhanced state funding for the Small County Outreach Program (SCOP).*

Rural and Regional Transportation Funding

Charter County and Regional Transportation System Surtax – PASSED

CS/CS/CS HB 1271 by Rep. Horner and CS/CS/CS SB 2362 by Sen. Gardiner

This bill represents the primary transportation package for the 2010 legislation session. A FAC priority, the bill includes a provision that expands the eligibility to levy the Charter County Transportation System Surtax to all non-charter counties that are members of a Regional Transportation Authority (RTA). This action allows an additional 10 counties to levy the tax. They include: Bay, Escambia, Franklin, Gulf, Hernando, Manatee, Okaloosa, Pasco, Santa Rosa, and Walton counties. The bill does not change the levying requirements of the tax, which requires approval by local referendum. Effective date: 07/01/2010.

Transportation Funding – PASSED

Both the Small County Road Assistance Program (SCRAP) and the Small County Outreach Program (SCOP) were funded at levels that are fairly consistent with previous years. In fact, while SCRAP was supposed to be on a 2-year funding hiatus due to previous legislation the Legislature actually included \$10 million in this year's budget. The budget also includes approximately \$21 million for SCOP.

GROWTH MANAGEMENT, ENVIRONMENTAL PLANNING & AGRICULTURE

FAC Policy Statement - 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.

DCA Reenactment (Sunset Review) – FAILED

HB 7109 by Rep. Hukill and SB 282 by Sen. Mike Bennett

Legislative efforts to reenact the Department of Community Affairs (DCA) under the House Government Accountability Act failed during this year's legislative session. The House Government Accountability Council spent significant time and resources reviewing all of the programs under the agency's purview, making minor modifications in the process, but ultimately proposing to leave the agency's primary growth management responsibilities untouched. The Council even accepted a request of FAC that the Small County Technical Assistance Program (SCTAP) be moved from the Department of Agriculture to DCA. Ironically, while the House Government Accountability Council dedicated nearly two months time to review DCA and develop a reenactment bill, the House Economic Development and Community Affairs Council never considered it. In contrast, the Senate took a more quiet if not efficient approach to the issue. Having heard presentations from DCA in 2009, the Senate, under Senator Mike Bennett's sponsorship, passed SB 282 with little discussion and no opposition from its members. That bill passed the full Senate on April 22 but died in House messages.

HEALTH & HUMAN SERVICES

FAC Policy Statement - County Health Departments: SUPPORT reinstating the exemption from rate control for county health departments.

General Appropriations Act

HB 5001 by the Full Appropriations Council on Education and Economic Development

HB 5001 authorized \$4.4 million to provide flexibility for County Health Departments to hire doctors, dentists and nurses.

County Health Departments – FAILED

HB 979 by Rep. Taylor and SB 1572 by Sen. Rich

The bill would have reinstated the exemption from rate control for county health departments (CHDs) statewide. The precipitating change, made during the 2009 Legislative Session, imposed rate on CHDs which diminished their ability to meet the health needs of their communities by limiting their capacity to create new positions and appropriately compensate health care professionals. Rate is a mechanism that is unique to state government. It requires that the legislature determine, year by year, how many positions a given state entity can have and the salary range for each position. The salary amount is an arbitrary cap on a position and does not consider budget availability or the pay range of the class. FAC hopes to re-file this legislation during the 2011 Legislative Session.

FAC Policy Statement - Medicaid Nursing Home Services: OPPOSE any increase to the County contribution for Medicaid nursing home services.

Medicaid Nursing Home Services

Budget issue

There was no increase to the county contribution for Medicaid nursing home services this legislative session.

PUBLIC SAFETY

FAC Policy Statement - 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 Department of Juvenile Justice (DJJ) Shared County State Trust Fund. Detention alternatives should create efficiencies in the juvenile system through reducing the number of Failure to Appear for juvenile delinquency hearings and ensuring that the public is safe while youth are awaiting case disposition. SUPPORT legislation that would implement a monthly reconciliation system for purposes of secure detention. SUPPORT legislation creating an expenditure and operational efficiency review team made up of county and state representatives to discuss and review DJJ operations, as well as alternatives to detention. This team would provide genuine budget input at the time DJJ makes its legislative budget request for budget sections affecting counties, and would focus on community efforts that divert children from detention. SUPPORT legislation that would establish a set per diem rate to create predictability and fairness in the cost of secure detention.

General Appropriations Act

HB 5001 by the Full Appropriations Council on Education and Economic Development

HB 5001 provides for a \$2.5 million reduction in the amount counties contribute to juvenile detention.

Juvenile Detention – FAILED
CS/CS/SB 1400 by Sen. Crist

The Association declared four priorities relating to juvenile detention for the public safety area. They were to reduce the amount counties paid into the Shared County State Detention Trust Fund; to create an expenditure and operational efficiency review team made up of county and state representatives; declare a standard per diem rate for the state and the counties; and the option for counties to invest in locally operated detention facilities and detention alternatives. Our strategy was to work with the appropriations staff and to include these items in the conforming bills that accompany the State General Appropriations act. The Senate was receptive to these priorities, including a set per diem rate, and instructed OPPAGA to complete a study of juvenile detention and cost sharing between the counties and the state. The OPPAGA study was removed late in the budget session. Effective date: July 1, 2010.

COST SAVINGS AND FUNDING HIGHLIGHTS

ARTICLE V COST INDEX

FAC Policy Statement - Article V: SUPPORT reducing or eliminating the requirements of s. 29.008(4)(a), F.S., that require counties to fund certain court expenditures by 1.5 percent over the prior county fiscal year.

HB 5003 General Appropriations Act – Implementing Bill

HB 5003 provides that counties are exempt from all requirements and provisions related to the statutorily mandated (29.008(4)(a), F.S.) 1.5 % annual increase in funding for court-related expenditures for fiscal year 2011. Counties will be required to maintain current (FY 2010) levels of funding.

TOURIST DEVELOPMENT TAX/SALES TAX (DOT.COM)

FAC Policy Statement - Tourist Development Tax/Sales Tax: SUPPORT codifying case law that provides a definition of transient rentals to include intermediary transactions via internet resellers.

Tourist Development Tax / Sales Tax (DOT.COM) – FAILED

SB 156 by Sen. Lynn and HB 335 by Rep. Long

The bills provided that the taxable privilege to rent, lease, let, or grant a license to use accommodations includes activity in which a person offers the availability of transient stays at accommodations, arranges for their use, establishes the total rent amount, or collects the rental payments. The bills would have included internet intermediaries or "online travel companies" as persons required to collect and remit applicable tourist-related taxes and sales taxes.

Tourist Development Tax / Sales Tax (DOT.COM) – DEFEATED

SB 2436 by Sen. Gaetz and HB 1241 by Rep. Patronis

The bills defined the following clarification of existing statutes affecting the collection of tourist-related taxes and sales taxes: a “person operating transient accommodations” is defined as the person who conducts the daily affairs of the physical facilities furnishing transient accommodations who is responsible for providing any of the services commonly associated with operating the facilities furnishing transient accommodations, including providing physical access to such facilities, regardless of whether such commonly associated services are provided by “unrelated persons”. “Unrelated person” is defined as persons who are not related to the person operating transient accommodations, or the owner of such accommodations. (i.e., online travel companies.)

The bills further proposed that “unrelated persons” were not responsible for the remission of tourist-related taxes or sales taxes. Furthermore, the bills proposed that persons who facilitate the booking of reservations who are unrelated persons are not required to separately state amounts charged on the receipt, invoice, or other documentation.

The Revenue Estimating Conference estimates that the revenue impacts of the bills are negative indeterminate for General Revenue and state trust fund revenue. Local government revenue would be reduced by \$22.7 million in FY 2010-2011, with a negative indeterminate recurring revenue impact.

The bills were considered to potentially qualify as a mandate due to its estimated fiscal impact, which prompted the requirement of a 2/3 vote of the membership of each house.

RED LIGHT CAMERAS

FAC Policy Statement - Automated Traffic Enforcement: SUPPORT legislation that would allow counties and municipalities to use automated traffic enforcement technology at intersections to combat the increasing problem of red light running.

Automated Traffic Enforcement: “Mark Wandall Traffic Safety Act” – PASSED

CS for CS for HB 325 by Rep. Reagan and CS/CS/SB 2166

Automated traffic enforcement for drivers who run red lights has been a local issue in Florida for several years, but after litigation was filed against some cities the need for statewide uniform standards became more apparent. The bill preempts all local ordinances to the state and lays out criteria that local ordinances must follow. Counties can install cameras on county roads, municipalities can install cameras on city roads, and cameras can also be installed on city or county roads through an inter-local agreement. The Department of Transportation reserves the right to install and operate the automated devices on state roads, but a provision in HB 5501 permits cities or counties to operate cameras with the Department’s permission. The bill does not favor tickets for drivers who make “careful and prudent” right-handed turns on red lights, but does allow for officers to review individual scenarios for blatant violations. Thirty day notice must be given to the owner of the vehicle, before the citation is mailed, and must include photos or access to streaming video witnessing the violation. There are several

exceptions in which a driver may be exempted from a red light traffic citation. The fines are proscribed for violations that occur on state roads and violations that occur on municipal or county roads, however each violation is \$158, and funds must be remitted to Department of Revenue on a weekly basis. For violations that occur on county roads, the county retains \$75, \$70 goes to state general revenue, \$10 to trauma centers and \$3 to the Miami Project to Cure Paralysis. For violations on state roads, the county can keep \$45, and \$100 goes to state general revenue. Individuals are not permitted to receive commission on citations issued from the number or percentage of violations issued. Counties that install cameras must submit a report by October 1, 2010, to the Department. Cameras must meet specifications established by the Department, counties must notify the public at each intersection that the devices are installed and the traffic infraction enforcement officer must live in the county in which the violations are issued. No points will be issued to the violator or for setting insurance rates. Effective date: July 1, 2010.

SECTION II

**LEGISLATION
THAT PASSED**

Finance, Transportation & Administration

FRS Contribution Rates & DROP

HB 5607 by Rep. Hays and CS/SB 2022 by Sen. Alexander

Each year, the legislature passes legislation that adjusts the Florida Retirement System (FRS) payroll contribution rates for employers. This is required as the market fluctuates and the FRS rates must be actuarially sound. The analysis legislators used at the beginning of session determined that there was a large unfunded liability. The House and the Senate adopted different methods of dealing with the unfunded liability, however, at the conclusion of session the House agreed to the Senate's position, which included normal cost for the 2010 state fiscal year that are higher than the rates for 2009. Rates addressing the unfunded liability were included for the 2011 fiscal year, and would be in addition to the normal cost for 2011.

The bill also decreases the administrative fees employers pay to the State Board of Administration for the next three fiscal years from .05% to .03%. In 2014, the rates will increase to .04%. A new idea was adopted that was not discussed in either of the bills as filed, which reduces the accrual of interest for participants entering DROP on or after July 1, 2010, from 6.5% to 3%, except for elected officials. Finally, the bill requires the Florida Retirement System to conduct an actuarial study of how DROP is funded. Early on, the Senate included a provision that required FRS members to contribute .25% to their benefits each year, but this was not adopted in the final bill. Effective date: July 1, 2010.

"Jobs In Florida"

PCS/SB 1752 by Senate Ways and Means Committee

As amended this bill amends several Florida business tax exemptions, tax credits, and other economic development-related statutes in an effort to create jobs in Florida. With respect to Florida county – "Finance and Tax" issues, the following provisions apply: Enhanced reporting requirements for the expenditure of public funds for the purposes of economic development through local third party partners (i.e., chamber of commerce or local economic development agency) and the extension of the ability and authority of local governments to use local ad valorem tax exemptions as tools to encourage economic development beyond the current ten year limitation, if approved by local referendum.

911 Fees on Prepaid Wireless Calling Cards

CS/CS/SB 1202 by Sen. Bennett and CS/CS/HB 163 by Rep. Gibbons

As amended this bill delays the authority to collect an E911 fee from the sale of prepaid wireless service until July 1, 2013. The bill also increases, from 20 percent to 30 percent, the portion of funds disbursed to a county from the Emergency Communications Number E911 System Fund for capital outlay, capital improvement, or equipment replacement which the county may carry forward into the next calendar year. The delay in the implementation of an E911 fee on prepaid wireless services until July 1, 2013, will result in a loss of revenue to counties for support of their E911 systems and may also require the state to reimburse providers who are currently participating in the collection and remittance of this fee.

Claims by Law Enforcement Officers

CS/CS/CS/SB 212 by Sen. Oelrich and CS/CS/HB 123 by Rep. Patterson

This bill relates to worker's compensation claims and affords law enforcement, correctional or probation officers who suffer from hypertension, tuberculosis or heart disease, a disability or death presumption, if several conditions are met. The officer must follow orders prescribed by the medical physician. If the employee departs from the medical treatment, he/she may lose the disability benefit. Both the Senate and House bills passed each committee of reference, but the House did not take up the Senate bill from messages or pick up the House bill off second reading. However, the language from the bill was amended onto another bill that passed both chambers, HB 2176, and was sent to the Governor. Effective date: January 1, 2011.

Special Risk Retirement "Adam Pierce Act"

HB 1193 by Rep. Plakon and SB 1932 by Sen. Altman

This bill permits law enforcement, firefighters and criminal detention personnel who lost two limbs while in the line of duty to receive special risk FRS status, provided that the member was already accruing special risk rates, the injury is permanent, and the member is not receiving disability retirement benefits. The bill allows the employer to grant such an individual special risk benefits for a non-special risk position, if the injury prohibits the member from performing his/her previous job functions. The House bill passed every committee without any amendments. The Senate amended the bill to include language from SB 202 and HB 65 relating to firefighter death benefits and passed the bill. Effective date: upon becoming law.

Firefighter Death Benefits

CS/CS/SB 202 by Sen. Baker and CS/HB 65 by Rep. Soto

This bill allows firefighters who were killed in a training exercise to receive the same benefits awarded to firefighters who are killed on duty. The Senate bill passed the Senate, but the House bill only passed one committee of reference. In the final hours of session, the language from SB 202 and HB 65 was amended onto the Adam Pierce Act, or HB 1193, which passed both houses. Effective date: upon becoming law.

Ethics & Violations of Standard of Conduct Ordinances

HB 1301 by Rep. Rader and SB 1980 by Sen. Aronberg

The bill allows counties to increase from \$500 to \$1,000 the maximum fine resulting in the violation of a specific county ordinance imposing standards of conduct and disclosure requirements. In addition, it would also allow for the increase in penalty from up to 60 days in county jail to one year. HB 1301 passed out of the House of Representatives 111-1, and the Senate passed the legislation on a 37-0 vote. Effective Date: July 1, 2010.

