FAC
FLORIDA ASSOCIATION OF COUNTIES
All About Florida

2011 Final Legislative Report

COUNTIES
UNITE
COMMUNITIES

www.countiesunite.com

ABOUT THE 2011 LEGISLATIVE REPORT

The Florida Association of Counties (FAC) is pleased to present the 2011 Legislative Report. This report represents the hard work of many county officials, FAC staff and our team of advocates who spent numerous hours lobbying on the critical issues important to county government.

Section I summarizes FAC's Legislative Priorities Program for the 2011 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 is the Budget Summary for FY 2011-12.

Section V is a chart displaying how each Legislator voted on several key issues during the 2011 session.

FAC hopes that the FAC 2011 Legislative Report is a valuable source of information for your county. The Florida Senate 2011 Session Summary can be accessed here and copies of the Senate bills listed in this report are available here. 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.

Table of Contents

2011 LEGISLATIVE PRIORITIES PROGRAM Page 9

LEGISLATION THAT PASSED

Finance, Transportation & Administration Page 21

Growth Management, Environmental Planning & Agriculture Page 27

Health & Human Services Page 34

Public Safety Page 37

LEGISLATION THAT FAILED

Finance, Transportation & Administration Page 41

Growth Management, Environmental Planning & Agriculture Page 47

Health & Human Services Page 53

Public Safety Page 54

BUDGET SUMMARY Page 57

2011 ISSUE VOTES Page 71

Executive Committee

Ilene Lieberman
Broward County
President

Doug Smith
Martin County
President-Elect

Bill Williams
Gulf County
1st Vice President

Bryan Desloge
Leon County
2nd Vice President

Rodney Long
Alachua County
Immediate Past President

2010-11 FAC Chairs and Vice Chairs

Finance, Transportation & Administration
Brad Purcell, Co-Chair, Putnam County
Nora Patterson, Co-Chair, Sarasota County
Fred Hawkins, Co-Vice Chair, Osceola County
Randy Durden, Co-Vice Chair, Gilchrist County

Growth, Environmental Planning & Agriculture
Charlie Stone, Co-Chair, Marion County
Jack Mariano, Co-Chair, Pasco County
Heather Carruthers, Co-Vice Chair, Monroe County
Stacy Johnson, Co-Vice Chair, Nassau County

Health & Human Services
Akin Akinyemi, Co-Chair, Leon County
Alan Brock, Co-Chair, Wakulla County
Scarlet Frisina, Co-Vice Chair, Columbia County
Karson Turner, Co-Vice Chair, Hendry County

Public Safety
Sally Heyman, Co-Chair, Miami-Dade County
Tiffany M. Russell, Co-Chair, Orange County
Jeremy Branch, Co-Vice Chair, Jackson County
Andy Kelly, Co-Vice Chair, Volusia County

Urban Caucus
Audrey Edmonson, Co-Chair, Miami-Dade County
Kevin Beckner, Co-Chair, Hillsborough County
Scott Boyd, Vice Chair, Orange County

Rural Caucus
Janet Taylor, Co-Chair, Hendry County
Hines Boyd, Co-Chair, Jefferson County
Earnest Jones, Co-Vice Chair, Lafayette County
Terry Atchley, Co-Vice Chair, Hardee County

Advocacy Workgroup
Stacy Ritter, Chair, Broward County
John Morroni, Co-Vice Chair, Pinellas County
Les Miller, Co-Vice Chair, Hillsborough County

Federal Action Strike Team
John Dailey, Chair, Leon County
Barry Holloway, Co-Vice Chair, Nassau County
Warren Yeager, Co-Vice Chair, Gulf County

Sustainability Workgroup
Kristin Jacobs, Co-Chair, Broward County
Tammy Hall, Co-Chair, Lee County
Peter O'Bryan, Co-Vice Chair, Indian River County
Barbara Revels, Co-Vice Chair, Flagler County

Growth Management Select Committee
Karen Marcus, Co-Chair, Palm Beach County
Garry Breeden, Co-Chair, Sumter County
Gene Morgan, Co-Vice Chair, Gadsden County
Joel Pate, Co-Vice Chair, Washington County

Oil Spill Response Task Force
Bill Williams, Chair, Gulf County
Susan Latvala, Vice Chair, PinellasCounty

Oil Spill Response Task Force – Economic Recovery Subcommittee
Ray Judah, Chair, Lee County
Bill Dozier, Vice Chair, Bay County

Oil Spill Response Task Force – Claims Subcommittee
Joseph "Smokey" Parrish, Chair, Franklin County
Pat Mulieri, Vice Chair, Pasco County

FAC TEAM AT YOUR SERVICE

Chris Holley
Executive Director
cholley@fl-counties.com

John Wayne Smith
Legislative Director
jsmith@fl-counties.com

Eric Poole
Assistant Legislative Director
Transportation, Growth &
Emergency Management
epoole@fl-counties.com

Heather Wildermuth
Senior Legislative Advocate
Health & Human Services
hwildermuth@fl-counties.com

Davin Suggs
Senior Legislative Advocate
Finance & Tax
dsuggs@fl-counties.com

Sarrah Carroll
Legislative Advocate II
Public Safety & Administration
scarroll@fl-counties.com

Stephen James
Legislative Staff Attorney
Environmental Planning & Agriculture
sjames@fl-counties.com

Ginger Delegal
General Counsel
gdelegal@fl-counties.com

Cragin Mosteller
Communications Director
cmosteller@fl-counties.com

Valerie Rogers
Senior Legislative Executive Assistant
vrogers@fl-counties.com

Tracy Kusmierz
Legislative Executive Assistant
tkusmierz@fl-counties.com

FAC CONTRACT TEAM

Matt Bryan
Sarah Bleakley
Sandy Mortham

Julie Myers
Bill Peebles, TABOR
Capital Analytics

SECTION I

2011 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.*

State Revenue Cap – Smart Cap (SJR 958)
Senate Finance and Tax Committee

Outcome: SJR 958 passed both chambers and will be placed on the November 2012 ballot for consideration as a constitutional amendment.

The Bill: Limits increases in state revenue collections to match inflation plus population growth. The formula more strictly limits growth in how much money the state takes in, but still gives lawmakers the flexibility to exceed the cap if circumstances dictate.

As proposed, the amendment to the State Constitution:

- Will replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes;
- Is not applicable to local governments; and
- Will be on the November 2012 general election ballot.

Impact to Counties: Little to none. Early drafts of this legislation would have had a dramatic and devastating impact on the authority of local county elected officials. But FAC's efforts to remove local governments from this bill eliminated the direct impact to our communities.

---

*FAC Policy Statement – Florida Retirement System: **OPPOSE** any FRS benefit changes that result in an increase in the FRS contribution rates. **SUPPORT** requiring all legislation that potentially results in an increase in the FRS contribution rate to be analyzed and evaluated to determine the direct fiscal impact of proposed changes to all local and state government to be eligible for consideration. **SUPPORT** some level of grandfathering to existing employees. **SUPPORT** the establishment of a study commission to review the economic and practical impacts of possible changes to the FRS that would maintain competitive benefits for employees and create a more cost-effective system for employers.*

Pension (FRS) Reform (SB 2100)
Senator Alexander

Outcome: SB 2100 passed both chambers and has gone to the governor for signature.

The Bill: SB 2100 was the final retirement package which requires state and county employees to contribute 3 percent of their pre-tax salaries into the Florida Retirement System. Employees will immediately vest in the three percent employee contribution.

The bill eliminates the accrual of the Cost of Living Adjustment for all employees for the next five years and requires the Legislature to revisit the COLA in 2016. These changes apply to current and existing employees, not to retirees. The Deferred Option Retirement Program was retained, but the guaranteed interest rate was reduced from 6.5% to 1.3%.

Adjustments to the FRS for new employees include increased retirement age, vesting period for the pension plan, and changes to the number of years that determine the average final compensation. Retirement age for special risk employees increased from 55 to 60, correspondingly the years of credible service increased from 25 to 30 years. For all other classes of employees, the retirement age increased from 62 to 65 and years of credible service increased from 30 to 33 years. Vesting for the Pension Plan was also increased from six to eight years. Finally, the new legislation increases the time period that determines the "Average Final Compensation" and "Compensation" from five to eight years.

Impact to Counties: Estimates indicate positive savings to counties up to $615 million. While this bill impacts county employees, counties will benefit from the savings generated by these changes. The governor's proposal swept funds from County Revenue Sharing into the state's general revenue. FAC was able to protect these savings during the budget conference and ensure they are passed on to our counties.

GROWTH MANAGEMENT, ENVIRONMENTAL PLANNING & AGRICULTURE

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

FAC Policy Statement - Role of the Department of Community Affairs: *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.*

Growth Management (HB 7207)[1]
Conference Committee

Outcome: Key provisions of the House growth management bill (HB 7129) were modified as part of the budget negotiation process and eventually placed in the conforming language of the budget conference report (HB 7207).