Leave of Absence for Military Personnel

SB 464 by Sen. Fasano and HB 129 by Rep. Renuart

HB 129 allows military personnel to take up to 30 days, or 240 hours, leave of absence to fulfill military duties. The bills passed both the House and the Senate. Effective date: July 1, 2010.

Transportation Projects

HB 1331 by Rep. Abruzzo and SB 1842 by Sen. Bennett

This bill requires the Florida Department of Transportation (FDOT) to notify affected local governments of proposed changes to state highways when the project: divides a state highway; erects a barrier median which would modify vehicle turning movements; or has the effect of closing or modifying existing access to adjacent property.

The written notification must be given at least 180 days before the design of the project is finalized and must provide a written explanation regarding the need for the project and indicate that all affected parties will be given an opportunity to provide comments to the Department regarding the potential impacts of the project. The notification must also be given to the chief elected official of the municipality or county, depending on whether the project is within or outside of municipal boundaries.

The bill also requires FDOT to consult with the local government on its final design proposal if the Department intends to divide a state highway, erect median barriers, or close or modify existing access to abutting commercial business properties. The local government may also present alternatives which would relieve the impacts to the business properties. In addition, the bill requires FDOT to hold at least one public hearing in the jurisdiction where the project is located and receive public input on the potential economic impact of the project on the local business community. The Department must review and consider the comments and any alternatives presented by a local government in preparing the final design of the project. Effective date: July 1, 2010.

Regional Transportation

SB 2470 by Sen. Thrasher and CS/HB 1297 by Rep. Gibson

This bill creates the Northeast Florida Regional Transportation Study Commission comprising representatives of Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns counties to make specific legislative recommendations relating to regional transportation. Such recommendations may include an implementation plan for the establishment of a regional transportation authority and draft legislation. The bill also extends the due date (to February 2011) for recommendations to be made to the legislature by the Northwest Florida Transportation Planning Organization regarding a feasibility study of advance-funding of projects. Effective date: July 1, 2010.

Local Government Prompt Pay Act

CS/HB 1157 by Rep. Eisnagle and CS/CS SB 1056 by Sen. Baker

The bill revises provisions relating to the timely payment for purchases of construction services for public construction projects. The bill requires that the requirements for a proper invoice, the dispute resolution procedure, and the agent acting on behalf of the local governmental entity be identified in the contract for the project. The bill provides that the local governmental entity must reject a payment request or invoice that does not meet the contract requirements. The bill provides that each contract for construction services between a local governmental entity and a contractor must provide for the development of a single list of items required to be

completed. The bill provides that the final contract completion date must be at least 30 days after the delivery of the list of items. Items not included in the list may not affect the final payment of retainage. The bill further provides that if the local governmental entity fails to comply with its responsibilities to develop the list, the contractor may request payment of any remaining undisputed contract amount and that amount must be paid within 20 business days. The bill requires that the local governmental entity notify vendors in writing within 10 days that the request or invoice for payment is improper. If the local governmental entity does not commence the dispute resolution procedure within 45 days, the contractor may give written notice to the local governmental entity of the failure to timely commence the dispute resolution procedure. If the local governmental entity does not commence the dispute resolution procedure within four business days after receiving the notice, the objection to payment shall be deemed to have been waived and any amounts resolved in the contractor's favor are subject to at least 1 % interest per month. The bill also expands the attorney fee provision to permit courts to award attorney fees to the prevailing party. Effective date: October 1, 2010.

Sovereign Immunity

SB 2060 by Sen. Bennett and HB 1107 by Rep. Nehr

As filed, this bill would have been very damaging to counties. It would have allowed local governments to settle outside the sovereign immunity caps with general revenue funds. This would have caused the cost of settling claims to rise significantly. It also would have included an automatic escalator to increase the caps. FAC worked hard to limit the impacts of this bill and in the end it only raised the caps from \$100,000 per person and \$200,000 per occurrence to \$200,000 per person and \$300,000 per occurrence. FAC argued that, even with these changes, the timing of this bill could not have been worse, with the economy currently in a significant decline and local revenues already stretched thin. Effective date: October 1, 2011. Approved by Governor; Chapter No. 2010-26

Rulemaking

CS/CS/HB 1565 by Rep. Dorworth and CS/CS/SB 1844 by Sen. Bennett

FAC supports this bill, which requires state agencies to do an economic analysis for any new agency rule that may impose new regulatory costs in excess of \$200,000 within one year of implementation. If the economic analysis shows new regulatory costs in excess of \$1,000,000 within five years of implementation, legislative ratification is triggered. This bill will help to protect counties against unfunded mandates passed on by state agencies with no legislative oversight. Effective date: Upon becoming law.

Growth Management, Environmental Planning & Agriculture

Military Base Encroachment

CS/HB 7129 by Rep. Hukill and CS/SB 274 by Sen. Bennett

This bill builds upon legislation passed in 2004 that placed new planning requirements on local governments who have military installations within their communities. In 2004, the legislature passed provisions to address the interface between local government land use actions and military base encroachment concerns. Ch. 163 requires the exchange of information between local communities and military installations when land use decisions may affect operations at an installation. In addition, Ch. 163 requires a local government to amend the future land use plan element of its comprehensive plan to address the compatibility of future uses on lands adjacent or closely proximate to military installations and to include criteria to achieve that compatibility. In 2004, local governments were directed to amend their plans by June 30, 2006. This date was later changed to June 30, 2012. Under CS/HB 7129, general definitions of "affected local governments" and "adjacent to or in close proximity to..." a "military installation" have been clarified by identifying specific installations and local governments in law, which are required to disclose information that improves communication between the bases and the local governments regarding land use compatibility. To ensure local governments comply with the land use compatibility compliance requirements, as required by the 2004 legislation, the bill requires regional mediation, as provided under Ch. 163. If the local government does not address compatibility in its comprehensive plan by 2013, the State Land Planning Agency may recommend sanctions to the State Administration Commission. Effective date: July 1, 2010.

Building Codes

CS/CS/SB 648 Sen. Bennett and CS/CS/CS/CS HB 663 by Rep. Aubocho

The bill represents this year's primary building code package. Of interest to counties, the bill includes language that states that, if a property owner fails to initiate the repair or rebuilding of a homestead property within three years after it was damaged or destroyed, he or she is considered to have abandoned the property as a homestead. It revises the surcharge on the building permit fee for the Building Code Administrators and Inspectors Fund by setting the surcharge rate at 1.5 % of all permit fees associated with enforcement of the Florida Building Code and provides that the minimum amount collected on any issued permit shall be \$2.00. The use of the surcharge collected is also modified to state the revenues shall be used for the participation of building departments in the national and state building code promulgation processes and to provide education related to enforcement of the Florida Building Code. The bill also directs that public fire hydrants owned by a governmental entity be inspected following standards adopted by the State Fire Marshal or equivalent standards. Additionally, the bill provides that county, municipal, and special district utilities may perform fire hydrant inspections with employees that have not been certified by the State Fire Marshal; however, the utilities are responsible for ensuring that the designated employees are qualified to

perform such inspections. Finally, the bill also exempts elevators issued certificates of operation before July 1, 2008 from any updates to the Elevator Safety Code concerning modifications for Phase II Firefighter Services until July 1, 2015, or until it is replaced or modified. Effective date: July 1, 2010.

Design Professionals – Liability

CS/CS SB 1964 by Sen. Negrón and HB 701 by Re. Precourt

The bill limits the tort liability of licensed engineers, surveyors, architects, interior designers, and landscape architects (design professionals). More specifically, the bill limits the potential tort claims for recovery of economic damages resulting from a construction defect that may be filed by a claimant contracting for the professional services of a design professional. The tort liability limitation for design professionals does not apply if: the contract requires professional liability insurance and the liability of the design professional is limited in the contract to an amount less than the liability insurance coverage required by the contract; the claim relates to economic damages resulting from personal injury; the claim relates to damage to property that is not the subject of the contract; the contract or agreement was entered into before July 1, 2010. Effective date: July 1, 2010.

Agriculture

CS/HB 7103 by the Agriculture and Natural Resources Policy Committee and Rep. Williams, T. and CS/CS/SB 2074 by Sen. Peadar

FAC staff has worked for several years on provisions contained in this bill that restrict counties' ability to enforce certain regulations that pertain to agricultural operations. The bill contains compromise language that preserves county authority over several environmental issues, including certain wetlands, springs, and stormwater ordinances, as well as ordinances adopted pursuant to a delegation agreement with a state agency or water management district. Additionally, the bill contains language that restricts certain stormwater assessments on agricultural lands, but the language provides exceptions for assessments that relate primarily to flood control or water supply. The bill also allows continued assessments where credits are provided for certain permitted activities and best management practices. ***The bill was vetoed on May 15, 2010.***

Docks

CS/SB 1118 by Sen. Altman and CS/CS/CS/HB 1239 by Rep. Patronis

This bill further expands the use of the state's online self-certification program and other forms of online authorization for appropriate exemptions, general permits, and individual permits issued by the Department of Environmental Protection (DEP) and the water management districts if the expansion is economically feasible. The plan must be submitted to the President of the Senate and the Speaker of the House of Representatives by February 15, 2011. It also prohibits local governments from specifying the method or form for documenting that a project meets the requirements for authorization under Chapters 161, 253, 373 or 403, F. S., including internet-based department programs that provide for self-certification. This dates back to a Legislative Committee on Intergovernmental Relations (LCIR) study which found that some local governments were requiring permit applicants to get a letter from the DEP verifying that a

project was exempt or that self-certification was allowed. DEP does not do this, and LCIR was concerned that this defeated the purpose of a permit exemption or self-certification. Effective date: July 1, 2010.

Landfills

CS/HB 569 by Rep. Poppell and CS/SB 1052 by Sen. Gaetz

This bill lifts the ban on yard trash going into Class I landfills, if the landfill uses an active gas-collection system. A permit modification is required. The county in which the landfill is located must be given notice and an opportunity to comment on the permit modification. Additionally, the bill provides that yard trash may be mulched and used for cover at Class I landfills. The DEP is directed to develop a rule for counting these activities toward the 75% recycling goal.

Effective date: July 1, 2010.

Petroleum Contamination Site Cleanup

CS/CS/HB 1385 by Rep. Poppell and CS/SB 2592 by Sen. Baker

As filed, the bill prohibited counties from denying a development order for a contaminated property on the basis of contamination unless institutional controls were implemented. This preemption was overly broad. Also, institutional controls are not implemented until very late in the process. FAC staff worked hard to narrow the scope of this preemptive language significantly. As passed, the bill prohibits the denial of a building permit for existing, fully operational facilities that wish to upgrade their tanks. Effective date: July 1, 2010.

Property Assessed Clean Energy

CS/HB 7179 by the Energy and Utilities Policy Committee and Rep. Precourt and CS/CS/CS/SB 2322 by Sen. Bennett

FAC supports this bill, and FAC staff was actively involved in drafting the bill language, which authorizes local governments to enter into financing agreements with property owners for the installation of energy efficiency and conservation improvements. It also authorizes local governments to impose voluntary assessments on the property tax bill for repayment purposes. FAC staff worked to ensure that the bill language was supplemental to counties' home rule authority, rather than being restrictive or limiting. Effective date: Upon becoming law.

Recycling

HB 7243 by the General Government Policy Council, Rep. Troutman, and Others and CS/CS/SB 570 by Constantine

FAC staff was actively involved in the development of this bill. Policy discussions centered largely around the recycling of construction and demolition debris as well as whether and how to count waste to energy toward the 75% recycling goal passed in HB 7135 in the 2008 Regular Session. Earlier versions of the Senate bill contained detrimental and even dangerous environmental policy. Proposed bill language would have completely deregulated construction and demolition debris, removing any kind of environmental protection or control over the collection and disposal of this activity. The language also would have preempted local control, preventing counties from ensuring that these materials are handled in a safe manner from both an environmental and public health and safety perspective. Early language also would have

been punitive toward waste to energy facilities. Again, this would have been contrary to current state policy, since counties have invested billions of taxpayer dollars at the urging of the State.

As passed, the bill is much improved from earlier drafts. It creates a voluntary certification program for materials recovery facilities. DEP is directed to form a technical advisory committee to explore the creation of this program. The bill also set thresholds for meeting gradual increases in recycling rates, up to a final percentage of 75% by 2020. It also requires counties to create programs for recycling construction and demolition debris, but does not specify what must be included in a local program. The bill requires newly developed property receiving a certificate of occupancy after July 1, 2012, that is used for multifamily residential or commercial purposes, to provide adequate space and an adequate receptacle for recycling. This provision is limited to counties with an established residential or commercial program that provides regular pick-up services.

If the state fails to meet the recycling thresholds provided in the bill, the DEP will provide an update to the Legislature for their future review. DEP is also directed to do a rulemaking on accounting, to ensure that there is a more accurate reporting and accounting system for recycled materials. The bill also provides a formula for calculating the credit for waste to energy facilities. Processing of construction and demolition debris is required to the extent that it is economically feasible, in order to encourage recycling of those materials. Additionally, there are provisions intended to increase the reporting of recycled construction and demolition debris. The bill also directs the Florida Building Commission to develop recommendations that increase residential and commercial recycling and composting and strongly encourage the use of recyclable materials and the recycling of construction and demolition debris.

Also, the bill removes the mandate for counties to create composting operations, which was instituted in HB 7135 in the 2008 Regular Session. Small counties continue to be held harmless and are allowed to provide an opportunity to recycle in lieu of meeting the specific thresholds contained in HB 7243. FAC staff worked hard to ensure that the compost mandate was removed for all counties and that small counties were held harmless. Effective date: July 1, 2010.

Reptiles

CS/SB 318 by Sen. Sobel and Constantine and CS/CS/HB 709 by Rep. Williams, T.

FAC supports this bill, which prohibits the importation or release of nonnative animals in this state unless authorized by the Fish and Wildlife Conservation Commission (FWC). It also requires that any person or entity wishing to keep wildlife in captivity or sell specified species of wildlife obtain a permit from the FWC, and it requires that the FWC annually evaluate the placement of additional species on the list of reptiles of concern. Effective Date: July 1, 2010.

Water

CS/CS/CS/SB 550 by Sen. Constantine

FAC staff was actively involved in the development of this bill. As drafted, the bill required the creation of responsible management entities (RMEs) in every county. This would have essentially required every county to create a new utility and charge a new tax. With the current state of the economy, it is the wrong time to require that counties charge new taxes, even though water quality is a laudable and important goal.

The RME concept is innovative but unproven in Florida. Counties can already create RMEs under their home rule authority. Since counties bear an enormous financial responsibility for implementing the Clean Water Act, the Total Maximum Daily Load (TMDL) program and the pending Environmental Protection Agency (EPA) numeric nutrient criteria rulemaking both bring with them a significant cost to counties, and thus their taxpayers. At some point in the future, RMEs may prove to be a useful tool in implementing water quality improvements. But to mandate them statewide before doing a small pilot project is not the best way to approach such a complex program.