The Bill: HB 7207 represents the most significant change to the state's growth management laws in the last 25 years. While the 2005 Legislature created more stringent compliance measures for local governments, this bill eliminates most of those and more. While this omnibus bill includes more than 75 sections, the following represents some of the more significant measures for county governments:

- Renames the Alternative State Review Process as the "Expedited Review Process" and requires all local governments to process plan amendments under this format;
- Eliminates transportation, schools, and parks and recreation concurrency as a state requirement but allows local governments to retain these by local option;
- Eliminates the twice per year limit on plan amendments;
- Eliminates the Evaluation and Appraisal Report (EAR) process but still requires counties to review their plans every 7 years and to amend them if necessary;
- Eliminates the definition of financial feasibility and the state's review requirement for annual updates of the Capital Improvements Element (CIE);
- Eliminates the term Dense Urban Land Area (DULA) but retains the core definition for purposes of exempting Developments of Regional Impact (DRIs) in areas that meet the definition;
- Repeals Rule 9J-5 and places certain standards in statute;
- State agencies can only comment on state resources under their respective jurisdictions;

[1] The original House growth management bill (HB 7129) was sponsored by Representative Workman, while the Senate bill, SB 1122, was sponsored by Senator Bennett. HB 7129 passed the House but was later subject to budget conference negotiations, where a majority of the bill language was eventually included in HB 7207. HB 7129 died in House returning messages.

- Makes permanent the Optional Sector Planning Process and increases the minimum acreage threshold to 15,000 acres; and
- Eliminates the Century Commission effective July 2013.

Impact to Counties: HB 7207 will save counties time and money with the elimination of the extensive EAR process. For those counties who want to encourage development and redevelopment but have been limited by transportation concurrency, the bill should have a positive impact as it relates to this area. However, with local governments having more flexibility in implementing or not implementing transportation concurrency, extrajurisdictional impacts may be a concern. Regarding the Expedited Review Process, it appears that the bill will have a limited impact on county staffing and review procedures, as the bill only modifies but does not eliminate the state's review of plan amendments. However, because the State Land Planning Agency does not issue an Objections, Recommendations, and Comments (ORC) report under the Expedited Review Process, counties may be more critical in their review and ultimate adoption of plan amendments.

FAC Policy Statement – Water Quality – Numeric Nutrient Criteria: *FAC* ***SUPPORTS*** *science-based numeric nutrient criteria for Florida's waters. FAC encourages the United States Environmental Protection Agency (EPA) and DEP to ensure that any rulemaking to promulgate new nutrient criteria:*

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

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

Numeric Nutrient Criteria (HB 239 / SB 1090)
Representative T. Williams / Senator Dean

Outcome: Died. The bill passed the House but stalled in Senate committee.

The Bill: The bill provided legislative intent finding that the EPA's Final Rule on Numeric Nutrient Criteria (NNC) lacked adequate scientific support and failed to take into account the unique characteristics of the state's many thousands of rivers, streams, and lakes, and that the criteria undermined the state's Total Maximum Daily Load (TMDL) program. The bill directed that the Department of Environmental Protection (DEP), water management districts, and all other state, regional, or local governmental entities not to implement or give any effect to the

EPA's numeric nutrient criteria in any regulatory program administered by those entities where the criteria are more stringent than necessary. The bill did not restrict the ability of any governmental entity from applying for or complying with the conditions of any NPDES or other discharge permits. Finally, the bill provided that TMDLs developed by the department and approved by the EPA would constitute site specific numeric nutrient criteria.

The bill was subsequently amended, due in large part to concerns raised about a possible adverse effect on pending litigation. As amended, the bill provided for the reclassification of designated uses of the state's surface waters as "human use" and "aquatic life use" and authorized the DEP to adopt the classification system by rule, subject to ratification by the Legislature.

Impact to Counties: Due to the significant impact that the EPA's numeric nutrient criteria will have on counties, FAC closely monitored this bill. In addition, FAC continues to monitor the pending (now consolidated) litigation, the actions being taken in Washington D.C. (including a budget amendment to eliminate funding for NNC implementation) and the participation of the National Academy of Sciences (NAS) regarding estimated costs, and the recent DEP Petition requesting that the EPA withdraw its initial Determination of Necessity.

FAC will continue to follow this issue closely, and support science-based numeric nutrient criteria for Florida's waters. Moving forward, FAC will endeavor to ensure that any new rules will be: i) based upon cause and effect relationships; ii) economically and technically feasible; iii) designed to achieve environmental benefits; iv) developed with meaningful stakeholder participation, while taking existing programs into consideration.

HEALTH & HUMAN SERVICES

FAC Policy Statement – Medicaid Reform: ***SUPPORT*** *legislation that fully maintains and preserves critical mandatory and optional Medicaid services such as the Medically Needy program without imposing additional costs on local governments.* ***SUPPORT*** *Medicaid reform that considers the uniqueness of each of Florida's counties.* ***SUPPORT*** *efforts to ensure that county health departments are able to provide primary care and other health care services within the Medicaid program.* ***SUPPORT*** *effective external choice counseling and case management that ensures Medicaid recipients receive the level and intensity of services that meets their needs and promotes wellness.* ***SUPPORT*** *external quality assurance monitoring and measures that hold managed care plans and provider service networks accountable for appropriate care.* ***SUPPORT*** *carving out Transportation Disadvantaged services so that they can continue to provide comprehensive, coordinated service.* ***FAVOR*** *efforts to implement a Medicaid Medical Home emphasis within Medicaid reform efforts that seeks to improve patient care through a patient centered, family centered, coordinated approach.*

Medicaid (HB 7107 / HB 7109)
Representative Schenck

Outcome: HB 7107/HB 7109 passed both chambers and will now go to the governor for his signature.

The Bill: The bills seek to expand the current 1115 Demonstration Waiver for Medicaid reform, which must be modified in consultation with the Federal Centers for Medicare & Medicaid Services (CMS) based on the various changes included within the bills.

Per the provisions in the bills, Medicaid is established as a statewide integrated managed care program for all covered services, including long term care. All Medicaid recipients will be enrolled in managed care unless specifically exempt. The state is split into 11 regions with a limited number of providers serving each region.

The proposal also includes numerous changes to the Medicaid program including:

- Achieved Savings Rebates that place limits on the Managed Care Organizations profit margins. The Achieved Savings Rebates take the place of Medical Loss Ratios and Direct Spending Requirements;
- Allowances for recipients to opt-out of Medicaid in favor of employer-sponsored coverage or other coverage and use a Medicaid subsidy to help pay the cost of the monthly premium;
- Requirements for Medicaid recipients enrolled in managed care plans to pay a $10 per month premium; and
- Requirements for recipients to pay a $100 co-pay for non-emergency services and care furnished in a hospital emergency room.

Additional Provisions that may be of interest to counties include:

- Neither bill increases the county share of cost for Medicaid services;
- Managed Care Organization's contracting with the state to provide services to Medicaid recipients will be required to provide non-emergency transportation services with no requirement to contract through the Commission for Transportation Disadvantaged. Managed Care Organizations may contract with CTD subcontractors or other types of transportation providers;
- To ensure plan participation in Regions 1 and 2 (the Panhandle Regions), AHCA will award an additional contract to each plan with a contract award in Regions 1 or 2. Such contract would be in any other region in which the plan submitted a responsive bid and negotiated a rate acceptable to the Agency for Health Care Administration;
- Medicaid managed care will be implemented statewide by October 1, 2016;
- For Intergovernmental Transfers, the proposal stipulates that the local funding source shall designate in the contract which Medicaid providers ensure access to care for the Low Income Pool and uninsured people within the applicable jurisdiction and are eligible for Low Income Pool Funding;
- Provider Service Networks will remain fee-for-service for two years after first becoming operational; and
- Established penalties for Managed Care Organizations for early withdrawal from their contract. If a plan leaves a region before the end of the contract term, the Agency will terminate all contracts with that plan in other regions of the state.

The state will be modifying its current 1115 Demonstration Waiver with the federal government and will have to get federal approval to move forward with the plan. The bills will take effect upon becoming a law.

Impact to Counties: Unknown. While the full impact to counties is unknown, there is no increase in the county's mandated Medicaid share of cost for inpatient hospital days or nursing home services.

PUBLIC SAFETY

***FAC Policy Statement – Pretrial Release: SUPPORT** maintaining county ability to provide non-monetary pretrial release services that ensure the safety and welfare of local communities.*

FAC Priority: Pre-Trial Release (HB 1379 / SB 372 / SB 1398)
Representative Dorworth / Senator Bogdanoff

Outcome: The legislation did not pass. An amendment was adopted that removed the pretrial language from SB 1398 before the bill was sent to the House.

The Bill: This bill appeared in many forms during the 2011 session. The original legislation limited local pretrial program eligibility to only indigent defendants and those who have never failed to appear at a court hearing. Both the House and Senate versions were amended to increase the indigency threshold to 300% of the poverty level and counties with populations fewer than 350,000 would have been exempt from this section of the bill. However, all counties would have been prohibited from serving defendants who have ever had a failure to appear. All county ordinances and judicial orders would have been preempted to the state.

SB 372 was temporarily postponed three times in Senate Criminal Justice. However, Senator Bogdanoff amended the substance of the pretrial language onto another bill, SB 1398, which quickly made its way to the Senate Floor. The day before session ended, the pretrial language was removed from the bill due to member opposition and the process by which the language was originally adopted onto the larger bill, SB 1398. SB 1398 passed the Senate without the pretrial language. Upon receipt in the House, Representative Dorworth filed an amendment to put the language back on and the bill was never called up for a vote on the House Floor.

HB 1379 had two committees of reference and narrowly passed out of each: Criminal Justice 7-6 and Judiciary 10-8.

Impact to Counties: This bill, if passed, would have created an increase in the need for jail beds – costing counties millions of dollars.