As passed, the bill no longer contains any RME language. Instead, the bill creates a statewide inspection program for septic tanks, administered by the Department of Health (DOH). Additionally, the bill contains numerous provisions from various other water bills, including the Chapter 373 Rewrite, which organizes all of the water supply provisions in Chapter 373 into a new Part VII¹, as well as legislative intent relating to numeric nutrient criteria, consensus recommendations from the reclaimed water working group², and provisions relating to water supply funding³. The bill also revises the delegation to the water management district Executive Directors that was contained in SB 2080 in the 2009 Regular Session. SB 550 keeps delegation in place for environmental resource permits, but allows consumptive use permits to be approved by the governing boards⁴. Additionally, there are provisions relating to Monroe County and the Florida Keys, as well as the Wekiva Protection Area.

The bill also contains a consumptive use permit review provision that extends the review time from every five years to every ten years⁵. This provision had widespread support from numerous stakeholder groups. The bill also includes provisions relating to limestone mining and "life-of-the-mine" permits⁶. Counties expressed concern with these provisions early in the session, but amendments were adopted to address those specific concerns. The bill also contains provisions relating to liners for construction and demolition debris facilities. Effective date: July 1, 2010.

¹ See HB 1109 by Rep. Williams, T. and SB 2202 by Sen. Haridopolos

² See HB 7177 by the Agriculture and Natural Resources Policy Committee and Rep. Williams, T.

³ See HB 7015 and 7207 by the Agriculture and Natural Resources Policy Committee and Rep. Williams, T., as well as SB 2296 by Sen. Baker.

⁴ See SB 142 by Sen. Baker and HB 659 by Rep. Van Zant.

⁵ See HB 7175 by the Agriculture and Natural Resource Policy Committee and Rep. Williams, T.

⁶ See HB 617 by Rep. Bemby and SB 1338 by Sen. Dean.

Health & Human Services

Medicaid

CS/CS/SB 1484 by Sen. Peaden HB 7225 by the Select Policy Council on Strategic & Economic Planning and Rep. Grimsley

SB 1484 originally called for an expansion of the Medicaid reform pilot that now operates in five Florida counties (Broward, Duval, Baker, Clay and Nassau) to an additional 19 counties. In the end, the compromise made in the last days of session directs the Agency for Health Care Administration (AHCA) to extend the existing Medicaid 1115 waiver with no expansion of the pilot. Florida would stand to lose \$363 million in available health care financing if the 1115 Demonstration Waiver is allowed to expire due to the loss of the Low Income Pool program. AHCA is required under the compromise to keep the legislature and the governor abreast of negotiations with the federal government.

The bill also directs AHCA to develop methodologies to maintain the use of intergovernmental transfers (IGTs) and certified public expenditures in a Medicaid managed care environment. The Secretary is to convene a workgroup of stakeholders that will include individuals representing hospitals, counties, medical schools, managed care plans, and Medicaid provider-service-networks and directs AHCA to provide a report by January 1, 2011, on the developed methodologies.

Further, the bill creates the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services to develop a statewide strategy and coordinate state and local efforts and resources to prevent, investigate and prosecute Medicaid and public assistance fraud.

Lastly, the bill requires the Auditor General and the Office of Program Policy Analysis and Government Accountability to review and evaluate AHCA's Medicaid fraud and abuse systems and requires a report to the legislature and governor by December 1, 2011. Effective Date: Upon becoming law except as otherwise provided.

Children's Services Councils

SB 2014 by Sen. Wise and SB 1216 by Sen. Negron and HB 1227 by Rep. Mayfield

This was a controversial bill this session that requires each county where a children's services district has been created to put the question to the voters of whether to retain or dissolve the district in the general election. After a compromise with the Children's Services Councils (CSCs), the bill delayed the point at which the CSCs would have to go to referendum and they could request, with the approval of their local board of county commissioners, to be approved in perpetuity. The substance of SB 1216 was amended on to SB 2014 relating to early learning coalitions which passed both the House and the Senate. Effective Date: May 31, 2010 except as otherwise provided.

Department of Health (DOH)

HB 5311 by the House Health Care Appropriations Committee

HB 5311 served as the budget conforming bill for the Department. The bill also acted as a compromise to the House's plan to completely reorganize the Department as covered in HB 7183. The bill prohibits DOH from creating new programs without the express consent of the Legislative Budget Commission or the Legislature and requires the Department to notify the Governor and the Legislature before applying for any continuation or new federal or private grants for an amount of \$50,000 or greater. It clarifies the role of the DOH in an emergency and decreases the Department's environmental health food service responsibilities over facilities that are licensed and inspected by other agencies. The bill further requires the DOH to develop a plan to treat contagious Tuberculosis in private and non-state public hospitals.

HB 5311 directs the Office of Program Policy Analysis and Government Accountability to conduct a comprehensive evaluation and justification review of the Department and provide a progress report of the review to the Legislature by January 1, 2011. The Department will also have to submit a report to the Legislature by the same date that includes a rationale for each department division, the return on investment for each department division, and federal funding associated with each division.

The bill transfers the administration of Chapter 499, F.S., relating to the regulation of drugs, devices, cosmetics, and household products, from the DOH to the Department of Business and Professional Regulation.

Of note is the provision that modifies the section of law that establishes the Department's responsibility for physician workforce development and creates a Physician Workforce Advisory Council along with a Physician Workforce Graduate Medical Education Innovation Pilot Projects program. This section contains the contents of SB 1256. Effective Date: July 1, 2010, except as otherwise provided.

Public Safety

Automated Traffic Enforcement: "Mark Wandall Traffic Safety Act"

CS for CS for HB 325 by Rep. Reagan and CS/CS/SB 2166 by Sen. Altman

Automated traffic enforcement for drivers who run red lights has been a local issue in Florida for several years, but after litigation was filed against some cities the need for statewide uniform standards became more apparent. The bill preempts all local ordinances to the state and lays out criteria that local ordinances must follow. Counties can install cameras on county roads, municipalities can install cameras on city roads, and cameras can also be installed on city or county roads through an inter-local agreement. The Department of Transportation reserves the right to install and operate the automated devices on state roads, but a provision in HB 5501 permits cities or counties to operate cameras with the department's permission. The bill does not favor tickets for drivers who make "careful and prudent" right-handed turns on red lights, but does allow for officers to review individual scenarios for blatant violations. Thirty day notice must be given to the owner of the vehicle, before the citation is mailed, and must include photos or access to streaming video witnessing the violation. There are several exceptions in which a driver may be exempted from a red light traffic citation. The fines are proscribed for violations that occur on state roads and violations that occur on municipal or county roads, however each violation is \$158, and funds must be remitted to Department of Revenue on a weekly basis. For violations that occur on county roads, the county retains \$75, \$70 goes to state General Revenue, \$10 to trauma centers and \$3 to the Miami Project to Cure Paralysis. For violations on state roads, the county can keep \$45, and \$100 goes to state General Revenue. Individuals are not permitted to receive commission on citations issued from the number or percentage of violations issued. Counties that install cameras must submit a report by October 1, 2010, to the department. Cameras must meet specifications established by the department, counties must notify the public at each intersection that the devices are installed and the traffic infraction enforcement officer must live in the county in which the violations are issued. No points will be issued to the violator or for setting insurance rates. Effective date: May 13, 2010. Approved by Governor; Chapter No. 2010-80.

E911 Public Safety Telecommunicators

CS/CS/CS/SB 742 by Sen. Detert and CS/CS/HB 355 by Rep. K Roberson

This bill expands the use of the E911 fee to include dispatching emergency 911 telephone calls, and allows the Department of Health to administer training for emergency dispatchers as well as creating a certification and recertification program. "Emergency dispatchers" will be known as "Public Safety Telecommunicators". Section 401.465, F.S., is expanded to include the functions of receiving, transferring and dispatching 911 calls. The Department of Health will create a training program under the framework developed by the Department of Education to include a 232-hour curriculum. The Department will also create and administer an exam, which will be the new component of the certification process. Sworn law enforcement officers, state certified firefighters and public safety telecommunicators employed prior to April 1, 2012 who pass the exam may waive the 232-hour training requirements. Effective October 1, 2012, public safety telecommunicators must be certified, and recertified every two years. Trainees may be

hired and employed 12 months prior to certification as long as the employee is enrolled in the public safety telecommunicator training program. The bill also establishes new fees: initial application fee of \$50; examination fee not to exceed \$75; biennial renewal certification not to exceed \$50; and the application fee for the training program not to exceed \$50. The fee to resume a certification after one year inactive status has been reduced from \$100 to \$50. The bill also states that the provisions may be waived by the Governor in a state of emergency. Effective date: July 1, 2010.

Department of Corrections

CS/CS/CS/SB 960 by Sen. Dockery and CS/CS/HB 1005 by Rep. Holder

The Department of Corrections package contains one provision related to the local public safety coordinating councils. The language states that the council may develop a local five year reentry plan to focus on housing, employment, substance abuse, health care and education. The Association worked with the Department to encourage the use of permissive language. The Senate also adopted an amendment that changed the reporting requirements for pretrial programs from weekly to monthly. The language was removed during the last few days of session as the Senate bill conformed to the House bill. Effective date: July 1, 2010

SECTION III

**LEGISLATION
THAT FAILED**

Finance, Transportation & Administration

TABOR

SB 2420 by Sen. Haridopolis

This bill would have proposed an amendment to Section 1 of Article VII of the State Constitution, as well as an entirely new section to the same article of the constitution. The bill, *as amended*, would have allowed for the following changes: replaced the existing state revenue limit based on Florida personal income growth with new state revenue limits based on a combination of the rate of inflation and growth in population; required excess revenues to be deposited into budget stabilization funds and provides for distribution of the excess fund; authorized legislature to permit the collection of revenues in excess of the limit by a 2/3 majority of each house; authorized the Legislature to approve emergency taxes by a 2/3 majority vote; prohibited state government from imposing new taxes, fees, assessments, or charges for services, as well as, incurring multi-year debt without first obtaining approval by a 2/3 vote of electors voting on the issue; and authorized the legislature to revise the revenue limits for specific reasons or events.

TABOR

FTC13 by House Finance and Tax Council

This bill would have proposed an amendment to Section 1 of Article VII of the State Constitution, as well as an entirely new section to the same article of the constitution. The bill would have allowed for the following changes: replaced the existing state revenue limit based on Florida personal income growth with new state revenue limits based on a five year average of the combination of the rate of inflation and growth in population plus 1.1%; required excess revenues to be deposited into budget stabilization funds and provided for distribution of the excess funds to taxpayers; authorized legislature, in a single fiscal year, to permit the collection of revenues in excess of the limit by a 2/3 majority of each house; and authorized the legislature to revise the revenue limits for specific reasons or events.

Working Waterfront Property

CS/SB 346 by Sen. Dean

This committee substitute (CS) would have implemented section 4(j), Article VII, of the State Constitution, which provides for the classification of designated waterfront property as "working waterfront property". The CS specified the following waterfront property is eligible for classification as working waterfront property:

1. Land used predominantly for commercial fishing purposes;
2. Land that is accessible to the public and used for vessel launches into waters that are navigable;
3. Marinas and drystacks that are open to the public;
4. Water-dependent commercial fishing facilities; or
5. Water-dependent marine vessel construction and repair facilities and their support activities.

The CS specified that the assessed value of such classified property be based on current use and set forth a methodology for calculating assessed value.

- If appropriate to the property, the assessed value shall be calculated using the income approach to value, using a capitalization rate based upon the debt coverage ratio formula.
- The capitalization rate shall be based on data that is county specific. If such data is insufficient, it shall be based on data from counties with similar conditions and characteristics or data provided by the Department of Revenue.
- The capitalization rate shall be calculated and updated annually.

If the property is not suitable for appraisal through the income approach, the CS directed the property appraiser to only consider the following factors when assessing the property:

- The condition of the property;
- The present market value of the property in its current use; and
- The income produced by the property.

The CS established mandatory application procedures for classification as a working waterfront property, and an appeals process for denial of classification. The CS also provides penalties for failure to notify the property appraiser of any changes in the use or ownership of the property.

The Revenue Estimating Conference determined the fiscal impact of the constitutional provision, as implemented by CS/SB 346, would be a reduction in local revenue by \$39.8 million in FY 2011-12 and recurring.

Working Waterfront Property

CS/SB 1408 by Senate Finance and Tax Committee

This bill would have implemented section 4(j), Article VII, of the State Constitution, which provides for the classification of designated waterfront property as "working waterfront property". The bill specified the following waterfront property is eligible for classification as working waterfront property:

1. Land used predominantly for commercial fishing purposes;
2. Land that is accessible to the public and used for vessel launches into waters that are navigable;
3. Marinas and drystacks that are open to the public;
4. Water-dependent marine manufacturing facilities;
5. Water-dependent commercial fishing facilities;
6. Water-dependent marine vessel construction and repair facilities and their support facilities;

7. Water-dependent facilities used for the commercial transportation of goods and people;
or
8. Water-dependent facilities used for activities that support the commercial transportation of goods and people.
 - a. These activities include, but are not limited to, towing, storage, and salvage.

The bill specified that the assessed value of such classified property be based on current use and set forth a methodology for calculating assessed value.

- Assessed value must be calculated using the income approach to value if that approach is appropriate to the property and adequate local market rental rates, expense rates, and vacancy rates are available.
- The appraiser shall use a capitalization rate based upon the debt coverage ratio formula, adjusted for the effective tax rate and the percentage of equity multiplied by the equity yield rate.
- The capitalization rate must be calculated and updated annually and shall be based on local data.

If these conditions are not satisfied, the property appraiser would value the property at its present cash value as if it were required to remain in its current working waterfront use. In no event would the assessed value of the property exceed just value.

The bill established mandatory application procedures for classification as a working waterfront property, and an appeals process for denial of classification.

The Revenue Estimating Conference determined the fiscal impact of the constitutional provision, as implemented by SB 1408, would be a reduction in local revenue by \$44.7 million in FY 2011-12 and recurring.

Working Waterfront Property

CS/HB 7127 by House Finance and Tax Council

This bill implements section 4(j), Article VII, of the State Constitution, which provides for the classification of designated waterfront property as "working waterfront property". The bill specifies the following waterfront property is eligible for classification as working waterfront property:

1. Land used predominantly for commercial fishing purposes;
2. Land that is accessible to the public and used for vessel launches into waters that are navigable;
3. Marinas and drystacks that are open to the public;
4. Water-dependent marine manufacturing facilities;
5. Water-dependent commercial fishing facilities;
6. Water-dependent marine vessel construction and repair facilities and their support activities; or

7. Water-dependent facilities located in a county defined in s. 125.011(1), F.S., (currently Miami-Dade County) used for the commercial transportation of goods and people to and from foreign ports, or used to provide towing, storage and salvage in support of such properties.