SECTION II

LEGISLATION THAT PASSED

Finance, Transportation & Administration

FAC Priority: State Revenue Cap – Smart Cap (SJR 958)
Senate Finance and Tax Committee

Outcome: SJR 958 passed both chambers and will be placed on the November 2012 ballot for consideration as a constitutional amendment.

The Bill: Limits increases in state revenue collections to match inflation plus population growth. The formula more strictly limits growth in how much money the state takes in, but still gives lawmakers the flexibility to exceed the cap if circumstances dictate.

As proposed, the amendment to the State Constitution:

- Will replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.
- Is not applicable to local governments; and
- Will be on the November 2012 general election ballot.

Impact to counties: Little to none. Early drafts of this legislation would have had a dramatic and devastating impact on the authority of local county elected officials. But FAC's efforts to remove local governments from this bill eliminated the direct impact to our communities.

Recapture; Non-homestead Cap; & First-Time Homesteader (HJR 381)
Representative Dorworth

Outcome: HJR 381 passed both chambers and will be placed on the November 2012 general election ballot for consideration as a constitutional amendment.

The Bill: Reduces the constitutionally mandated non-homestead cap from 10% to 5%.

The amendment to State Constitution would:

- Authorize the Legislature to prohibit increases in assessed value of homestead & specified non-homestead property if just value of property decreases;
- Reduce the limitation on annual assessment increases applicable to non-homestead real property from 10% to 5%;
- Provide an additional homestead exemption for owners of homestead property who have not owned homestead property for specified time (three years) before purchase of current homestead property. The exemption is capped at 50% of a county's median just value and phases out over a five year period; and
- Would be effective January 2013 if passed.

Impact to Counties: $1.4 billion (2013-2017). The combined impact of the first five years will be a loss in growth revenue. This bill will greatly inhibit counties efforts of economic recovery

limiting the growth in non-homestead properties to 5% regardless of the actual growth rates. The cap will sunset in 2023 forcing a future legislature to act if it were to continue.

FAC lobbied exhaustively during this process and had Republican support in the Senate for a proposed amendment to lower the cap to 7%. Unfortunately, this amendment did not succeed.

FAC will be developing a strategy over the summer to mitigate the impacts of this bill in the upcoming session and will be discussed during FAC's policy development process.

Local Business Taxes (HB 311)
Representative Roberson

Outcome: HB 311 was passed by both chambers and will now go to the governor for his signature.

The Bill: Exempts an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes. Prohibits a local governing authority from holding an exempt employee liable for the failure to comply with certain obligations related to a local business tax.

Specifies that an individual who engages in or manages a business, profession, or occupation as an employee of another person (i.e., an employee) is not required to pay a local business tax, obtain a local business tax receipt, or apply for an exemption from a local business tax.

Local governments that had a tax structure in compliance with Ch. 205, F.S., which resulted in actual tax collections prior to October 13, 2010, may continue imposing their taxes in the same manner.

Impact to Counties: Minimal.

Local Government Accountability (SB 224)
Senator Dean

Outcome: SB 224 was passed by both chambers and will now go to the governor for his signature.

The Bill: This bill makes the following changes to local government guidelines:

- Revises provisions relating to procedures for declaring special districts inactive;
- Specifies the level of detail required for local governmental entity's proposed budget;
- Revises provisions for local governmental entity's audit & annual financial reports;
- Requires local governmental entity's budget to be posted online;
- Revises budgetary guidelines for district school boards;

- Requires Sheriffs and all constitutional officers to submit line item budgets to the Board of County Commissioners;
- Removes the 15-day deadline to present budget after July 1st certification; and
- Requires online posting of budgets and budget amendments.

Impact to Counties: Improved accountability and flexibility.

Communications Service Tax (HB 887)
Representative Dorworth

Outcome: HB 887 was passed by both chambers and will now go to the governor for his signature.

The Bill: Clarifies rules for rounding when communications companies remit state and local communications services tax.

Impact to Counties: None
FAC fought off amendments that would have reduced local communications services tax rates to 4% resulting in a net loss of 20% in local revenues.

Seaport Investment (HB 399)
Representative Ray

Outcome: This bill complements significant appropriation efforts that provide a more strategic focus on Florida's seaports, helping ensure their competitive advantage in international trade.

The Bill: Requires the Secretary of the Department of Transportation to designate an assistant secretary and assign them duties related to enhancing economic prosperity; requires the Florida Seaport Transportation and Economic Development (FSTED) Council to annually develop a project priority list and requires that each port to develop a strategic plan; exempts overwater piers, docks and similar structure in deepwater ports from the ports stormwater management system if the port has a Stormwater Pollution Prevention Plan for industrial activities; provides that the Department of Environmental Protection (DEP) must approve or deny a port conceptual permit application within 60 days; and provides that if a non-applicant petitions as a third party to challenge DEP's issuance of a port conceptual permit, the petitioner initiating the action has the burden of ultimate persuasion and has the burden of going forward with the evidence.

Impact to Counties: Coupled with the legislative appropriation directed at seaport infrastructure, this legislation should have a direct economic benefit for counties that host seaports and a positive indirect impact on the state as a whole.

FAC Priority: Pension (FRS) Reform (SB 2100)
Senator Alexander

Outcome: SB 2100 passed both chambers and has gone to the governor for his signature.

The Bill: SB 2100 was the final retirement package which requires state and county employees to contribute 3 percent of their pre-tax salaries into the Florida Retirement System. Employees will immediately vest in the three percent employee contribution.

The bill eliminates the accrual of the Cost of Living Adjustment for all employees for the next five years and requires the Legislature to revisit the COLA in 2016. These changes apply to current and existing employees, not to retirees. The Deferred Option Retirement Program was retained, but the guaranteed interest rate was reduced from 6.5% to 1.3%.

Adjustments to the FRS for new employees include increased retirement age, vesting period for the pension plan, and changes to the number of years that determine the average final compensation. Retirement age for special risk employees increased from 55 to 60, correspondingly the years of credible service increased from 25 to 30 years. For all other classes of employees, the retirement age increased from 62 to 65 and years of credible service increased from 30 to 33 years. Vesting for the Pension Plan was also increased from six to eight years. Finally, the new legislation increases the time period that determines the "Average Final Compensation" and "Compensation" from five to eight years.

Impact to Counties: Estimates indicate positive savings to counties up to $615 million. While this bill impacts county employees, counties will benefit from the savings generated by these changes. The governor's proposal swept funds from County Revenue Sharing into the state's general revenue. FAC was able to protect these savings during the budget conference and ensure they are passed on to our counties.

Compensation of County Officials (HB 19)
Representative Mayfield

Outcome: HB 19 was passed by both chambers and will now go to the governor for his signature.

The Bill: The language in this bill authorizes each county commissioner, circuit court clerk, county comptroller, Sheriff, supervisor of elections, property appraiser, and tax collector to reduce his or her salary on voluntary basis.

Impact to Counties: The impact to counties will be minimal.

Severance Pay (SB 88)
Senator Gaetz

Outcome: SB 88 has passed both chambers and will now be sent to the governor for his signature.

The Bill: SB 88 revises provisions that limit payment of extra compensation to county officials. Bonuses provided to county employees must now meet certain criteria, including a preset standard that bonuses must be based on performance and that all employees must be eligible. Severance packages cannot exceed twenty weeks of compensation, and if severance is not stipulated in the original contract the payment may not exceed six weeks of compensation. These limitations do not apply to severance or bonus pay from nontax revenue and funds that are not from state appropriations paid to an employee of a public hospital operated by a county or special district.

Impact to Counties: This bill will have a moderate impact.

Elections Reform (HB 1355)
Representative Baxley

Outcome: HB 1355 passed both chambers and was signed by the governor on 5/19/11.

The Bill: The bill has larger implications for elections reform, however the impacts to counties and supervisor of elections include the decrease in days available for early voting from 15 to 10 days prior to the election. A range of 6 to 12 hours is permissible providing more flexibility. One outstanding issue is whether elections equipment will be able to print the entire ballot to include underline and strike-through for additions and deletions.

Impact to Counties: Some supervisors of elections may experience an increase in cost to purchase voting equipment that has the technological capability to print entire ballot summaries. There may also be overtime costs required as part of the condensed early voting period.

Public Employee Disability Presumption (SB 1128)
Senator Ring

Outcome: SB 1128 was passed by both chambers and will go to the governor for his signature.

The Bill: A provision of this bill requires the creation of the Task Force on Public Employee Disability Presumptions to issue recommendations on disability presumptions for law enforcement, fire fighters and correctional officers. Members of the Task Force shall be appointed prior to July 15, 2011 and the first meeting shall be held prior to August 15, 2011. The Florida Association of Counties is one of the members to be appointed by the President of

the Senate. Recommendations must be provided prior to the 2012 legislative session, upon which the Task Force will be dissolved.

Impact to Counties: Dependent upon recommendations made by the Task Force, but possible savings may result for counties.

Open Government Sunset Review for Public Records and Public Meeting Exemptions for Competitive Procurement Solicitations (HB 7223)
Representative Patronis

Outcome: HB 7223 passed both chambers and will go to the governor for his signature.

The Bill: The legislation extends the public records exemptions for public records associated with competitive solicitations, invitations to negotiate and requests for proposals. It also extends the public meetings exemption to include any portion of a meeting in which a vendor makes a presentation as it relates to a competitive solicitation and any team strategy sessions as a result of the presentation. The bill reenacts existing exemptions and extends the repeal of the Open Government Sunset Review to July 1, 2016.

Impact to Counties: Counties will have additional time to release public documents related to competitive solicitation.

Open Government Sunset Review for Public Records and Public Meeting Exemptions for Competitive Procurement Solicitations (SB 170)
Senator Bennett

Outcome: SB 170 passed both chambers and will go to the governor for his signature.

The Bill: This bill requires State Attorneys and Public Defenders to electronically file court documents with the clerk of courts. FAC amended the bill to require the use of the recently developed Florida Courts E-portal to minimize the request for funding that would potentially duplicate existing technology.

Impact to Counties: Counties are constitutionally and statutorily required to fund certain requirements for court related functions, including communications and technology. While some counties already provide funding for this service others may receive an additional funding request.

Growth Management, Environmental Planning & Agriculture

FAC Priority: Growth Management (HB 7207)[2]
Conference Committee

Outcome: Key provisions of the House growth management bill (HB 7129) were modified as part of the budget negotiation process and eventually placed in the conforming language of the budget conference report (HB 7207).

The Bill: HB 7207 represents the most significant change to the state's growth management laws in the last 25 years. While the 2005 legislature created more stringent compliance measures for local governments, this bill eliminates most of those and more. While this omnibus bill includes more than 75 sections, the following represents some of the more significant measures for county governments:

- Renames the Alternative State Review Process as the "Expedited Review Process" and requires all local governments to process plan amendments under this format;
- Eliminates transportation, schools, and parks and recreation concurrency as a state requirement but allows local governments to retain these by local option;
- Eliminates the twice per year limit on plan amendments;
- Eliminates the Evaluation and Appraisal Report (EAR) process but still requires counties to review their plans every 7 years and to amend them if necessary;
- Eliminates the definition of financial feasibility and the state's review requirement for annual updates of the Capital Improvements Element (CIE);
- Eliminates the term Dense Urban Land Area (DULA) but retains the core definition for purposes of exempting Developments of Regional Impact (DRIs) in areas that meet the definition;
- Repeals Rule 9J-5 and places certain standards in statute;
- State agencies can only comment on state resources under their respective jurisdictions;
- Makes permanent the Optional Sector Planning Process and increases the minimum acreage threshold to 15,000 acres; and
- Eliminates the Century Commission effective July 2013.

Impact to Counties: HB 7207 will save counties time and money with the elimination of the extensive EAR process. For those counties who want to encourage development and redevelopment but have been limited by transportation concurrency, the bill should have a positive impact as it relates to this area. However, with local governments having more flexibility in implementing or not implementing transportation concurrency, extrajurisdictional

[2] The original House growth management bill (HB 7129) was sponsored by Representative Workman, while the Senate bill, SB 1122, was sponsored by Senator Bennett. HB 7129 passed the House but was later subject to the budget conference negotiations, where a majority of the bill language was eventually included in HB 7207. HB 7129 died in House returning messages.

impacts may be a concern. Regarding the Expedited Review Process, it appears that the bill will have a limited impact on county staffing and review procedures, as the bill only modifies but does not eliminate the state's review of plan amendments. However, because the State Land Planning Agency does not issue an Objections, Recommendations, and Comments (ORC) report under the Expedited Review Process, counties may be more critical in their review and ultimate adoption of plan amendments.

Growth Management Reorganization (SB 2156)
Conference Committee

Outcome: Government reorganization initiatives from both the House and Senate proposed eliminating the Department of Community Affairs and transferring its planning review functions to a new economic development agency. During final budget negotiations, the Senate agreed to the foundation of the House proposal, which calls for the creation of the Department of Economic Opportunity.

The Bill: SB 2156 creates a new Department of Economic Opportunity and, among its provisions, transfers the Division of Community Planning and the Division of Housing and Community Development to the new agency. The new department is designed to provide coordination among state programs related to economic development, workforce development, community planning and development, and affordable housing. It creates a Division of Community Planning and Development, which will be responsible for reviewing local plan amendments, and designates the new department as the State Land Planning Agency. The bill also permanently moves the Division of Emergency Management under the Executive Office of the Governor, transfers the Florida Building Commission to the Department of Business and Professional Regulation, and places the Florida Communities Trust Program at the Department of Environmental Protection. Finally, the bill addresses the impacts resulting from the Deepwater Horizon oil spill by: requiring the Board of Trustees of the Internal Trust Fund to appoint a Commission on Oil Spill Response, which is to include a member from each of the 7 impacted counties; appropriating $10 million for economic recovery initiatives for FY 11/12, 12/13, and 13/14; and requiring that 75% of any funds received by the state from any governmental or private entity for damages caused by the Deepwater Horizon oil spill be used for environmental restoration and economic recovery initiatives within the impacted counties.

Impact to Counties: With respect to local planning issues, counties will likely see some initial changes in how the state reviews and comments on local plan amendments. Counties will not only be operating under a revised state review process, where ORC reports are not issued and state agency comments are sent directly to them, but they may or may not be impacted by a reduced level of staffing at the new State Land Planning Agency. As the bill relates to oil response and recovery, all counties should benefit from the creation of the Oil Response Commission, which will force the state to take a critical look at how county response efforts were hampered by the Oil Pollution Act of 1990 (OPA).

Growth Management – SB 360 Reenactment (HB 7001)
Representative Workman

Outcome: Bill passed the Senate primarily along party lines and was signed into law on April 24, 2011 (Chapter No. 2011-14, Laws of Florida).

The Bill: HB 7001 has the effect of reenacting SB 360 (Ch. 2009-96), which was opposed by FAC but signed into law in 2009, and subsequently challenged in court by several local governments. In response to the litigation, HB 7001 passed by a 2/3 majority of each house, effectively removing the argument that SB 360 violated the mandates provision of the Florida Constitution. HB 7001 does not change the law, but reaffirms the following changes to the law made in 2009 by SB 360, including:

- Extending the compliance deadline for local governments to submit financially feasible capital improvement elements and eliminating one of the penalties for failing to adopt a public schools facility element;
- Transportation Concurrency Exception Areas (TCEAs) were created in any: municipality that qualifies as a dense urban land area; urban service area which has been adopted into a local comprehensive plan and is located in a county that qualifies as a dense urban land area; and any county, including the cities within the county, which has a population of at least 900,000 and qualifies as a dense urban land area but does not have an urban service area designated within the local comprehensive plan;
- Other local governments have the option of creating TCEAs in certain designated areas;
- TCEAs were not created in Broward or in portions of Miami-Dade County;
- The bill explicitly stated that the designation of a transportation concurrency exception area does not limit a local government's home rule power to adopt ordinances or impose fees; and
- Certain developments are exempt from the development-of-regional-impact (DRI) process in the following areas: municipalities that qualify as dense urban land areas; an urban service area that has been adopted into the local comprehensive plan and is located within a county that qualifies as a dense urban land area; and a county, such as Pinellas or Broward, that has a population of at least 900,000 and qualifies as a dense urban land area, but does not have an urban service area designated in its comprehensive pla.,

Impact to Counties: A majority of the provisions of HB 7001 will likely be nullified if HB 7207 is signed into law. While HB 7001 designates TCEAs in areas defined as DULAs, HB 7207 deletes the term DULA and allows transportation concurrency by local option.

Charter Schools – Zoning and Land Use (SB 1546)
Senator Thrasher

Outcome: Bill passed.

The Bill: The bill primarily revises statutory requirements pertaining to charter schools in Florida. However, the bill also includes language preventing local governments from establishing proper zoning regulations on charter schools. Specifically the bill precludes local governments from adopting or imposing any local building requirements or site-development restrictions, such as parking and site-size criteria, that are more stringent than those found in the State Requirements for Educational Facilities (SREF) of the Florida Building Code.

Impact to Counties: Charter Schools are public schools but often create different regulatory issues because they can locate in areas that were/are not specifically intended for their use. That is, state law currently preempts local land use with respect to where charter schools may be located (e.g., churches, libraries, theatres, museums can house charter schools). As a result of this preemption, site issues specific to schools for these areas are rarely contemplated when the local land use code is developed. Accordingly, while a local government may apply SREF standards to the charter school, it may not impose any other regulations that may be necessary to ensure the health, safety, and welfare of the public are protected.

Local Regulation of Vacation Rentals (HB 883)
Representative Horner

Outcome: Bill passed.

The Bill: The bill prohibits local governments from prohibiting vacation rentals or treating them differently from other residential property based on their classification, use, or occupancy. This would remove authority for local governments to ban or restrict vacation rentals. This restriction will not apply to any local law, ordinance or rule adopted on or before June 1, 2011.

Impact to Counties: After June 1, 2011, counties will no longer be able to regulate vacation rental properties in a manner that is different from other residential type properties.

Affordable Housing (HB 639)
Representative Aubuchon

Outcome: Bill passed. The legislative cap on the amount of documentary stamp tax revenues that are deposited into the State and Local Housing Trust Funds is eliminated.

The Bill: In 2005, the Legislature capped the rate of growth for distribution of documentary stamp tax revenues into the state and local housing trust funds to $243 million per year. Since 2005, the legislature has swept more than $900 million from the trust funds for general operating purposes. While FAC and other affordable housing advocates have opposed such sweeps, the cap on the trust fund has been viewed as a potential impediment to future allocations when doc stamp revenues rise.

Impact to Counties: This bill is separate from the budget appropriation process. For FY 11/12, the legislature appropriated $37 million for affordable housing initiatives, including $5 million to State Housing Initiatives Partnership (SHIP). However, eliminating the cap should, in the long run, have a positive impact on county housing programs.