The bill specified property classified as working waterfront must be assessed on the basis of current use. The property appraiser would have been directed to use the income approach to valuation, with a specified capitalization rate calculation, if that approach is appropriate and adequate information is available to the property appraiser. If the income approach was not appropriate or if the information needed is not available to the property appraiser, the property appraiser would have been directed to value the property at its present cash value as if it were required to remain in its current use for the foreseeable future. In no event would the assessed value of the property exceed just value.

When a parcel of property contains both uses eligible for assessment as working waterfront property and uses that are not eligible for such assessment, those portions of the property that are not eligible would have been assessed separately at just value (fair market value).

The bill would have established application procedures for classification as a working waterfront property, and an appeals process for denial of classification.

The Revenue Estimating Conference determined the fiscal impact of the constitutional provision, as implemented by HB 7127, would have been a reduction in local revenue by \$42.8 million in FY 2011-12 and recurring.

Working Waterfront Property

HB 73 by Rep. Robaina and Rep. Mayfield

As with the other "Working Waterfront" bills, this bill attempted to implement section 4(j), Article VII, of the State Constitution, which provided for the classification of designated waterfront property as "working waterfront property". This version contained many of the same provisions as the aforementioned bills.

Tourist Development Tax / Sales Tax (DOT.COM)

SB 156 by Sen. Lynn and HB 335 by Rep. Long

The bills provided that the taxable privilege to rent, lease, let, or grant a license to use accommodations includes activity in which a person offers the availability of transient stays at accommodations, arranges for their use, establishes the total rent amount, or collects the rental payments. The bills would have included internet intermediaries or "online travel companies" as persons required to collect and remit applicable tourist-related taxes and sales taxes.

Tourist Development Tax / Sales Tax (DOT.COM)

SB 2436 by Sen. Gaetz and CS/CS/HB 1241 by Rep. Patronis

The bills defined the following clarification of existing statutes affecting the collection of tourist-related taxes and sales taxes: a “person operating transient accommodations” is defined as the person who conducts the daily affairs of the physical facilities furnishing transient accommodations who is responsible for providing any of the services commonly associated with operating the facilities furnishing transient accommodations, including providing physical access to such facilities, regardless of whether such commonly associated services are provided by “unrelated persons”. “Unrelated person” is defined as persons who are not related to the person operating transient accommodations, or the owner of such accommodations (i.e., online travel companies.).

The bills further proposed that “unrelated persons” were not responsible for the remission of tourist-related taxes or sales taxes. Furthermore, the bills proposed that persons who facilitate the booking of reservations who are unrelated persons are not required to separately state amounts charged on the receipt, invoice, or other documentation.

The Revenue Estimating Conference estimated that the revenue impacts of the bills are negative indeterminate for General Revenue and state trust fund revenue. Local government revenue would be reduced by \$22.7 million in FY 2010-2011, with a negative indeterminate recurring revenue impact.

The bills were considered to potentially qualify as a mandate due to its estimated fiscal impact, which prompted the requirement of a 2/3 vote of the membership of each house.

Streamlined Sales Tax

SB 94 by Sen. Lynn and HB 1083 by Rep. Rehwinkel-Vasilinda

The bills served as a memorial to the Congress of the United States, urging Congress to enact legislation to authorize states that have complied with the Streamlined Sales and Use Tax Agreement to require out-of-state sellers to collect each such state’s sales and use tax.

Non-Homestead Assessment Cap / First-Time Homebuyer Property Tax Exemption

CS/SJR 1254 by Sen. Fasano and CS/HJR 655 by Rep. Domino

This joint resolution (*amended version*) proposed an amendment to sections 4 and 6, Article VII, of the State Constitution, to reduce from 10% to 5% the limitation on annual assessment increases applicable to non-homestead property and would have created an additional homestead exemption for first-time homesteaders.

The additional homestead exemption would have been available to persons that have not received a homestead exemption in the past three years and would apply to all property taxes other than school taxes. The initial exemption, which only applied to local governments – not schools, would have been equal to 50% of the just value of the homestead property. The amount of the exemption could not exceed \$200,000. The additional exemption would have been reduced each succeeding year by the greater of 20% of the initial exemption or the Save

Our Homes Benefit (the difference between just value and assessed value determined under the Save Our Homes provisions).

The Revenue Estimating Conference (REC) estimated that the fiscal impact of this joint resolution was indeterminate because it must be approved by the voters. If the voters approved the amendment, the REC estimated that it would result in a reduction in local government revenues of \$108.7 million in FY 2011-12, increasing to \$447.9 million in FY 2014-15, based on current millage rates.

This joint resolution would have required approval by a three-fifths vote of the membership of each house of the Legislature.

Amendment 3 (SJR 532) is currently on the ballot for November 2010. The differences between SJR 532 and this joint resolution are displayed below.

Comparison of SJR 532 (2009) on November Ballot with SJR 1254 / HJR 655 (2010)

ISSUE	SJR 532	SJR 1254 / HJR 655	EFFECTS
	Reduce limit on nonhomestead property annual assessment increases from 10% to 5%.	Same	Same
New Homeowner Exemption - eligibility	Have not owned a principal residence during 8-yr. period before the purchase. If married, applies to the purchaser and the spouse.	Have not owned property in the previous 3 years to which the existing homestead exemption applied. Does not mention married couples.	HJR 655 has a higher fiscal impact due to (1) the reduction of the waiting period from 8 to 3 years for existing Florida residents and (2) the elimination of the waiting period for new Florida residents who have not had a Florida <i>homestead</i> exemption in the previous 3 years.
New Homeowner Exemption - amount	25% of just value, \$100,000 limit	50% of just value, \$200,000 limit	Higher fiscal impact on local governments other than school districts due to higher percentage and limit.
New Homeowner Exemption - applicability	Applies to all taxes	Does not apply to school district taxes	Lower fiscal impact on school districts.

Residential Property Assessments – Energy Efficiency Improvements

SB 1410 by Senate Finance and Tax Committee

This bill would have implemented section 4(i), Article VII, of the State Constitution, which prohibits a property appraiser from considering the installation and operation of a renewable energy source device in determining the assessed value of residential property. The bill also would have implemented the constitutional amendment repealing the Legislature's constitutional authority to grant an ad valorem tax exemption for such devices and to real property on which such a device is installed and operated.

The bill defined renewable energy source device to include any of the following equipment which collects, transmits, stores, or uses solar energy, wind energy, or energy derived from geothermal deposits:

1. Solar energy collectors, photovoltaic modules, and inverters;
2. Storage tanks and other storage systems, excluding swimming pools used as storage tanks;
3. Rockbeds;
4. Thermostats and other control devices;
5. Heat exchange devices;
6. Pumps and fans;
7. Roof ponds;
8. Freestanding thermal containers;
9. Pipes, ducts, refrigerant handling systems, and other equipment used to interconnect such systems (however, conventional backup systems of any type are not included in this definition);
10. Windmills and wind turbines;
11. Wind-driven generators;
12. Power conditioning and storage devices that use wind energy to generate electricity or mechanical forms of energy; and
13. Pipes and other equipment used to transmit hot geothermal water to a dwelling or structure from a geothermal deposit.

The Revenue Estimating Conference determined that this bill would have reduced local revenue by \$2.9 million in FY 2011-12, with a recurring reduction of \$19.1 million, at current millage rates.

Residential Property Assessments – Wind Resistance Improvements

SB 1380 by Senate Finance and Tax Committee

This bill would have implemented section 4(i), Article VII, of the State Constitution which prohibits a property appraiser from considering changes or improvements made for the purpose of improving the property's resistance to wind damage in determining the assessed value of residential property. These changes are defined to include the following:

1. Improving the strength of the roof deck attachment;
2. Creating a secondary water barrier to prevent water intrusion;
3. Installing hurricane-resistant shingles;
4. Installing gable-end bracing;
5. Reinforcing roof-to-wall connections;
6. Installing storm shutters;
7. Installing impact-resistant glazing; and
8. Installing hurricane-resistant doors.

The bill specified that the provision applied to new and existing construction. However, with respect to a new residential structure, this limit on assessments would have applied only to the extent that the changes or improvements exceed the requirements of the Florida Building Code or any applicable local building code.

The Revenue Estimating Conference estimated that this bill would have decreased local revenue by \$0.3 million in FY 2011-12, and on a recurring basis by \$1.9 million, at current millage rates.

Residential Property Assessments – Energy Efficiency Improvements / Wind Resistance Improvements

CS/HB 151 by Rep. Frishe

This bill combined very similar (with minor variations) concepts that were contained in the aforementioned senate bills (SB 1410 and SB 1380).

Local Government Budget Accountability and Audit Process

CS/CS/SB 690 by Sen. Dean and HB 7195 by House Military and Local Affairs Committee

This bill would have provided minimum standards for budgeting by counties, county officers, municipalities, and special districts. The bill required that budgets and budget amendments of each county, county officer, municipality, special district, and school district be posted on the government entity's website. The bill required counties, municipalities, and special districts to file their annual financial report and annual financial audit report within nine months of the fiscal year end with the Department of Financial Services and the annual financial audit report with the Office of the Auditor General within nine months of the fiscal year end.

This bill would also have amended the process used by the Legislative Auditing Committee and the Department of Community Affairs to compel special districts to file certain required financial reports.

County Funds/Investments and Interest Income
SB 1454 by Sen. Alexander

The bill proposed to amend Florida Statute 28.33 and declare that interest earned on county funds that are invested by the Clerk is income of the Office of the Clerk.

Term Limits

HJR 495 by Rep. Troutman and SJR 598 by Sen. Bennett

This joint resolution would have put a constitutional amendment on the ballot that would place a 12 year term limit on municipal and county commissioners, and would extend term limits for state Representatives and Senators. This bill was called up in the House during the seventh week of session. After a lengthy debate, the committee ran out of time and the resolution did not go to a vote. SJR 598 was never heard.

Voter Interface Device Extension

HB 7101 by Rep. Schenck

Rep. Schenck filed a standalone bill that contained the elections extension for counties to purchase new voter interface devices for persons with disabilities from 2012 to 2016. The bill passed the House, but there was no Senate companion and the Senate never picked up the bill, probably due to the presumed veto by the Governor. The bill died in Senate messages.

Collective Bargaining

CS/SB 610 by Sen. Fasano and CS/HB 417 by Rep. Hays

This legislation would have defined Constitutional Officers as the "Legislative Body" for purposes of resolving impasses between the Constitutional Officer and his or her employees. The Senate bill passed through the first two committees and was amended to include firefighters, emergency medical technicians, and paramedics that contract with the Sheriff. The Senate bill was pulled from Ways and Means and passed the Senate floor in early April. The House bill was amended in the first committee to include language that declared the County Commission to be the legislative body for purposes of fiscal issues and the Constitutional Officers as the legislative body for operational issues. The Senate bill died in messages.

Public Records and Public Meetings

CS/CS/CS/SB 1598 by Sen. Dockery and HB 1211 by Rep. Ford

The "Sunshine in Government Act" sponsored by Senator Dockery and Representative Ford began by gathering cities, counties and the Governor's Commission on Open Government to discuss this legislation. The bill went through several changes due to the outcry that it prohibited agencies from charging for redacting records that are not public and allowed free public record request for queries that took less than 30 minutes to fill. These provisions were changed slightly to say that an agency may charge additional fees if the request takes more than 30 minutes to fill, however agencies still cannot charge for redacting information that is

personal, but not public. Language in the initial draft of the bill prohibited agencies from charging fees for redacting any record after 2013, although that language has been removed.

The bill also would have required elected and appointed public officials to undergo training for public records and open government meetings. The Department of State would promulgate rules for public records and the right of the public to access those records. It required that all public record exemptions be reviewed every 10 years, after the initial five year exemption. It provided for uniform attorney's fees and penalties for violations of the sunshine and public records cases. The House bill was never placed on an agenda. The Senate bill moved through three committees, but died in Ways and Means.

Effective Public Notice

HB 1511 by Rep. Workman and SB 376 by Sen. Dean

This bill was designed to permit local governments to use their websites to post public notices and legal advertisements that are currently required to be published in a newspaper of general circulation. The House version of the bill was narrowly drawn and would have permitted local governments to use websites for public notices if: the local government provided free internet access at a public library, the local government published notice once a year that the residents can sign up for and receive notifications via first class mail or email, and the local government maintained a list of residents names, addresses and emails who request to receive the notices. The House bill passed one committee by an 8 to 6 vote. The much broader Senate bill was never calendared.

Electioneering Communication Organization

SB 1928 by Sen. Bennett and CS/CS/HB 1207 by Rep. McKeel and CS/SB 880 by Sen. Alexander

Senator Bennett filed a standalone bill that would have amended the provision resulting from SB 216 passed in the 2009 session by Senator Justice. SB 216 prohibited local governments from expending or authorizing the expenditure of funds for purposes of electioneering communication. The proposed fix would remove references to "electioneering communication"; would clarify that any official can express opinions; and declare that local governments can use public funds for an advocacy position for factual information. SB 1928 did not receive a hearing and the bill died. The language was amended onto the 'leadership funds' bill, HB 1207 and SB 880, during committee, but was removed before the bill was vetoed by the Governor.

FRS Contribution Rates

HB 5703 by Rep. Rivera

This bill included a corridor that permitted plans funded at 90% or above the asset valuation to defer the unfunded liability for three years. This would have saved counties \$304.5 million in 2011, but could have potentially put counties in a difficult situation based on market outcomes. The bill passed the House, but the Senate refused to concur.

Special Risk Retirement

CS/SB 198 by Sen. Baker and HB 49 by Rep. Hooper

The bill would have allowed special risk FRS members to purchase additional retirement credit up to three percent of the member's average monthly compensation for past service and required the employer to pay for the cost to determine the additional contribution. The bill would have also expanded this provision to emergency medical technicians and paramedics. Senator Baker moved the bill through three committees and the Senate bill passed the Senate floor on the last day of session, but the House bill was never calendared.

Retirement

SB 1902 by Sen. Bennett and HB 1319 by Rep. Grady

Two pension reform bills that generated a lot of attention this session were HB 1319 and SB 1902 proposing substantial changes to the FRS and the municipal police and fire pensions. Overall the bills reduced the retirement benefits for new and existing employees, extended the age of retirement for all classes by five years, and prohibited the use of overtime, accumulated sick and annual leave, and additional payments to calculate the average final compensation. The bills were similar, although HB 1319 required employees to contribute an additional one percent to their benefit plans, used the entire length of service to calculate average final compensation, and created the "Trust in Accounting Act" that required employers to report the actuarial value of retirement assets. The House bill was never heard. SB 1902 was debated in Community Affairs in week three, but was not brought to a vote. The bill was placed on the agenda again, but was not discussed.

Growth Management, Environmental Planning & Agriculture

Affordable Housing

CS/CS/CS HB 665 by Rep. Aubuchon and CS/CS/SB 262 by Sen. Bennett

CS/CS/CS/ HB 665 represented this year's affordable housing package. Of importance to counties, the bill removed the statutory limitations on the amount of documentary stamp revenue that goes into the State Housing Trust Fund and the Local Government Housing Trust Fund. Also referred to as the "trust fund cap," this measure had broad based support from a range of interest groups, including FAC. Unfortunately, while HB 665 passed clean out of the House, the Senate sponsor, Senator Mike Bennett, added language to the bill that had the effect of broadening transportation concurrency exception areas (TCEAS) for areas defined as "limited urban." Once amended, the Senate sent the bill back to the House, which declined to concur with the amended bill, and sent it back to the Senate and requesting that it recede. In the final hours of the last day of session, the Senate refused to recede and sent the bill back to the House where it died in returning messages.

Growth Management

CS/SB 1742 by Sen. Mike Bennett

This bill proposed to change current law that allows counties to create transportation concurrency backlog authorities by local option. Backlog authorities are authorized under 163.3182, F.S., and allow counties to designate specific areas as "backlogged" for transportation purposes, then use tax increment financing (TIF) to make transportation improvements. If this tool is used by a county at the request of a developer, transportation concurrency is fully satisfied. Under the bill, landowners or developers within a large-scale development area of 500 cumulative acres or more could request that the local government create a transportation concurrency backlog authority for roadways significantly affected by traffic from the development if those roadways are or will be backlogged. A county would not have the option to deny a development order or plan amendment on concurrency grounds, since it would have to use the backlog authority funding tool.

Fertilizer

CS/CS/CS/HB 1445 by Rep. Nelson and CS/CS/CS/SB 382 by Sen. Dean

FAC opposed the fertilizer provisions contained in HB 1445. SB 382 initially contained similar provisions, but was amended in Senate Health Regulation to strip out the problematic provisions. There were several floor debates in the Senate on this issue, and SB 382 ended up being passed and sent to the House with fertilizer language that would not have been restrictive of local governments. Fertilizer manufacturers and professional applicators have argued that local ordinances are unduly burdensome from a business perspective. However, local governments bear significant financial responsibilities under the Clean Water Act, and a fertilizer ordinance is one of the only inexpensive tools that local governments have available to make water quality improvements.

Irrigation

CS/CS/SB 1952 by Sen. Detert and CS/CS/HB 1407 by Rep. Hays, Rep. Holder, and Rep. Mayfield

This bill was amended to specifically authorize counties to implement irrigation ordinances. FAC staff sought this amendatory change due to conflicting interpretations of the scope of the water management districts' consumptive use permitting authority. FAC staff will continue to work with the water management districts on this issue in the interim.

Honeybees

HB 1339 by Rep. Glorioso and SB 2376 by Sen. Lynn

This bill would have preempted local governments from regulating beekeeping activities. FAC opposed this bill, which never got a hearing in either the House or the Senate.

Mitigation Banks

HB 1175 by Rep. Williams, T. and SB 2238 by Sen. Richter

This bill would have required DEP and the water management districts to include a preference for mitigation banks in their mitigation rules. This bill also contained provisions relating to the establishment of mitigation banks. Some stakeholders were concerned that the preference for mitigation banks would interfere with county mitigation projects or on-site mitigation for agricultural parcels. However, proponents of the bill asserted that the language was being proposed to line up state and federal mitigation rules.

Numeric Nutrient Criteria

CS/HB 1589 by Rep. Legg and Rep. Zapata and SB 2474 by Sen. Baker

This Memorial to Congress would have urged Congress to seek scientific peer review of the proposed EPA numeric nutrient criteria rulemaking.

Oil and Gas

SB 2622 by Sen. Haridopoulos

This bill contained similar provisions to oil and gas legislation from the 2009 Regular Session. The House Select Policy Council on Strategic and Economic Planning met almost every week during the 2010 Regular Session to workshop technical and policy issues relating to the creation of an oil and gas program for Florida. During its last meeting, the Council workshopped bill language, but did not vote it out or move forward with a bill, due to a lack of interest in the Senate.

Regulation of Vessels

HB 1361 by Rep. Steinberg and SB 2506 by Sen. Gelber

This bill would have removed restrictions on local government regulations relating to vessels in navigation.

Renewable Energy

CS/HB 7229 by the Energy and Utilities Policy Committee and Rep. Precourt and CS/SB 992 by Sen. Diaz de la Portilla

This bill would have deleted statutory provisions relating to the creation of a renewable portfolio standard and establishing renewable energy credits. It also would have provided a mechanism for providers to recover the cost of producing or purchasing specified amounts of renewable energy. It also would have established an agriculture & clean energy economic development pilot project.

Streamlining the Issuance of Licenses, Certifications, and Registrations Issued by State Agencies

CS/CS/HB 1299 by Rep. Horner and CS/SB 2378 by Sen. Altman

This bill would have created the One-Stop Business Connect Workgroup, which would have been tasked with recommending a process for creating an easily accessible online self-service method to access state requirements for starting, licensing, and operating a business.

Stormwater Management Systems

HB 7171 by the Agriculture and Natural Resources Policy Committee and Williams, T.

This bill would have required the DEP, in consultation with the water management districts, to create a uniform statewide stormwater quality treatment rule.

Water Conservation

CS/HB 7177 by the Agriculture and Natural Resources Policy Committee and Williams, T.

This bill would have created a statewide water conservation program to provide for a Conserve Florida Clearinghouse and an associated Guide to assist public water supply utilities in developing goal-based water conservation plans to meet consumptive use permit requirements.

Water Management District Governing Board Nominating Commission

SB 2604 by Sen. Bennett and CS/CS/HB 1407 by Rep. Hays, Rep. Holder, and Rep. Mayfield

This bill would have established a water management district governing board nominating commission. It also would have required governing boards to obtain legislative authorization for acquisition costs and professional service procurement costs in excess of specified amounts.

Health & Human Services

Homelessness

HB 923 by Rep. Reed and SB 2654 by Sen. Crist

This FAC supported bill would have created and revised multiple sections of the Florida Statutes relating to homelessness. Among these changes, the following are relevant to counties: authorizing the collection of voluntary contributions in the amount of \$1 to be added to the issuance and renewal of motor vehicle registrations and drivers licenses to aid the homeless; limit the amount a lead agency can spend on administrative costs under a Challenge Grant; replacing the existing Emergency Financial Assistance for Housing program with a homeless prevention grant program to be administered by local homeless continuums of care to provide emergency financial assistance to families facing the loss of their current home due to financial or other crises. The bill was passed unanimously out of the House, but ultimately died in Senate messages.

Blood Establishments

CS/SB 1818 by Senate Health Regulation and CS/CS/HB 509 by Rep. Tobia

The bill would have prohibited local governments from restricting access to public facilities or infrastructure for volunteer blood drives based the operating status of the blood bank (for-profit organization vs. not-for-profit organization). At the time the bill was filed, no county government reported having such a policy in place. The bill further prohibited a blood establishment from considering the tax status of certain customers when determining the price at which to sell blood or a blood component and required a blood establishment to disclose certain information on its website. HB 509 died in House messages.

Automated External Defibrillator

CS/CS/SB 2556 by Sen. Altman and CS/HB 1355 by Rep. Steinberg

FAC supported legislation relating to Medical Devices that required the local emergency medical services (EMS) medical director be notified of the placement of an Automated External Defibrillator (AED) in places of public assembly or in state buildings. The local EMS medical directors would have been required to maintain registries of the locations of these AEDs and the State Surgeon General would have had to establish guidelines and recommendations for the placement and deployment of AEDs in places of public assembly as defined in the bill. Unfortunately, while the bill passed the Senate it stalled in the House.

Cardiology Services

HB 793 by Rep. Renuart and SB 1822 by Sen. Bennett

HB 793 would have directed all local emergency medical services (EMS) providers licensed under Chapter 401, F.S., and medical facilities licensed under Chapter 395, F.S., to work together to establish a local ST-Elevation Myocardial Infarction (STEMI) system of care to help improve outcomes for individuals suffering from a life-threatening heart attack. The bill would have required the medical director for each licensed EMS provider to establish protocols for the assessment, treatment, and destination selection and transportation of suspected cardiac

patients to include a destination selection criterion for suspected STEMI patients, taking local resources into consideration. FAC was concerned with liability issues for our county medical directors. Staff worked with Rep. Renuart to address these concerns.

**Senior Services/Independent Special District
CS/SB 146 by Sen. Rich and HB 153 by Rep. Pafford**

This bill would have authorized counties to create, by ordinance, an independent special district to provide senior services throughout the county. In order to levy ad valorem taxes to fund the independent special district, the county would have had to obtain approval from the majority of electors in the county voting on the question. The bill would have provided the membership of a governing council, powers and duties of the council, and reporting requirements.

Medicaid Reform

HB 7223 and HB 7225 by the House Health Care Appropriations Committee and Rep. Grimsley

The House advanced two bills that would have worked in tandem to implement a statewide Medicaid reform proposal.

HB 7223 created Part IV of Chapter 409, F.S., entitled Medicaid Managed Care. The bill would have established the Medicaid program as a statewide, integrated managed care program for all covered services, and required the Agency for Health Care Administration (AHCA) to obtain and implement state plan amendments or federal waivers necessary to implement the program.

Medicaid was separated into three managed care programs:

The Medicaid Managed Medical Assistance Program – Primary and acute care.

The Long-Term Care Managed Care Program – Residential and home and community based care, alone or paired with primary acute care for comprehensive coverage.

The Managed Long-term Care for Persons with Developmental Disabilities Program – Residential and home and community based care, alone or paired with primary acute care for comprehensive coverage.

The statewide managed care program had the following characteristics:

- Care and services provided in a managed care model.
- Mandatory participation for most populations.
- Competitive, negotiated selection of qualified managed care plans that meet selection criteria.
- Regionalized plan selection to ensure coverage in rural areas; Plans selected on a regional basis with 6 regions statewide.
- Limited plan numbers to ensure stability but allow significant patient choice.
- Varying models of managed care.
- Strong plan accountability measures.
 - The agency would establish 5-year contracts with no renewals.
 - Plans would be required to meet network adequacy standards.

- Plans would be required to maintain program integrity functions including specific activities that reduce fraud and abuse.
- Penalties would be established for reducing enrollment or early *withdrawal* including reimbursement of costs of transition and a fine of up to 5% of the capitation.
- Risk-adjusted payment methods.
- Enhanced benefits to incentivize healthy behaviors.
- Customized benefits to allow meaningful recipient choice.
- Opt Out Program for recipients to use their Medicaid dollars to purchase other forms of coverage.

HB 7225 would have conformed current law to the new provisions created in HB 7223 by repealing current provisions of law at specific times when managed medical assistance, managed long-term care and managed long-term care for persons with developmental disabilities were *implemented statewide*.

The bill substantially rewrote the current Medicaid Reform statute, primarily modifying the format with several substantive changes. Most notably, the bill directed AHCA to seek an extension of the Section 1115 waiver no later than July 1, 2010, to continue the pilot program in the existing five counties, and expand the pilot program to Miami-Dade County with full implementation by June 30, 2011. Additionally, recipients statewide would have been able to opt out of the Medicaid program and use their Medicaid financial assistance to pay for their share of cost in any employer sponsored health insurance plan or, upon federal approval, to pay for other insurance or related products providing access to health care services.

The bill made several significant, immediate changes to Medicaid managed care by phasing in risk-adjusted rates for all managed care plans, requiring managed care plans statewide to report encounter data and information pertaining to medical loss ratios, and requiring managed care plans to provide enhanced benefits programs for recipients. The bill established reserve requirements for plans in order to fund enhanced benefits credits.

Provider service networks (PSNs) statewide would have remained fee-for-service for a limited time but with a shared savings settlement. AHCA would have been required to conduct annual reconciliations to determine the amount of cost savings achieved by fee-for-service PSNs.

Finally the bill authorized AHCA to designate plans or networks meeting specified requirements as medical homes. Medical home networks were given certain preferences in the statewide Medicaid managed care programs created in HB 7223.

Reorganization of the Department of Health

CS/HB 7183 by Health Care Regulation Policy Committee and Rep. Thompson

The bill would have made sweeping changes to the Department of Health (DOH), removing 6 of the 13 statutory responsibilities currently in law. The bill required DOH to submit a proposal to the Legislature by November 1, 2010 for a new department structure that included a reduction in the number of divisions, bureaus and executive positions. The Department would be precluded from initiating or commencing new programs, including federally-funded or grant-supported programs, without express legislative authority and would have to develop a plan to transfer patients from the A.G. Holley Hospital to private or non-state public hospitals meeting certain requirements within 90 days. Additionally, the bill repealed legislative intent language related to DOH's public health mission, revised some of its statutory duties consistent with the revised responsibilities, and defined DOH's role in managing and coordinating emergency preparedness and disaster response functions.

Graduate Medical Education

CS/CS/SB 1256 by Sen. Peaden and HB 935 by Rep. Homan

SB 1256 sought to modify the section of law that establishes the Department of Health's responsibility for physician workforce development. The bill would have implemented a program to foster innovative Graduate Medical Education (GME) pilot projects that are designed to promote the expansion of GME programs or positions to prepare physicians to practice in needed specialties and underserved areas. The good language in this bill was amended on to the Department of Health budget conforming bill (HB 5311) previously discussed.

Public Safety

Pretrial Release

CS/CS/HB 445 by Rep. Dorworth and SB 782 by Sen. Thrasher

One topic that quickly became a top issue for the 2010 legislative session was SB 782 and HB 445, the *Pretrial Detention* bills, sponsored by Senator Thrasher and Representative Dorworth. This piece of legislation was floated in several other states this year, and was successfully defeated in Virginia and North Carolina. These bills would have eliminated defendants who are not indigent, who have ever been convicted of a violent crime or those have ever failed to appear in court from participating in pretrial supervision programs. In effect, it would have limited the number of people that could enter pretrial diversion to the point that it would not be beneficial for counties, Sheriffs and the courts to continue their programs. The bill did not pass the first committee in the Senate and that is how the legislation was ultimately defeated.