Bert J. Harris, Jr. Property Rights Act (HB 701)
Representative Eisnaugle

Outcome: The bill passed both chambers and will now go to the governor for his signature.

The Bill: The bill waives sovereign immunity for purposes of Bert Harris Act claims; allows claims under the Act for temporary impacts extending longer than 1 year; reduces the period in which a property owner must notify the local government from 180 to 150 days prior to the claim; and provides for the one-year claim period to commence upon adoption of an ordinance or upon its application to the subject property.

Impact to Counties: Moderate. The bill as originally filed would have significantly impacted counties by creating actionable claims for temporary impacts, and by leaving counties subject to claims for indefinite periods of time. Moratoria in effect for over one year would have given rise to a Bert Harris claim. This provision was amended to provide that "temporary impacts" greater than one year "may, under certain circumstances," give rise to a claim. The original bill would have also reduced the notice period from 180 to 120 days. This period of time is intended to facilitate settlement, and such a reduction would inevitably lead to more litigation and increased costs to county governments. A compromise was reached on this period of time resulting in a 150-day notice period.

Finally, the original bill would have provided that the "adoption" of an ordinance does not constitute its "application" to the property. This provision would have left counties subject to claims for an indefinite period of time, or until a property owner sought and was denied development approval. FAC and its allied stakeholders were able to amend this language to contemplate both adoption and application as commencing the one-year claim period. FAC was also able to include mitigating language providing that a court may consider the elapsed time between adoption and application in determining whether an inordinate burden was created.

Wetlands/Agriculture (HB 421)
Representative Bembry

Outcome: This bill passed both chambers and will go to the governor for his signature

The Bill: Changes the current agricultural exemption to specify that bona fide agricultural activities may impede or divert the flow of surface waters even if wetlands are adversely impacted, as long as these impacts are not the sole or predominant purpose of the activity. The

bill also provides that the Department of Agriculture and Consumer Services (DACS) will be the agency responsible for disputes regarding exemption qualification (formerly the responsibility of the water management districts) and that mitigation is not required if agricultural activities took place on the property for the four years prior to conversion.

Impact to Counties: Minimal. FAC worked with the regulating entities and the bill sponsors to get amendments on the bill to limit the exemption to bona fide agricultural uses. As passed, the bill requires the agricultural activities to be "typical for the area" and to be in compliance with DACS Best Management Practices or with practice standards adopted by the United States Department of Agriculture's Natural Resources Conservation Service.

Agriculture (HB 7215)
Representative Crisafulli

Outcome: Passed. This bill is comprised of non-controversial regulatory revisions, which received only one negative vote throughout all of the committees of reference and on the floors of both chambers.

The Bill: Addresses several issues related to the powers and duties of the Department of Agriculture and Consumer Services (DACS). More specifically, the bill:

- Provides DACS with the authority to enforce state laws and rules relating to fertilizer, including: registration; labeling; inspection; sale; composition; and formulation (including nutrient content level and release rates). Any county that has adopted an ordinance regulating the sale of fertilizer before January 1, 2011, is not subject to the above provision, however, if the county amends or changes any portion of such ordinance after January 1, 2011, said provision shall apply.
- Grants DACS the exclusive authority to enforce the Florida Building Code as it relates to wildfire and law enforcement facilities. Authorizes monies received from the sale of surplus state-owned wildland firefighting equipment and vehicles to be used to exchange, maintain or purchase wildland firefighting equipment. Authorizes DACS to dispose of surplus firefighting equipment, and to delegate authority to local governments to issue authorizations for open burning.
- Provides fair associations with immunity from liability for damages resulting from certain exhibits and concessions at public fairs, with certain exceptions. Adds a (non-voting) youth member of the Future Farmers of America or a 4-H Club to the Florida State Fair Authority.
- Requires persons who produce, harvest, or pack tomatoes that are not permitted under chapter 500, F.S., to register each location annually on a DACS prescribed form.

Amendments were filed which renamed the Division of Forestry within DACS to the "Florida Forest Service" and which conformed the fertilizer preemption language with HB 457. The fertilizer amendment also deleted the provision which eliminated the grandfather privilege on fertilizer sales if the existing ordinance is subsequently amended.

Impact to Counties: FAC worked hard to include a grandfather provision in HB 457 for those counties with existing fertilizer ordinances, including those with sale prohibitions. It is noteworthy that industry representatives were working on statutory language that would have required amendments to these existing ordinances and, consequently, that grandfather privilege would have been lost. Fortunately, the sponsors agreed to amend this bill to allow those counties to continue to enforce existing ordinances irrespective of subsequent revisions.

Rulemaking (HB 993)
Repersentative Roberson

Outcome: Passed.

The Bill: Revises portions of Chapter 120, the Administrative Procedures Act (APA). The bill amends agency rulemaking procedures under the APA. It requires administrative agencies to include in notices whether the proposed rule requires legislative ratification, and provides a procedure for agencies to withdraw a rule prior to its effective date if the rule is invalidated by a final order or if it is not ratified during the regular session. The bill exempts from the requirements of a statement of estimated regulatory costs and submission for legislative ratification: emergency rulemaking; rules adopting federal standards; rules adjusting certain tolls; and rules implementing the 2011 Student Success Act. The bill also excludes from the ratification requirement the amendments and triennial updates of both the Florida Building Code and the Florida Fire Prevention Code.

An amendment filed on the Senate floor shifts the burden of proof to non-applicant petitioners who challenge in an administrative proceeding the issuance of a license, permit, or conceptual approval for management of surface waters, mining and land reclamation, or environmental pollution and control (§§ 373, 378, or 403, F.S.). The bill clarifies that such parties have the burden of ultimate persuasion, meaning they are required to prove the agency should not have granted the approvals. This is a provision that was part of the Environmental Permit Streamlining bill (HB 991, SB 1404) that did not pass.

Impact to Counties: This shift in the burden of proof can be either favorable or unfavorable to counties, depending on whether the county is the applicant or supportive of the applicant, or is itself the challenger.

Health & Human Services

FAC Priority: Medicaid (HB 7107 / HB 7109)
Representative Schenck

Outcome: HB 7107/HB 7109 passed both chambers and will now go to the governor for his signature.

The Bill: The bills seek to expand the current 1115 Demonstration Waiver for Medicaid reform, which must be modified in consultation with the Federal Centers for Medicare & Medicaid Services (CMS) based on the various changes included within the bills.

Per the provisions in the bills, Medicaid is established as a statewide integrated managed care program for all covered services, including long term care. All Medicaid recipients will be enrolled in managed care unless specifically exempt. The state is split into 11 regions with a limited number of providers serving each region.

The proposal also includes numerous changes to the Medicaid program including:

- Achieved Savings Rebates that place limits on the Managed Care Organizations profit margins. The Achieved Savings Rebates take the place of Medical Loss Ratios and Direct Spending Requirements;
- Allowances for recipients to opt-out of Medicaid in favor of employer-sponsored coverage or other coverage and use a Medicaid subsidy to help pay the cost of the monthly premium;
- Requirements for Medicaid recipients enrolled in managed care plans to pay a $10 per month premium; and
- Requirements for recipients to pay a $100 co-pay for non-emergency services and care furnished in a hospital emergency room.

Additional Provisions that may be of interest to counties include:

- Neither bill increases the county share of cost for Medicaid services;
- Managed Care Organizations contracting with the state to provide services to Medicaid recipients will be required to provide non-emergency transportation services with no requirement to contract through the Commission for Transportation Disadvantaged. Managed Care Organizations may contract with CTD subcontractors or other types of transportation providers;
- To ensure plan participation in Regions 1 and 2 (the Panhandle Regions), AHCA will award an additional contract to each plan with a contract award in Regions 1 or 2. Such contract would be in any other region in which the plan submitted a responsive bid and negotiated a rate acceptable to the Agency for Health Care Administration;
- Medicaid managed care will be implemented statewide by October 1, 2016;
- For Intergovernmental Transfers, the proposal stipulates that the local funding source shall designate in the contract which Medicaid providers ensure access to care for the

Low Income Pool and uninsured people within the applicable jurisdiction and are eligible for Low Income Pool Funding;

- Provider Service Networks will remain fee-for-service for two years after first becoming operational; and
- Established penalties for Managed Care Organizations for early withdrawal from their contract. If a plan leaves a region before the end of the contract term, the Agency will terminate all contracts with that plan in other regions of the state.

The state will be modifying its current 1115 Demonstration Waiver with the federal government and will have to get federal approval to move forward with the plan. The bills will take effect upon becoming a law.

Impact to Counties: Unknown. While the full impact to counties is unknown, there is no increase in the county's mandated Medicaid share of cost for in-patient hospital days or nursing home services.

Health & Human Services Budget Issues (SB 2000)
Senate Budget Committee

Outcome: SB 2000 was passed by both chambers and will now go to the governor for his signature.

The Bill: General Appropriations Act – health care and human services programs that received full funding include mental health and substance abuse programs for adults and children, those homelessness programs funded with recurring general revenue, primary health care for county health departments, Community Care for the Elderly and the Medically Needy and Meds AD Programs.

Impact to Counties: Minimal. Cuts to health care and human services this year were substantial, but many of the programs that are particularly important to counties were spared from drastic cuts. Please note the programs listed above in the bill summary. Unfortunately, $3 million in funding for the Criminal Justice Substance Abuse and Mental Health Reinvestment grant will not be funded for the 2011-2012 Fiscal Year and the Medicaid Transportation Disadvantaged program will receive a $4.5 million (7%) cut.