Inmate Medical Costs

CS/CS/CS/SB 218 by Sen. Jones and HB 319 by Rep. Hooper

This bill's initial language stated that absent a formal written agreement, the reimbursement rate to providers for medical services on inmates would be limited to 110 percent of the Medicaid rate. The hospitals and medical associations were strongly opposed to the legislation and voiced their concerns in every committee. However, the bill was amended as an attempted compromise to increase the reimbursement to 110 percent of the Medicare rate; additionally emergency medical physicians were exempt. The House bill was heard twice in the Public Safety and Domestic Security Policy Committee, but the bill was under attack and never came to a vote. The Senate bill passed all committees of reference and successfully passed the Senate floor. The House did not take up SB 218 and the bill died in messages.

Juvenile Detention

HB 211 by Rep. Adams and SB 2004 by Sen. Dean

This legislation would have expanded the allowable uses of secure juvenile detention for Florida's youth to violations of preadjudicatory, or pretrial, release conditions. The bill would have extended the time frame in which juveniles can be held in detention and required placement in a detention facility for several reasons. Language in the bill would have permitted judges to determine the most appropriate placement for youth brought into custody, a contradiction to the Department of Juvenile Justice's Blue Print Report. Furthermore, it would have increased costs due to the fact that counties are required to contribute financially to juvenile detention. The House bill received one hearing where members spoke against the expanded use of detention and cost to counties. The bill, called the antithesis of detention reform, passed out of the Public Safety and Domestic Security Committee, but never received another hearing. The Senate companion was never calendared.

SECTION IV

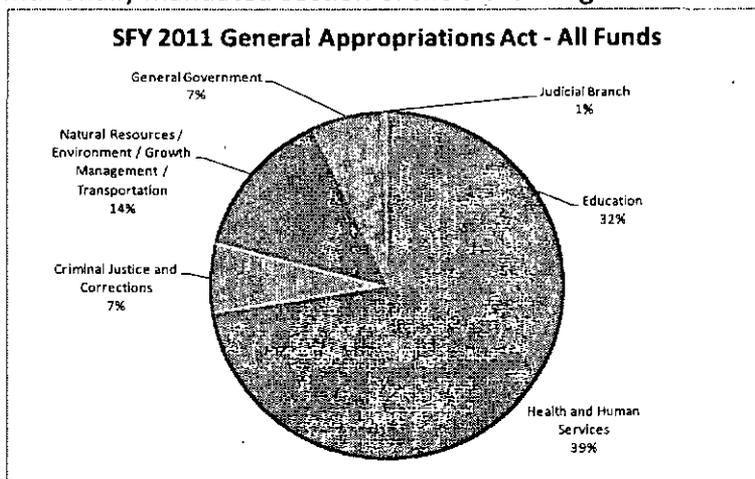
BUDGET SUMMARY

**2010 General Appropriations Act
HB 5001 by the Full Appropriations Council on Education and Economic Development (SB 2700)**

The General Appropriations Act for State Fiscal Year (SFY) 2011 totals \$70.4 billion, and represents a \$3.84 billion increase from the previous SFY. The chart below summarizes a comparison of expenditures between SFY 2011 and SFY 2010 by budget section.

Budget Comparison by Section (in Millions)			\$ Difference	% Difference
(Amounts across and down due not equal due to rounding)	SFY 2010 All Funds	SFY 2011 All Funds	SFY 10 vs. SFY 11	SFY 10 vs. SFY 11
Section 1. Education	1,423.90	1,300.60	(123.30)	(8.66%)
Section 2. Education	19,849.00	21,214.60	1,365.60	6.88%
Section 3. Health and Human Services	26,043.40	28,482.30	2,438.90	9.36%
Section 4. Criminal Justice and Corrections	4,755.40	4,650.90	(104.50)	(2.20%)
Section 5. Natural Resources / Environment / Growth Management / Transportation	9,293.50	9,778.60	485.10	5.22%
Section 6. General Government	4,720.00	4,488.10	(231.90)	(4.91%)
Section 7. Judicial Branch	451.30	462.40	11.10	2.46%
Total Budget	66,536.30	70,377.40	3,841.10	5.77%

Health and Human Services received the largest portion of funding in the amount of \$28.4 billion in the SFY 2011 budget. This represents almost a 10% increase in appropriations from the previous year. All Educational programs and services combined received the second largest amount of total funding equal to approximately \$22.5 billion. This represents approximately a 6% increase from the previous fiscal year. Finally, natural resources, environmental issues, growth management and transportation expenditures represent the third largest portion of the SFY 2011 with funding equaling \$9.77 billion, which represents a 5.2% increase from the previous fiscal year. The figure below displays the percentage of SFY 2011 funding dedicated to each constitutionally mandated section of the state budget.



Planned general revenue expenditures for SFY 2011 equal \$23.7 billion and trust fund expenditures total approximately \$46.5 billion. The chart below illustrates a comparison of expenditures between SFY 2011 and SFY 2010 by fund type.

Budget Comparison by Fund Type (in Millions)			\$ Difference	% Difference
	SFY 2010	SFY 2011	SFY 10 vs. SFY 11	SFY 10 vs. SFY 11
General Revenue	21,193.80	23,789.70	2,595.90	12.25%
Trust Funds	45,342.50	46,587.70	1,245.20	2.75%
All Funds	66,536.30	70,377.40	3,841.10	5.77%

**2010 General Appropriations Act – Implementing Bill
HB 5003 by the Full Appropriations Council on Education and Economic Development (SB 2700)**

The Appropriations Implementing bill makes certain changes to substantive law in order to implement the General Appropriations Act for SFY 2011. These provisions only are in effect for SFY 2011.

Specific provisions of the bill that may impact counties include:

- Section 4.** Provides that the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county.
- Section 8.** Provides that funds in a special law enforcement trust fund, derived from the sale of forfeited property, may be used to reimburse the general fund of a local government for monies advanced from the general fund prior to October 1, 2001.
- Section 10.** Provides that Counties are exempt from all requirements and provisions related to the statutorily mandated (F.S. 29.008) 1.5% annual increase in funding for court-related expenditures for fiscal year 2011. Counties will be required to maintain current (FY 2010) levels of funding.
- Section 13.** Authorizes the Department of Children and Families to allocate funds appropriated for forensic mental health treatment services to the areas of the state with the greatest service demand and capacity. Authorizes additional funds appropriated for substance abuse and mental health services in proportion to contributed provider earnings.
- Section 18 & 19.** Defines the method in determining reductions in ad valorem tax revenue for purposes of allocating appropriations to offset reductions in fiscally constrained counties based on revisions to Article VII of the State Constitution approved in a special election held on January 29, 2008.
- Section 25.** Provides for the authorization of funds in the Land Acquisition Trust Fund to be transferred to support the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, the Total Maximum Daily Loads programs and the Marine Spatial Planning programs.
- Section 26.** Provides for the allocation of SFY 2010 appropriated funding from the Water Management Lands Trust Fund to be allocated for the purposes of paying debt service on bonds issued before February 1, 2009 by the South Florida Water Management District and the St. Johns Water Management District, transferring \$8 million to the general fund, and the remaining funds to be distributed equally between the Suwannee River Water Management District and the Northwest Florida Water Management District.

- Section 27.** Provides for the funding of activities related to the preservation and repair of the state's beaches from the Ecosystem Management and Restoration Trust Fund.
- Section 29.** Provides for the funding of activities related to mosquito control programs from the Ecosystem Management and Restoration Trust Fund.
- Section 31.** Requires the Department of Environmental Protection to award \$2.4 million of grant funds equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.
- Section 33.** Provides that the Department of Transportation (DOT) shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to \$20,300,000 for the purpose of funding economic development transportation projects. Also provides that funding for related projects shall not negatively impact existing projects that were funded as of July 1, 2009 in DOT's five (5) year work program.
- Section 35 & 36.** Authorizes the Governor to recommend the initiation of fixed capital outlay projects funded by grants awarded by the federal government through the America Recovery and Reinvestment Act of 2009 (ARRA) or any other federal economic stimulus grant.
- Section 37.** Authorizes funds in the Department of Transportation's State Transportation Trust Fund to be used to pay administrative expenses incurred in accordance with applicable laws for a multicounty transportation or expressway authority created under chapter 343 or chapter 348, where jurisdiction for the authority includes a portion of the State Highway System and the administrative expenses are in furtherance of the duties and responsibilities of the authority in the development of improvements to the State Highway System.
- Section 38.** Authorizes funds in the Department of Transportation's State Transportation Trust Fund to be used for the purposes of funding county and school district transportation infrastructure improvements.
- Section 43.** Provides authorization for the distribution of the excise tax on document stamps for funding items such as SCOP, Local Government Technical Assistance (DCA) and the preservation and repair of state beaches.
- Section 44.** Provides authorization for \$3 million to be expended on hurricane shelters identified in the General Appropriation Act within the Hurricane Loss Mitigation Program,
- Section 75.** Provides that, except as otherwise expressly provided in this act, this act shall take effect July 1, 2010; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2010.

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010		
		All Funds	GR	Trust Fund				
1	Section 3 - Human Services							
2	Agency for Health Care Administration							
3	A	#158 - #163 - Florida Kidcare Program	471,945,857	66,031,403	435,016,967	501,048,370	29,102,513	6.17%
4	B	#183 - Rural Hospital Financial Assistance Program	14,030,766	1,220,185	12,810,581	14,030,766	-	0.00%
5		#199 - Medicaid Patient Transportation	117,362,019	49,979,360	80,005,138	129,984,498	12,622,479	10.76%
6		#208 - Rural Health Services	88,488,330	36,324,986	58,207,176	94,532,162	6,043,832	6.83%
7								
8	Department of Children and Family Services							
9		#329 - Reinvestment Grant - DCF Share	1,000,000		3,000,000	3,000,000	2,000,000	200.00%
10		#330 - Children's Mental Health	44,698,361	26,005,582	21,309,764	47,315,346	2,616,985	5.85%
11		#331 - Community Mental Health	228,626,118	177,767,025	46,295,527	224,062,552	(4,563,566)	(2.00%)
12		#332 - Baker Act Services	62,883,948	62,333,949		62,333,949	(549,999)	(0.87%)
13		#343 - Children's Baker Act Services	14,021,460	14,021,460		14,021,460	-	0.00%
14		#350 - Children and Adolescent Substance Abuse Services	72,035,070	39,984,310	32,375,760	72,360,070	325,000	0.45%

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Proviso	SFY 2010	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010	
		All Funds	GR	Trust Fund			All Funds
15	#351 - Community Substance Abuse Services	127,438,989	37,111,921	92,377,068	129,488,989	2,050,000	1.61%
16	#360 - Challenge Grants	2,031,354	2,031,354		2,031,354	-	0.00%
17	C #361 - Fed. Emer. Shelter Program	17,514,645		4,610,380	4,610,380	(12,904,265)	(73.68%)
18	D #361A - Homeless Housing Assistance	5,000,000	250,000	3,000,000	3,250,000	(1,750,000)	(35.00%)
19	#371 - Homeless Prevention			8,602,844	8,602,844	8,602,844	
20	E #372 - Financial Assistance Payments - Cash	215,255,117	135,420,238	75,695,727	211,115,965	(4,139,152)	(1.92%)
21							
22	Department of Elder Affairs						
23	F #390 - Community Care Fore the Elderly	52,547,990	50,378,099	2,666,897	53,044,996	497,006	0.95%
24	#392 - Older Americans Act	105,437,704	346,998	96,743,728	97,090,726	(8,346,978)	(7.92%)
27	Department of Health						
28	#443, 466, 483, 495, 556 - County Health Units	201,635,089	180,784,846	6,541,996	187,326,842	(14,308,247)	(7.10%)

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010 All Funds	SFY 2011 Conference Report HB 5001		All Funds	\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010	
		GR	Trust Fund				
29	#444 - Primary Care Program	20,078,887	19,221,512	19,221,512	(857,375)	(4.27%)	
30	#446 - School Health Services	20,319,530	3,625,057	16,694,473	20,319,530	-	0.00%
31	G #507 - County Health Dept. - Construction, Renovation, & Equip.	7,028,400	2,500,000	9,855,200	12,355,200	5,326,800	
32	#507A - Maintenance & Repair of County Health Departments	7,533,960		7,533,960	7,533,960	-	
33	#511 - Emergency Medical Services County Grants	6,211,675		6,211,675	6,211,675	-	0.00%
34	#S12 - Emergency Medical Services Matching Grants	4,681,461		4,681,461	4,681,461	-	0.00%
35	#557 - Local Health Councils	906,000		1,006,000	1,006,000	100,000	11.04%
36	#492 - Health Department Salary (Rate) Pool	455,289,211	474,197,601		474,197,601	18,908,390	4.15%
37	#492 - Health Department - # of FTE (Positions)	12,297		12,359		62	0.50%
38							
39	Section 4 - Criminal Justice and Corrections						
40	Department of Corrections						
41	#746 - DOC Sentencing Alternatives		700,143		700,143	700,143	
42							

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010 All Funds	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010
		GR	Trust Fund	All Funds		
43						
	Department of Juvenile Justice					
	#1118 - 1128 - County Share Predisposed					
44	99,284,985		97,248,936	97,248,936	(2,036,049)	(2.05%)
	#1124 - Fiscally Constrained County Detention					
45	5,425,388		5,581,332	5,581,332	155,944	2.87%
46						
47	Section 5 - Nat. Resources / Env. / GM / Trans.					
48	Department of Agriculture, Consumer Services, & Commerce					
49						
	#1456 - Mosquito Control					
49	2,166,168		2,166,168	2,166,168	-	0.00%
50						
51	Department of Community Affairs					
52						
	Century Commission					
52	116,000				(116,000)	(100.00%)
53						
	#1563 - Regional Planning Councils					
53	2,500,000	2,500,000		2,500,000	-	0.00%
54						
	#1570 - EM - Federal EM Preparedness to Counties					
54	2,389,944		2,389,944	2,389,944	-	0.00%
55						
	#1572 - EM - Federal EMPG to Counties					
55	7,566,360		7,374,231	7,374,231	(192,129)	(2.54%)
56						
	#1590 - EM - Emergency Management Programs					
56	7,089,061		7,389,061	7,389,061	300,000	4.23%

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Proviso	SFY 2010 All Funds	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010	
		GR	Trust Fund	All Funds			
57	#1592 - EM - Repetitive Flood Claims	1,671,022		1,780,723	1,780,723	109,701	6.56%
58	#1593 - EM - Severe Repetitive Loss Pilot Program	4,177,066		3,902,632	3,902,632	(274,434)	(6.57%)
59	K #1597 - EM - Predisaster Mitigation	5,700,000		3,770,000	3,770,000	(1,930,000)	(33.86%)
60	L #1598 - EM - Hurricane Loss Mitigation	6,921,764		6,892,389	6,892,389	(29,375)	(0.42%)
61	#1599 - EM - Flood Mitigation Assistance Program	1,323,731		1,819,775	1,819,775	496,044	37.47%
62	M #1615A - EM - Local Emergency Management Facilities	625,029		750,000	750,000	124,971	
63	N #1617 - EM - Local Emergency Management Critical Facilities	3,000,000	150,000	2,250,000	2,400,000	(600,000)	
64	#1625 - Community Development Block Grants	40,454,893		33,000,000	33,000,000	(7,454,893)	(18.43%)
65	#1641 - Community Services Block Grants	46,976,599		17,876,599	17,876,599	(29,100,000)	(61.95%)
66	#1642 - Home Energy Assistance	90,864,000		124,264,000	124,264,000	33,400,000	
67	#1646 - Weatherization	169,684,474		9,700,000	9,700,000	(159,984,474)	
68	O #1647 - HFC - Affordable Housing Programs	30,110,000		37,500,000	37,500,000	7,390,000	24.54%
69							

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010 All Funds	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010
		GR	Trust Fund	All Funds		
70	Department of Environmental Protection					
71	#1685 - Payment in Lieu of Taxes	1,360,000		1,360,000	1,360,000	
72	#1686B - Florida Forever			15,000,000	15,000,000	15,000,000 (100.00%)
73	P #1693 - Everglades Restoration	50,000,000		10,000,000	10,000,000	(40,000,000) (80.00%)
74	Q #1763 - Total Maximum Daily Loads	1,000,000		6,250,000	6,250,000	5,250,000 525.00%
75	R #1769A - Beach Renourishment and Restoration	15,000,000	10,536,535	5,000,000	15,536,535	536,535 3.58%
76	#1788 - Nonpoint Source (NPS) Management Planning Grants	16,000,000		5,000,000	5,000,000	(11,000,000) (68.75%)
77	#1789 - Drinking Water Facility Revolving Loan Program	90,474,000	4,500,000	95,154,969	99,654,969	9,180,969 10.15%
78	#1790 - Wastewater Treatment Facility Revolving Loan Program	163,386,374	4,500,000	167,080,534	171,580,534	8,194,160 5.02%
79	#1791 - Small County Wastewater Treatment Grants	13,600,000		13,600,000	13,600,000	- 0.00%
80	#1814 - Inland Protection Trust Fund			120,000,000	120,000,000	120,000,000 (100.00%)
81	#1852 - Florida Recreation Development Assistance			300,000	300,000	300,000 (100.00%)
82	Alternative Water Supply	7,700,000				(7,700,000) (100.00%)
83						

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010 All Funds	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010	
		GR	Trust Fund	All Funds			
84	Department of Transportation						
85	#2069 - Transportation Disadvantaged Program	40,395,706		38,404,800	38,404,800	(1,990,906)	(4.93%)
86	#2070 - Transportation Disadvantaged - Medicaid	65,969,126		65,486,126	65,486,126	(483,000)	(0.73%)
87	#2110A - Small County Road Assistance Program	25,713,783		10,000,000	10,000,000	(15,713,783)	(61.11%)
88	#2111 - Small County Outreach Program	23,451,468		21,362,190	21,362,190	(2,089,278)	(8.91%)
89	S #2112 - County Transportation Programs	68,035,074		52,780,796	52,780,796	(15,254,278)	(22.42%)
90	#2128 - Local Government Reimbursement Program	65,219,246		52,914,408	52,914,408	(12,304,838)	(18.87%)
91							
92	Section 6 - General Government						
93	Agency for Workforce Innovation						
94	T #2214 - Regional Workforce Boards	259,803,360		249,919,823	249,919,823	(9,883,537)	(3.80%)
95	U #2243 - School Readiness Services	615,442,582	136,010,000	479,432,582	615,442,582	-	0.00%
96							
97	Executive Office of the Governor						
98	#2668 - Rural Community Development	1,300,000	400,000	900,000	1,300,000	-	0.00%

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010
		All Funds	GR	Trust Fund		
99						
	#2668A - Rural Infrastructure	1,150,000		1,100,000	1,100,000	(50,000) (4.35%)
100	V #2672 - Economic Development Transportation Projects	20,000,000		20,000,000	20,000,000	- 0.00%
101						
102	Department of Management Services					
103	#2932 - Wireless 911 Distribution to Counties	58,482,388		70,190,273	70,190,273	11,707,885 20.02%
104	#2933- Wireless 911 Distribution to Providers	22,514,643		13,175,579	13,175,579	(9,339,064)
105	#2934 - Non Wireless 911 Distribution to Counties	56,764,411		52,518,029	52,518,029	(4,246,382)
106						
107	Department of Revenue					
108	#3055O - Fiscally Constrained Offset (Amendment 4)		2,791,000		2,791,000	2,791,000 (100.00%)
109	#3055P - Fiscally Constrained Offset (Amendment 1)	23,200,000	25,159,000		25,159,000	1,959,000 8.44%
110	#3104 - Emergency Distribution From Local Gov. 1/2 Cent (Small Counties)	16,167,042		16,167,042	16,167,042	- 0.00%
111	#3105 - Inmate Supplemental Distribution From Local Gov. 1/2 Cent	592,958		592,958	592,958	- 0.00%
112						

FAC SFY 2011 Appropriations Summary - Conference Report - HB 5001

Proviso	SFY 2010	SFY 2011 Conference Report HB 5001			\$ Variance SFY 2011 vs. SFY 2010	% Variance SFY 2011 vs. SFY 2010
		All Funds	GR	Trust Fund		
113	Department of State					
114	#3153- Special Election Reimbursement	344,256	1,956,301		1,612,045	468.27%
115	#3157 - Voting System Assistance	525,000		525,000	-	0.00%
116	#3158 - Statewide Voter Registration System - HAVA	2,802,347		2,802,347	-	0.00%
117	W #3164 - Federal Election Activities - HAVA	2,000,000		2,000,000	-	0.00%
118	#3172 - Historic Preservation Grants	612,450	650,000	118,250	155,800	25.44%
119	#3187A - Library Cooperatives	1,200,000	1,200,000		-	0.00%
120	#3188 - Aid to Libraries	24,396,017	21,253,978	2,792,039	(350,000)	(1.43%)
121	#3197 - Arts Grants	297,200		297,200	-	0.00%
122	X #3200 - Cultural and Museum Grants	2,500,000	2,000,000		(500,000)	(20.00%)
123						
124	Section 7 - Judicial Branch					
125	State Court System					
126	#3242- Traffic Hearing Officers	1,339,864		1,339,864	-	0.00%
127	#3251, 3252, 3253 - Drug Courts	18,250,000		14,483,000	(3,767,000)	(20.64%)

A. #158 - #163 - Florida Kidcare Program

Funds in Specific Appropriations 158 through 163 are provided to operate the Florida KidCare Program. The Executive Office of the Governor may authorize transfer of these resources between programs or agencies pursuant to chapter 216, Florida Statutes, based on projections from the Social Services Estimating Conference.

Funds in Specific Appropriations 158 and 161 are provided to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2009-2010 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

Funds in Specific Appropriation 158 reflect a reduction of \$3,186,287 from the General Revenue Fund and \$7,006,570 from the Medical Care Trust Fund to reflect a reduction to the per member per month rate adjustment for Florida Healthy Kids Corporation contracts for Fiscal Year 2010-2011. Average per member per month rates shall not exceed \$110.08 per member per month. The corporation shall amend its contracts, effective October 1, 2010, to achieve this reduction.

Funds in Specific Appropriation 161 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than \$11.99 per member per month.

From the funds in Specific Appropriation 161, \$686,633 from the General Revenue Fund and \$1,509,890 from the Medical Care Trust Fund are provided to implement the mandatory provisions of the Children's Health Insurance Program Reauthorization Act of 2009.

B. #183 - Rural Hospital Financial Assistance Program

Funds in Specific Appropriation 183 are provided for a federally matched Rural Hospital Disproportionate Share program and a state funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

C. #361 - Fed. Emer. Shelter Program

From the funds in Specific Appropriation 361, the Department of Children and Families may accept and administer funding allocated to the State of Florida by the U.S. Department of Urban Development (HUD) for the Emergency Shelter Grant (ESG) Program. The ESG Program will be administered by the Department of Children and Families in accordance with HUD rules and regulations. This funding may be granted by the state to local governments in the state, which may include cities and counties that are ESG grantees, or to private nonprofit organizations, if the local government where the project is located certifies its approval of the project. Initial preference will be given to local governments and nonprofit organizations in areas of the state where local governments do not receive funding directly from HUD. Grant applications will be ranked competitively based on grant application requirements and criteria published by the Department of Children and Family Services.

D. #361A - Homeless Housing Assistance

From the funds in Specific Appropriation 361A, the nonrecurring sum of \$250,000 from the General Revenue Fund is provided for services to prevent or eliminate homelessness.

E. #372 - Financial Assistance Payments - Cash

From the funds in Specific Appropriation 372, \$22,645,739 in nonrecurring funds from the Welfare Transition Trust Fund is provided for the Cash Assistance Program from federal funds available from the Temporary Assistance for Needy Families (TANF) Emergency Contingency Fund authorized by the American Recovery and Reinvestment Act of 2009.

F. #390 - Community Care For the Elderly

Funds in Specific Appropriation 390 appropriated for Aging Resource Centers shall be equally allocated to each Aging Resource Center at the beginning of the fiscal year. The department may re-allocate funds during the fiscal year based on negotiations with the Aging Resource Centers.

G. #507 - County Health Dept. - Construction, Renovation, & Equip.

From the funds in Specific Appropriation 507, the following projects are funded from nonrecurring funds in the County Health Department Trust Fund: Polk County Health Department: 6,876,200; Bay County Health Department: 2,379,000; and Baker County Health Department: 600,000.

From the funds in Specific Appropriation 507, the following project is funded from nonrecurring general revenue funds: Miami-Dade Health Department for the Liberty City Health Center Planning, Design, and Construction: 2,500,000

H. #1456 - Mosquito Control

Of the funds provided in Specific Appropriation 1456, \$250,000 from the General Inspection Trust Fund shall be used for research into practical methods of control to be used by local mosquito control agencies. The research shall be conducted by the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory and the Florida Agriculture and Mechanical University (FAMU)/Mulrennan Research Laboratory.

I. #1563 - Regional Planning Councils

Funds in Specific Appropriation 1563 are provided to the Regional Planning Councils, 70% of which must be divided equally among the councils and 30 % of which must be allocated according to population. The funds shall be used to prepare and implement strategic regional policy plans, perform regional review and comment functions, and assist local governments in addressing problems of greater-than-local significance.

J. #1572 - EM - Emergency Management Performance Grant

Funds in Specific Appropriation 1572 are provided for the Emergency Management Performance Grants funded by the United States Department of Homeland Security. The Division of Emergency Management shall submit the Emergency Management Performance Grant Work Plan to the Executive Office of the Governor, the chairs of the Senate Policy and Steering Committee on Ways and Means and the House Full Appropriations Council on Education and Economic Development for review prior to submission to the Federal Emergency Management Agency (FEMA). Upon approval of the work plan by FEMA, the Division of Emergency Management may submit a budget amendment for the release of the lump sum appropriation pursuant to chapter 216, Florida Statutes.

From the funds in Specific Appropriation 1572, \$250,000 shall be used for a statewide public education program on television and radio to promote hurricane preparedness. Such funds shall be provided to a not-for-profit corporation, and must be matched on a 3 to 1 basis.

K. #1597 - EM - Pre-disaster Mitigation

Funds in Specific Appropriation 1597 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

L. #1598 - EM - Hurricane Loss Mitigation

Funds in Specific Appropriation 1567 in the amount of \$66,414; Specific Appropriation 1569 in the amount of \$16,908; Specific Appropriation 1600 in the amount of \$399; Specific Appropriation 1575 in the amount of \$689; Specific Appropriation 1571 in the amount of \$1,000; Specific Appropriation 1594 in the amount of \$717; Specific Appropriation 1598 in the amount of \$6,892,389, and indirect costs of \$21,484 funded from the Grants and Donations Trust Fund, reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes. These funds shall be utilized for Hurricane Loss Mitigation programs as specified in section 215.559(2)(a), Florida Statutes; and after the provisions of section 215.559(3)(a) and (4), Florida Statutes, \$925,000 shall fund the Building Code Compliance and Mitigation Program pursuant to section 553.841, Florida Statutes. The moneys allocated in section 215.559(3)(a), Florida Statutes, shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(3)(a), Florida Statutes.

M. #1615A - EM - Local Emergency Management Facilities

Funds in Specific Appropriation 1615A are provided to the Regional Hurricane Shelter/Community Health Center, Pasco County, for operational services of the health clinic.

N. #1617 - EM - Local Emergency Management Critical Facilities

Funds in Specific Appropriation 1617 and 1615A from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

From the funds in Specific Appropriation 1617, \$500,000 from the Grants and Donations Trust Fund is provided for the Brandon Community Hurricane Shelter/Advantage Center.

From the funds in Specific Appropriation 1617, \$150,000 in nonrecurring general revenue shall be used to provide emergency generators for the Town of Golden Beach.

O. #1647 - HFC - Affordable Housing Programs

Funds provided in Specific Appropriation 1647, shall be used for the Homeowner Downpayment Assistance Program to provide down payment and closing cost assistance in conjunction with the First Time Homebuyer Program.

P. #1693 - Everglades Restoration

Funds in Specific Appropriation 1693 are provided for the design, engineering, and construction of the Comprehensive Everglades Restoration Plan, Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan Components, and for the acquisition of lands for projects included in the plans.

From the funds in Specific Appropriation 1693, \$1,000,000 is provided to the Department of Agriculture and Consumer Services for implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

Q. #1763 - Total Maximum Daily Loads

From the funds in Specific Appropriation 1763, the Department of Environmental Protection shall, by October 31, 2010, expend the funds necessary to propose for adoption by rule, pursuant to section 120.54, new designated use classifications or sub-classifications for waters, including manmade lakes; canals or ditches; or streams converted to canals before 1975, that will recognize the limited aquatic life support and habitat limitations of these waters based upon their physical and hydrologic characteristics and water management uses for which they were constructed or modified.

R. #1769A - Beach Renourishment and Restoration

Funds in Specific Appropriation 1769A, as part of the Department of Environmental Protection's Beach Management Funding Assistance Program, shall be allocated in priority order in the amounts requested by the Department to the Miami-Dade Beach Nourishment Project, St. Lucie Inlet Management Plan Implementation, Duval Shore Protection Project, Anna Maria Island Nourishment, Sand Key Nourishment, Broward County Nourishment - Segment II, and the Long Key Nourishment projects. These projects represent the maximum availability and leveraging of federal beach funding, and/or previous partial state funding commitment to the project, including Fiscal Year 2009-2010.

In order to provide maximum availability of funds for all listed projects, the Department and each local sponsor are directed to identify any and all agreed upon reductions in the state funding share that can be absorbed without jeopardizing available federal dollars or delaying project construction.