Choose Life License Plate (HB 501)
Representatively Baxley

Outcome: HB 501 was passed by both chambers and will now go to the governor for his signature.

The Bill: The bill amends statutory provisions regarding annual use fees collected by the sale of the "Choose Life" specialty license plate. Currently, funds collected from the sale of each plate

are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to the county in which the plate was sold. The county is required to identify non-governmental, not-for-profit entities that provide adoption and healthcare services to pregnant women, and distribute the "Choose Life" license plate funds to those entities.

The bill provides that annual use fees from the sale of "Choose Life" specialty license plates will be distributed directly from DHSMV to Choose Life, Inc., a Florida non-profit corporation. Choose Life, Inc., becomes the entity responsible for identifying eligible recipients and distributing funds to those recipients. The bill also modifies the permitted uses of such funds to allow expenditures related to the mother of a child intended to be placed for adoption for up to 60 days after the birth of the child.

The bill allows Choose Life, Inc., to spend up to 20 % of the funds collected by sales of the specialty license plate on administration and promotion of the plate.

Impact to Counties: Counties are currently not provided any administrative dollars for administering the program funds and it has been FAC's position that HB 501, in effect, repeals an unfunded mandate.

Public Safety

Juvenile Justice Funding / Proviso (SB 2000)
Senator Alexander

Outcome: SB 2000 passed both chambers and has gone to the governor for his signature.

The Bill: General Appropriations Act – The County / State Shared Trust Fund was reduced by $20 million. Proviso language for the detention budget within the Department of Juvenile Justice (DJJ) establishes a joint workgroup between FAC and the DJJ to make recommendations to fund alternatives for locally funded and operated juvenile detention. Other proviso stipulates that, when a county opts to provide local detention care and therefore no longer pays into detention cost share, the Trust Fund will be reduced by the actual reduction in cost. This means that counties who remain in the state detention system will not see an increase in their bills. Finally, proviso language includes a provision that the DJJ will contract for services to implement the Juvenile Detention Alternatives Initiative to divert youth from secure detention.

Impact to Counties: *Counties will realize an immediate savings of $20 million this fiscal year.*

Article V Cost Index (SB 2002)
Senator Alexander

Outcome: SB 2002 passed both chambers and has gone to the governor for his signature.

The Bill: General Appropriations Act Implementing Bill - Section 23 suspends requirement that counties must increase expenditures for Article V functions by 1.5% for the 2011-12 fiscal year.

Impact to Counties: Savings of $6.9 million

Civil Citation (HB 997)
Representative Pilon

Outcome: HB 997 passed both chambers and will go to the governor for his signature.

The Bill: The legislation encourages the development of a civil citation, or similar diversion program, for first time misdemeanants. The program can be operated by a county, a law enforcement agency, the Department, or juvenile assessment center.

Impact to Counties: This bill should divert more children from secure detention. In addition to other detention reforms, should decrease detention cost for counties.

Regionalization of Local Juvenile Detention Centers (SB 2112)
Senator Alexander

Outcome: SB 2112 passed both chambers and has gone to the governor for his signature.

The Bill: The bill excludes counties that provide juvenile detention services at the local level from paying into the state detention cost share system. SB 2112 allows counties who elect to provide local detention services to juveniles to regionalize with other counties or Sheriffs. The bill also states that if a county, Sheriff or service provider follows certain criteria the entity does not have to comply with the provisions of statute which allow the Department complete oversight over locally operated juvenile detention facilities. Those criteria include funding the detention center, annual inspections, accreditation and compliance with federal regulations.

Impact to Counties: Counties will have the option to provide detention care in a regional capacity thereby saving millions.

Emergency Management (SB 450)
Senator Bennett

Outcome: Passed.

The Bill: This bill creates the "Postdisaster Relief Assistance Act" and provides immunity from civil liability to any person who gratuitously and in good faith provides temporary housing, food, water, or electricity to emergency first responders or the immediate family members of emergency first responders, during certain declared emergencies, unless the person acts in a manner that demonstrates a reckless disregard for the consequences of another. This bill provides specific requirements with regard to when the immunity applies and when it does not. This bill also provides that a person may register with a county emergency management agency as a temporary provider of housing, food, water, and electricity, if the county provides for such registration.

Impact to Counties: None.

SECTION III

LEGISLATION THAT FAILED

Finance, Transportation & Administration

Tourist Development Tax / Sales Tax (Dot.com) (HB 493/ SB 376)
Representative Dorworth / Senator Gaetz

Outcome: Failed (Died on Special Order Calendar)

The Bills: Would have provided definitions relating to the tourist development tax, the transient rentals tax, the convention development tax, and a municipal resort tax. The legislation would have exempted online travel companies (OTC's) from remitting applicable taxes on the retail price of transactions

Impact to Counties: N/A

Transportation Investment (SB 1512)
Senator Bennett

Outcome: Died on the calendar. However, certain provisions of the bill were included in the Senate Growth Management bill (SB 1122)

The Bill: This bill included a number of disparate issues, including amending the definition of "financial feasibility" to change the requirement that committed or planned funding sources be available for years 4 through 10 (current law requires the funding sources be available for years four and five) of the capital improvement schedule; clarifying that a local government's comprehensive plan shall be based on resident and seasonal population estimates and projections and specifies acceptable methodologies for population projections; requiring local governments to designate long-term transportation management systems if transportation deficiencies are projected to occur within 10 years (this differs from current law in that currently these long-term management systems are optional for areas where transportation deficiencies actually exist); creating an exemption for DRI transportation impacts within any transit-oriented development adopted into the comprehensive plan. Finally, the bill would have radically changed the manner in which proportionate share payments are calculated for road improvements needed to serve new development, effectively eliminating an applicant's need to pay for any improvements to a deficient road that it impacts.

Impact to Counties: None.

Transportation (HB 1363 / SB 1180)
Representative Brandes / Senator Latvala

Outcome: HB 1363 passed the House unanimously, while SB 1180 died on the calendar.

The Bills: These bills represented the Legislature's principal transportation package for 2011. Issues that FAC worked on included the following:

- Road Definitions: Revised the definitions "city street system" and "county road system" and deleted the terms "arterial road," "collector road," "local road," "urban minor arterial road," and "urban principal arterial road." According to FDOT, these are obsolete definitions related to the use of functional classification for determining road jurisdiction. However, there was concern by the cities that the changes proposed in the bill would have placed them at a disadvantage when annexing unincorporated areas, requiring they maintain county roads within the annexed area. FAC and the Florida League of Cities agreed to work with FDOT on these definitions after session.

- Local Option Fuel Tax:
  - Changed the imposition date of all local option fuel taxes from July 1 to October 1.
  - Amended s. 336.025(7), F.S., to incorporate the installation, operation, and maintenance of street lighting and signalization, as permitted uses of the local option fuel tax.
- Utility Relocation: Amended s. 337.403, F.S., relating to interference caused by utilities. The bill provides that upon 30 days written notice, the utility is required to initiate the work to alleviate the interference with the safe continuous use, maintenance, improvement, or expansion of the road or rail corridor. The bill requires the work to be completed within the time stated in the notice or in the time agreed to by the authority and the utility owner.
- Bus Stops / Transit Shelters: Amended s. 337.408, F.S., to provide that the installation of bus stops and transit shelters on the right-of-way must comply with all applicable laws and rules including, without limitation, the ADA. Counties would have been required to indemnify, defend, and hold harmless DOT from any suits, damages, liabilities, attorney fees, and court costs relating to the installation, removal or relocation of these installations.
- Strategic Intermodal System (SIS): Repealed s. 338.001, F.S., which directed the department to plan and develop the Florida Intrastate Highway System Plan (FIHS). The proposed changes eliminated the FIHS designation and extracts the FIHS Plan components from Ch. 338, F.S. The provisions are then re-established in Ch. 339, F.S., thereby grouping FDOT's highway planning provisions with the majority of SIS provisions.

Impact to Counties: None

Transportation Investment (HB 1153 / SB 1718)
Representative Ray / Senator Ring

Outcome: Both bills died on the calendar.

The Bills: Both bills proposed substantial changes to the way state transportation projects are currently selected. To that end, the bills proposed creating three new committees: The Strategic Intermodal System (SIS) Project Selection Committee; the Transportation Infrastructure Investment Committee; and the State Infrastructure Bank Selection Committee. The bills then removed the project prioritization process from FDOT and gave it to the new committees, who would have the authority to select projects for the state funded State Infrastructure Bank Program and the Strategic Intermodal System. Of particular interest was the composition of these committees. Specifically, the Transportation Infrastructure Investment Committee would include the Secretary of FDOT, the Director of the Office of Tourism, Trade and Economic Development, and 3 members who are not government employees but who have experience in international business, transportation, law, or logistics. The committee would have broad advisory responsibilities, including advising the Governor and Legislature on the effectiveness of the state's investment in transportation infrastructure and, as noted, would also be charged with selecting sea, port, and rail projects that would have to be included in the FDOT work program.

Impact to Counties: None

Transportation Investment (HB 1155 / SB 1718)
Representative Ray / Senator Ring

Outcome: Both bills died on the calendar.