Funds in Specific Appropriation 1769A shall not be allocated for post-construction monitoring. State matching dollars for such monitoring may be considered as a local government cost credit toward future design and construction activities for any of the local government sponsor's beach projects. In addition, the Department, in conjunction with the Fish and Wildlife Conservation Commission, shall examine all permit-imposed post-construction monitoring requirements and existing protocols in terms of cost-savings, necessity, redundancies and efficiencies; and report back to the Legislature by February 1, 2011.

S. #2112 - County Transportation Programs

From the funds in Specific Appropriation 2112, \$10,000,000 in nonrecurring funds from the State Transportation Trust Fund is provided for a transportation infrastructure program to assist counties and school districts with transportation infrastructure issues. Counties that have at least a 2.65 percent average enrollment growth for the five year period ending with the 2008-09 school year are eligible to participate in this program. Counties that receive funds under this program shall submit a report, by the end of the fiscal year or upon completion of the project, to the Department of Transportation and the Department of Community Affairs describing in detail the infrastructure issues addressed through this program. The departments of Transportation and Community Affairs shall review the reports from the counties and submit their findings and recommendations to the Legislature regarding the effectiveness of this infrastructure program.

T. #2214 - Regional Workforce Boards

Funds provided in Specific Appropriation 2214 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the Regional Workforce Boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the Governor's Office of Policy and Budget, the chair of the Senate Policy and Steering Committee on Ways and Means and the chair of the House Full Appropriations Council on Education and Economic Development.

No funds in Specific Appropriation 2214 may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Agency for Workforce Innovation except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in section 112.061, F.S., and shall be in compliance with all applicable federal and state requirements. No funds in Specific Appropriation 2214 may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.

No funds in Specific Appropriation 2214 may be used for any contract exceeding \$25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Agency for Workforce Innovation and Workforce Florida, Inc.

U. #2243 - School Readiness Services

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 2243, a minimum of \$3,000,000 shall be used to enhance the quality of child care through the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 2243 in the Welfare Transition Trust Fund, \$1,400,000 from recurring funds is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY).

Funds in Specific Appropriation 2243 from the Child Care and Development Block Grant Trust Fund may be used to provide a rate differential or stipend to programs which reach the Gold Seal Quality Care designation. The rate differential shall not exceed twenty percent of the reimbursement rate.

Funds in Specific Appropriation 2243 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Agency for Workforce Innovation may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement. Progress towards meeting this requirement shall be monitored by the Agency for Workforce Innovation, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

From the funds in Specific Appropriation 2243, the Agency for Workforce Innovation shall designate an amount to be used for the Child Care Executive Partnership Program, as defined in section 411.0102, Florida Statutes, as match to expand the provision of services to low income families at or below 200% of the federal poverty level. Funds for this program may be used to match funds for statewide contracts.

V. #2672 - Economic Development Transportation Projects

A portion of the funds in Specific Appropriation 2672 shall be allocated as follows: NW 47th Avenue Improvements, City of Lauderhill: 300,000; 13th Street Improvements, City of Riviera Beach: 500,000; Spanish River Boulevard/I-95 Project, City of Boca Raton: 1,000,000; St. Johns Heritage/Palm Bay Parkway Construction, City of Palm Bay: 4,000,000; and Turkey Creek Road Improvements/Hillsborough County Industrial Park: 1,000,000.

From the funds in Specific Appropriation 2672, \$2,000,000 shall be used to fund a transportation improvement project at an airport as defined in section 339.63(4), Florida Statutes.

All other funds in Specific Appropriation 2672, shall be allocated for urban redevelopment infrastructure projects, economic development transportation projects, and other economic development projects.

W. #3164 - Federal Election Activities - HAVA

Funds in Specific Appropriation 3164 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; poll-worker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to 15% of the amount to be received from the state.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining at June 30, 2011.

X. #3200 - Cultural and Museum Grants

Funds provided in Specific Appropriation 3200 include \$1,000,000 from nonrecurring general revenue for the Lauderhill Performing Arts Center. Funds provided in Specific Appropriation 3200 include \$50,000 from nonrecurring general revenue for the Appleton Museum in Ocala.

SECTION V

2010 Issue Votes

Senator	Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Preclearance (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Alexander	•	•	Yes	Yes			Yes	•	Yes	•		Yes
Altman	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes		Yes
Aronberg	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Atwater	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Baker	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Bennett	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes		Yes
Bullard	Yes	Yes	Yes	No			Yes	•	•	•		Yes
Constantine	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Crist	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Dean	Yes	•	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Detert	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Deutch	N/A	N/A	N/A	No	•		N/A	N/A	Yes	N/A		N/A
Diaz de la Portilla	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Dockery	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Fasano	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Gaetz	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Garcia	No	Yes	Yes	No	•		Yes	Yes	Yes	Yes		Yes
Gardiner	Yes	Yes	Yes	Yes	•		Yes	Yes	Yes	Yes		Yes
Gelber	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Haridopolos	Yes	Yes	Yes	Yes			•	Yes	Yes	Yes		Yes
Hill Sr.	Yes	Yes	Yes	Yes	No		Yes	Yes	Yes	Yes		Yes
Jones	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Joyner	Yes	Yes	No	No			Yes	•	Yes	Yes		Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Vote Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Justice	Charlie	Yes	Yes	No	No			Yes	Yes	Yes	Yes		Yes
Lawson Jr.	Al	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Lynn	Evelyn J.	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Negron	Joe	No	Yes	No	Yes			Yes	Yes	Yes	Yes		Yes
Oelrich	Steve	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Pearden, Jr.	Durell	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Rich	Nan	Yes	Yes	EX	No			Yes	Yes	•	Yes		Yes
Richter	Garrett S.	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
Ring	Jeremy	Yes	Yes	Yes	No	No		Yes	Yes	Yes	Yes		Yes
Siplin	Gary	Yes	Yes	Yes	No	No		Yes	Yes	Yes	•		Yes
Smith	Chris	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Sobel	Eleanor	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Storms	Ronda	No	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes		Yes
Trasher	John	Yes	Yes	Yes		Yes		Yes	Yes	Yes	Yes		Yes
Villalobos	J. Alex	No	Yes	Yes	Yes			Yes	Yes	Yes	Yes		Yes
	Frederica												
Wilson	S.	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes		Yes
Wise	Stephen R.	Yes	•	Yes	Yes	Yes		Yes	Yes	Yes	Yes		Yes
Representative													
Abruzzo	Joseph	Yes	Yes		Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Adams	Sandra	No	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Adkins	Janet	No	Yes		•		Yes	Yes	Yes	Yes	Yes	Yes	Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only**	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Ambler	Kevin C.	Yes	Yes		Yes		Yes	Yes	Yes	•	Yes	Yes	Yes
Anderson	Thomas	•	Yes		Yes		No	Yes	Yes	Yes	Yes	Yes	Yes
Aubuchon	Gary	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bembry	Leonard	Yes	Yes		No		Yes	No	Yes	Yes	Yes	Yes	Yes
Bernard	Mack	Yes	Yes		•		Yes		Yes	Yes	Yes	Yes	Yes
Bogdanoff	Ellyn	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bovo Jr.	Esteban	No	Yes		Yes		•	Yes	•	Yes	•		Yes
Boyd	Debbie	No	Yes		No		Yes	Yes	Yes	Yes	Yes		Yes
Brandenburg	Mary	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Braynon II	Oscar	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Brisé	Ronald	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Bullard	Dwight M.	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Burgin	Rachel	No	Yes		Yes		Yes	•	Yes	Yes	Yes		Yes
Bush III	James	No	Yes		No		No	Yes	Yes	•	Yes		•
Cannon	Dean	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Carroll	Jennifer	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Chestnut IV	Charles	Yes	Yes		•		No	•	Yes	Yes	Yes		Yes
Clarke-Reed	Gwyndolen	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Coley	Marti	•	Yes		No		Yes	Yes	Yes	Yes	Yes		Yes
Cretul	Larry	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Crisafulli	Steve	•	Yes		No		Yes	Yes	Yes	Yes	•		Yes
Cruz	Janet	Yes	Yes		Yes		No		Yes	Yes	Yes		Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Culp	Faye	Yes	Yes		•		No	Yes	Yes	•	Yes		Yes
Domino	Carl J.	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dorworth	Chris	No	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Drake	Brad	No	Yes		No		Yes	Yes	Yes	No	Yes	Yes	Yes
Eisnaugle	Eric	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Evers	Greg	No	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Fetterman	Adam	Yes	Yes		Yes		Yes	Yes	•	Yes	•	Yes	Yes
Fitzgerald	Keith	Yes	Yes		Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Flores	Anitere	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ford	Clay	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Fresen	Erik	•	Yes		•		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Frishe	Jim	No	Yes		Yes		No	Yes	Yes	Yes	Yes	Yes	Yes
Gaetz	Matt	No	Yes		No		Yes		Yes	Yes	Yes	Yes	Yes
Galvano	Bill	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Garcia	Luis	Yes	Yes		No		No	Yes	Yes	Yes	Yes	Yes	Yes
Gibbons	Joe	Yes	Yes		Yes		No	No	Yes	Yes	Yes	Yes	Yes
Gibson	Audrey	Yes	Yes		Yes		Yes	•	Yes	Yes	Yes	No	•
Glorioso	Rich	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Gonzalez	Eddy	No	Yes		Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Grady	Tom	Yes	Yes		No		Yes	Yes	Yes	No	Yes	Yes	Yes
Grimsley	Denise	Yes	Yes		No		•	Yes	Yes	Yes	Yes	Yes	Yes
Hasner	Adam	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) **House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Hays	Alan	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Heller	Bill	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes	No	Yes
Holder	Doug	Yes	Yes		•		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Homan	Ed	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hooper	Ed	No	Yes		Yes		No	Yes	Yes	No	Yes	Yes	Yes
Horner	Mike	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hudson	Matt	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hukill	Dorothy	Yes	Yes		Yes		Yes	Yes	Yes	•	Yes	Yes	Yes
Jenne	Evan	Yes	Yes		Yes		No	No	Yes	Yes	Yes	Yes	Yes
Jones	Mia	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kelly	Kurt	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kiar	Martin	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes	Yes	Yes
Kreegel	Paige	Yes	Yes		•		Yes	Yes	Yes	Yes	Yes	•	Yes
Kriseman	Rick	Yes	Yes		•		No	No	Yes	Yes	Yes	Yes	Yes
Legg	John	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Llorente	Marcelo	Yes	Yes		Yes		•	Yes	Yes	•	Yes	•	Yes
Long	Janet	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes	Yes	Yes
Lopez-Cantera	Carlos	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mayfield	Debbie	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
McBurney	Charles	No	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
McKeel	Seth	No	Yes		No		Yes	Yes	Yes	•	Yes	Yes	Yes
Murzin	Dave	No	Yes		Yes		Yes	Yes	Yes	No	Yes	Yes	Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) **House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Nehr	Peter	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Nelson	Bryan	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
O'Toole	Marlene	No	Yes		No		•	Yes	Yes	Yes	•		Yes
Pafford	Mark	Yes	Yes		No		No	No	Yes	Yes	Yes		Yes
Patronis	Jimmy T.	•	Yes		No		•	Yes	Yes	Yes	Yes		Yes
Patterson	Pat	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes		Yes
Plakon	Scott	No	Yes		No		Yes	Yes	Yes	Yes	Yes		Yes
Planas	Juan-Carlos	Yes	Yes		No		Yes	Yes	•	Yes	Yes	No	Yes
Poppell	L. Ralph	No	Yes		No		Yes	Yes	Yes	Yes	Yes		Yes
Porth	Ari	Yes	Yes		Yes		•	No	Yes	Yes	Yes		Yes
Precourt	Steve	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Proctor	Bill	No	Yes		Yes		No	Yes	No	Yes	Yes		Yes
Rader	Kevin	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Randolph	Scott	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Ray	Lake	No	Yes		No		•	Yes	Yes	Yes	•	Yes	Yes
Reagan	Ron	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		•
Reed	Betty	Yes	Yes		Yes		•	No	Yes	Yes	Yes		Yes
Rehwinkel													
Vasilinda	Michelle	Yes	Yes		Yes		•	•	Yes	Yes	Yes		Yes
Renuart	Doc	No	Yes		•		Yes	Yes	Yes	Yes	Yes		Yes
Rivera	David	Yes	Yes		•		•	Yes	•	Yes	Yes		Yes
Robaina	Julio	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	No	Yes
Roberson	Kenneth L.	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Roberson	Yolly	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Rogers	Hazelle	Yes	Yes		Yes		Yes	No	Yes	Yes	Yes		Yes
Rouson	Darryl Maria	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes	No	Yes
Sachs	Lorts	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Sands	Franklin	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Saunders	Ron	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Schenck	Robert	No	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Schultz	Ron	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Schwartz	Elaine	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Skidmore	Kelly	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Snyder	William	Yes	Yes		•		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Soto	Darren	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Stargel	Kelli	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Steinberg	Richard L.	Yes	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Taylor	Dwayne	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Thompson	Geraldine	Yes	Yes		Yes		No	No	Yes	Yes	Yes		Yes
Thompson	Nick	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes		Yes
Thurston Jr.	Perry	Yes	Yes		Yes		No	No	Yes	Yes	Yes	No	Yes
Tobia	John	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Troutman	Baxter G.	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes	Yes	•
Van Zant	Charles E.	No	Yes		Yes		No	Yes	Yes	Yes	Yes		Yes
Waldman	Jim	Yes	Yes		Yes		No	No	Yes	Yes	Yes	No	Yes

		Water (SB 550)	Recycling (HB 7243)	Inmate Medical Costs (SB 218) ***Senate Votes Only**	Automated Traffic Enforcement (HB 325)	TABOR (SJR 2420) ***Committee Votes Only***	DOT.com (HB 1241) ***House Votes Only***	ADA Electioneering (HB 131)	Transit Surtax/RTAs (HB 1271)	Sovereign Immunity (SB 2060)	Agency Rules/Fiscal (HB 1565)	Pretrial Release (HB 445) ***House Committee Votes Only**	Economic Development & Jobs (SB 1752)
Weatherford	Will W.	•	Yes		No		Yes	Yes	Yes	Yes	Yes	No	Yes
Weinstein	Michael B.	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	No	Yes
Williams	Alan B.	Yes	Yes		•		•	No	Yes	Yes	•	No	Yes
Williams	Trudi	Yes	Yes		Yes		Yes	Yes	•	Yes	Yes	No	Yes
Wood	John	No	Yes		Yes		Yes	Yes	Yes	Yes	Yes	No	Yes
Workman	Ritch	No	Yes		No		Yes	Yes	Yes	Yes	Yes	No	Yes
Zapata	Juan C.	Yes	Yes		No		No	Yes	Yes	Yes	Yes	No	•