The Bills: As proposed, these bills provided the primary funding sources for the Trade Infrastructure Investment Steering Committee proposed under HB 1153 and SB 1718. Specifically, the bills proposed revising the distribution of revenues collected through the rental car surcharge program. Beginning in FY 16/17, the bills proposed redirecting all of the revenues collected from the surcharge that are deposited into the State Transportation Trust Fund (80% of total collections) to a prioritized list of projects identified by the Trade Infrastructure Investment Steering Committee. The bills also proposed redirecting 60% of any unencumbered funds made available when project costs are contracted in an amount less than what the project had been estimated to cost, to priority projects identified by the Trade Infrastructure Investment Steering Committee. Finally, the bills would have redirected a portion of the 1.5% (i.e., 1%) of the funds currently allocated for the purchase of vegetation used in highway beautification and landscaping projects, to help fund priority projects identified by the Trade Infrastructure Investment Steering Committee.

Impact to Counties: None

Effective Public Notice (HB 89 / SB 914 / SPB 7204)
Representative Workman / Senator Bennett / Senator Alexander

Outcome: The legislation died. The House bill was heard in one committee, but did not come to a vote. The Senate bill did not move, but early on in budget proceedings Senator Alexander filed the bill as a proposed Senate Bill.

The Bill: 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. Both bills were 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.

Impact to Counties: Counties would have experience savings if this legislation had passed while still providing an outlet for constituents to receive public notices in a timely and more efficient manner.

Design Professionals – Liability (SB 288)
Senator Negron

Outcome: Bill was voted down in the Senate Regulated Industries Committee.

The Bill: This bill would have limited the tort liability of licensed engineers, surveyors and mappers, architects, interior designers, and landscape architects (design professionals), including those employed by counties. It 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 would not have applied if:

- The contract for professional services of the design professional requires professional liability insurance and the contracting party fails to maintain insurance coverage as specified in 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, 2011 (the effective date of the bill); or
- The professional services were performed before July 1, 2011.

Impact to Counties: Professional engineers, surveyors, and architects remain potentially liable for certain tort claims resulting from work they undertake while under the employment of a county.

Handgun Control (HB 45)
Representative Gaetz

Outcome: Bill passed the House primarily along party lines.

The Bill: The bill would have preserved current language that the intent of the Legislature is to occupy the whole field of regulation of firearms and ammunition except as expressly provided by general law, or as provided by the Florida Constitution. The bill also would have added the following legislative intent language to s. 790.33(3), F.S.: "It is further the intent of this section to deter and prevent the violation of this section and the violation of rights protected under the constitution and laws of this state related to firearms, ammunition, or components thereof, by the abuse of official authority that occurs when enactments are knowingly passed in violation of state law or under color of local or state authority." In order to clarify the preemption, the bill added additional details about the methods by which local governments or agencies may violate the preemption. Specifically, the would have bill amended s. 790.33(1), F.S., to expand the preemption of regulation to also include the storage of firearms and ammunition. Thus, unless expressly authorized by the Constitution or general law, local governments would have been preempted from regulating how firearms and ammunition are stored. Similarly, in subsection (4) of s. 790.33, F.S., that would have been created by the bill, a provision excepting certain zoning ordinances was relocated and other exceptions to the prohibitions were set forth in the bill. The bill would not have prohibited:

- Zoning ordinances that encompass firearm businesses along with other businesses (zoning ordinances that are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are prohibited); or
- Law enforcement agencies from enacting and enforcing firearm-related regulations within their agencies.

The bill would also have prohibited a person from enacting or causing to be enforced local ordinances or administrative rules or regulations in violation of the stated preemption and provides penalties.

The bill created a non-criminal violation for any person who knowingly and willfully violated s. 790.33, F.S., by enacting or causing to be enforced any local ordinance or administrative rule or regulation. A non-criminal violation is generally punishable by a fine of up to $500. The bill provided that a fine of not less than $5,000 and not more than $100,000 may be assessed against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred. The elected or appointed local government official or officials or administrative agency head shall be personally liable for the payment of all fines, costs and fees assessed by the court for the non-criminal violation.

Impact to Counties: While the bill clarified certain areas of state preemption of firearm regulation, there appeard to be some ambiguity with respect to what types of zoning regulations may or may not be preempted by the legislation.

Local Procurement (SB 276)
Senator Bennett

Outcome: Bill died on the calendar.

The Bill: This bill would have amended the Consultants' Competitive Negotiation Act (CCNA), which specifies how state agencies and political subdivisions procure the services of design professionals. Specifically, the bill would have allowed counties to reopen negotiations with any selected firm after terminating negotiations with another selected firm. Agencies would no longer be required to undertake negotiations with the third most qualified firm, if negotiations with the second most qualified firm were terminated.

Impact to Counties: None. However, some counties could have benefited from a more flexible procurement selection process.

Growth Management, Environmental Planning & Agriculture

Optional Sector Planning (SB 1904)
Senator Altman

Outcome: This bill died on the calendar but nearly all of the language was included in the final growth management bill, HB 7207.

The Bill: The bill would have made substantial changes to the optional sector plan process. First, it would have made the sector plan program permanent by removing its pilot status and removing the limitation on the number of sector plans that can be in existence. It would have increased the acreage required to have a sector plan from 5,000 to 15,000 acres. It would have removed the requirement that DCA review and approve sector plans, including the requirement that the DCA enter into agreements based on the specific criteria of the local government. It would also remove the requirement that the local governments hold a public workshop to review and explain the sector planning process to the public and removed the requirement that the host local government(s) submit a monitoring report to DCA.

Impact to Counties: Minimal. The bill would have allowed counties that have large land holdings under single ownership to implement enhanced long-range planning.

Fertilizer (HB 457 / SB 606)
Representative Ingram / Senator Evers

Outcome: Died. Although the House passed the bill, it died in Senate messages. Late in the session, however, the preemption language from the bill was amended onto a non-controversial Agriculture bill (HB 7215).

The Bill: If signed by the governor, the bill would have preempted to the State the "sale, composition, packaging, labeling, wholesale and retail distribution, and formulation, including nutrient content level and release rates." The bill would have exempted (grandfathered) fertilizer ordinances that were adopted prior to July 1, 2011. Because HB 457 died, there will be no change to the provisions allowing local government to adopt regulations that are more stringent than the Model Ordinance.

Impact to Counties: The bill as originally filed included comprehensive preemptions that would have prohibited local government from regulating the "sale, composition, formulation, packaging, use, application and distribution of fertilizer." By preempting the use and application, counties would not be able to address nutrient enrichment in local water bodies from fertilizer contributions. The original bill also removed the legislative intent, finding that "local conditions, including variations in the types and quality of water bodies, site-specific soils

and geology, and urban or rural densities and characteristics, may necessitate the implementation of additional or more stringent fertilizer management practices at the local government level." The original bill then deleted the provision allowing local government to adopt additional or more stringent standards, and the criteria for doing so.

FAC and its coalition partners worked tirelessly to amend the bill to: a) grandfather existing ordinances; b) retain the legislative intent; and c) allow counties to adopt additional or more stringent standards if those standards are supported by water quality or other scientific data and reviewed by the DEP, DACS, and the Institute for Food and Agricultural Safety (IFAS).

Toward the end of session, FAC was advised that representatives of the fertilizer service industry were working on an amendment which would exempt from regulation all "professional applicators." FAC and its partners worked with these representatives to ameliorate the impact of such an exemption; limiting the scope of the exemption to the prohibited application period (or rainy season), providing statutory application requirements (imminent rain prohibitions, minimum setback distances and fertilizer free zones, fertilization rates established by rule, and the use of deflector shields), and providing for enforcement capability.

Although the applicator exemption amendment was never filed, the possibility of such an amendment required FAC to also work with Representative Crisafulli and Senator Siplin on their Agriculture Bill (HB 7215), which included a provision that would rescind the grandfather privilege if a county amended its fertilizer ordinance. The provision was ultimately removed, and replaced with the substantive preemption language of HB 457.

Environmental Permitting (HB 991 / SB 1404)
Representative Patronis / Senator Evers

Outcome: Died. Although the House passed HB 991, the Senate bill stalled in committee.

Note: One section of the bill that places the "ultimate burden of persuasion" on third party challengers of development approvals was amended onto a Rulemaking bill (SB 1382, HB 993), which passed both chambers.

The Bill: This bill was a comprehensive effort to facilitate development by expediting the permitting process and eliminating duplicative review. After three strike-all amendments and corresponding committee substitutes, the bill would have provided, among other things:

- Counties are prohibited from conditioning the approval of a development permit on an applicant obtaining a permit or approval from any other state or federal agency;
- Counties with populations greater than 400,000 must seek delegation for wetland and surface water permitting by June 1, 2012 or be preempted from such regulation;
- Development of an "incentive-based" permitting program;
- A limited exemption from the Strategic Intermodal System Level of Service standards for inland multi-modal ports;
- Revisions to the wetlands Uniform Mitigation Assessment Methodologies (UMAM);

- Inclusion of seepage mitigation projects along with treatment plant upgrades for receipt of mining mitigation fees in the Lake Belt area of Miami-Dade County;
- An exemption from Development of Regional Impact (DRI) review for any proposed solid mineral mine or any addition to, expansion of, or change to an existing solid mineral mine; and
- A General Permit for surface water management systems serving up to 10 acres under certain conditions.

Impact to Counties: Due in large measure to FAC's involvement, the bill as passed by the House, was significantly modified to eliminate or reduce the preemptive language, including but not limited to increasing the "mandatory delegation" population threshold from 75,000 to *400,000 (and thus significantly reducing the number of counties subject to the requirement).* Amendments also removed a regulatory preemption on construction aggregate mining, and ameliorated what was an extremely permissive "incentive-based" permitting program.

As the session neared adjournment, FAC and its aligned stakeholders remained vigilant to ensure that specific unfriendly provisions did not end up being amended onto other bills moving through the process. In the end, the only provision that passed was the shift of the burden of proof to third-party challengers of development approvals. This change in policy can be either favorable or unfavorable to counties, depending on whether the county is the applicant or supportive of the applicant, or is itself the challenger.

Septic Tanks (HB 13 / SB 1698)
Representative Coley / Senator Dean

Outcome: Died. The House bill passed but died in Senate messages. The Senate bill died on Calendar.

History: Last session, SB 550 (2010) established a septic tank evaluation and appraisal program, which provided minimum effluent levels and drainfield separation distances, required the evaluation of all septic tanks once every five years, and authorized rulemaking by the Department of Health (DOH) on specific procedures, standards, and enforcement.

The Bills: The House bill would have repealed in its entirety the evaluation and appraisal program set forth in SB 550 from last session. As a result, counties would have retained the authority to adopt comprehensive septic tank regulations to meet their specific goals and objectives.

The Senate bill would also have repealed the SB 550 program, but replaced it with a new program that would have preempted the evaluation and appraisal of septic tanks to the state, although amendments were filed that would allow local government to adopt regulations outside the scope of that program to address public health or water quality issues.

Impact to Counties: The bill as initially filed would have preempted all local ordinances providing for the evaluation and repair of septic tanks. This would include existing regulation requiring point-of-sale inspections and/or performance-based systems. Further, the bill would have created an unfunded mandate by requiring counties to implement the program (over which it had no authority), and to fund its administration, data collection, and computer tracking components. The evaluation program itself was limited, with only a pump-out and visual inspection required (no soil testing or consideration of drainfield separation distances) and any failure would only have to be repaired to the standards in effect at the time of installation or permitting. Not only would counties be unable to regulate septic tanks in any way, but it was questionable whether the new law would impact the ability to address water quality contributions or to require connection to a centralized sewer system.

FAC and its coalition partners worked all session to ensure that counties would maintain the ability to address water quality and public health issues, and to preserve existing regulations. FAC's efforts were instrumental in garnering amendments to the Senate bill to provide: i) a grandfather clause for existing ordinances; ii) the flexibility to implement mandatory programs (in counties with First Magnitude Springs) in "portions" of those counties; iii) the authority to regulate septic tanks outside the scope of the evaluation and appraisal program to address public health or water quality issues; and iv) the authority to require connection to central sewer systems.

Due to the disparity in the Senate and House positions, both bills failed. Rather than implement the undesired provisions of SB 550, however, language was added to a budget conforming bill (SB 2002) which provided that the Department of Health must complete Phases II and III of its Nutrient Reduction Study prior to taking any action, and that no funds would be allocated until DOH Workload and Funding Plans were approved by the Legislative Budget Commission.

FAC Priority: Numeric Nutrient Criteria (HB 239 / SB 1090)
Representative T. Williams / Senator Dean

Outcome: Died. The bill passed the House but stalled in Senate committee.

The Bill: The bill provided legislative intent finding that the EPA's Final Rule on Numeric Nutrient Criteria lacked adequate scientific support and failed to take into account the unique characteristics of the state's many thousands of rivers, streams, and lakes, and that the criteria undermined the State's Total Maximum Daily Load program. The bill directed that the Department of Environmental Protection (DEP), water management districts, and all other state, regional, or local governmental entities not to implement or give any effect to the EPA's numeric nutrient criteria in any regulatory program administered by those entities where the criteria are more stringent than necessary. The bill did not restrict the ability of any governmental entity from applying for or complying with the conditions of any NPDES or other discharge permits. Finally, the bill provided that TMDLs developed by the department and approved by the EPA would constitute site specific numeric nutrient criteria.

The bill was subsequently amended, due in large part to concerns raised about a possible adverse effect on pending litigation. As amended, the bill provided for the reclassification of designated uses of the state's surface waters as "human use" and "aquatic life use" and authorized the DEP to adopt the classification system by rule, subject to ratification by the Legislature.

Impact to Counties: Due to the significant impact that the EPA's numeric nutrient criteria will have on counties, FAC has closely monitored this bill. In addition, FAC continues to monitor the pending (now consolidated) litigation, the actions being taken in Washington D.C. (including a budget amendment to eliminate funding for NNC implementation and the participation of the National Academy of Sciences (NAS) regarding estimated costs), and the recent DEP Petition requesting that the EPA withdraw its initial Determination of Necessity.

FAC will continue to follow this issue closely, and support science-based numeric nutrient criteria for Florida's waters. Moving forward, FAC will endeavor to ensure that any new rules will be: i) based upon cause and effect relationships; ii) economically and technically feasible; iii) designed to achieve environmental benefits; and iv) developed with meaningful stakeholder participation, while taking existing programs into consideration.

Ocean Outfalls (HB 613 / SB 796)
Representative Trujillo / Senator Diaz de la Portilla

Outcome: Died. The House bill passed but the Senate bill stalled in committee.

History: Current law requires that the six (6) existing ocean outfalls (in Miami-Dade, Broward and Palm Beach Counties) meet Advanced Wastewater Treatment (AWT) requirements by 2018, and to achieve a minimum of 60% reuse of the annual flow by December 31, 2025. Discharge through ocean outfalls is prohibited beyond that date, unless as a backup to a functioning reuse system. See SB 1302 (2008).

The Bill: This bill would have postponed for five years the date by which wastewater facilities must meet AWT requirements (until 2023). The bill would have provided that a "functioning reuse system" means a system that provides a minimum of 60% of a facility's baseline flow or, for utilities operating more than one facility, 60% of the utility's "entire wastewater system" flow. The bill also provided that for utilities operating more than one outfall, the reuse requirement could be apportioned between the facilities. Utilities that shared a common ocean outfall would be individually responsible for meeting the reuse requirement, but could share or transfer the responsibility by agreement.

The bill provided that discharge of wastewater through an ocean outfall is prohibited after December 31, 2025, except as a backup during periods of reduced demand for reclaimed water, wet weather, or as the result of peak flows from other wastewater management systems. The backup discharge may not exceed 5% of a facility's baseline flow, measured as a 5-year rolling average.

Impact to Counties: High for Miami-Dade, Broward and Palm Beach / Neutral for other counties. The bill would have had a significant positive fiscal impact on the three affected counties. By extending the deadline for implementation of treatment plant upgrades and developing alternative disposal options, it was estimated that the bill would save between $4 and $5 billion over 20 years. FAC supported this bill on behalf of those affected counties.

Health & Human Services

Emergency Medical Services (HB 589 /.SB 1786)
Representative Hooper / Senator Latvala

Outcome: Died. The bill was never heard in committee.

The Bill: HB 589 and SB 1786 relating to Emergency Medical Services (EMS) would have preempted the County's authority to issue Certificates of Public Convenience and Necessity (COPCNs) to municipal, independent special district, & community development district fire departments to provide certain life support services. The Florida Association of Counties supports maintaining a county wide regulatory system for EMS through the current COPCN process. If passed, the bills would have exempted certain non-transport advanced life support (ALS) services from the COPCN process, thereby limiting each county's authority to effectively manage their local resources.

Impact to Counties: N/A

Corporate Income Tax (HB 119 / SB 1736)
Representative Hudson / Senator Latvala

Outcome: HB 119 died in Senate messages.

The Bill: The bill would have amended the Health Care Licensing Procedures Act and the various authorizing statutes of entities regulated by the Agency for Health Care Administration to reduce, streamline, and clarify regulations for those providers. HB 119 as originally drafted was an expansive repealer bill that became a train for health care amendments at the end of the Legislative Session. FAC staff watched the bill closely for amendments that would have adversely affected county governments.

Impact to Counties: N/A

Public Safety

FAC Priority: Pre-Trial Release (HB 1379 / SB 372 / SB 1398)
Representative Dorworth / Senator Bogdanoff

Outcome: The legislation did not pass. An amendment was adopted that removed the pretrial language from SB 1398 before the bill was sent to the House.

The Bill: This bill appeared in many forms during the 2011 session. The original legislation limited local pretrial program eligibility to only indigent defendants and those who have never failed to appear at a court hearing. Both the House and Senate versions were amended to increase the indigency threshold to 300% of the poverty level and counties with populations fewer than 350,000 would have been exempt from this section of the bill. However, all counties would have been prohibited from serving defendants who have ever had a failure to appear. All county ordinances and judicial orders would have been preempted to the State.

SB 372 was temporarily postponed three times in Senate Criminal Justice. However, Senator Bogdanoff amended the substance of the pretrial language onto another bill, SB 1398, which quickly made its way to the Senate Floor. The day before session ended, the pretrial language was removed from the bill due to member opposition and the process by which the language was originally adopted onto the larger bill, SB 1398. SB 1398 passed the Senate without the pretrial language. Upon receipt in the House, Representative Dorworth filed an amendment to put the language back on and the bill was never called up for a vote on the House Floor.

HB 1379 had two committees of reference and narrowly passed out of each: Criminal Justice 7-6 and Judiciary 10-8.

Impact to Counties: This bill, if passed, would have created an increase in the need for jail beds – costing counties millions of dollars.

Immediate Sanctions (HB 7127)
Representative Julien

Outcome: The legislation died.

The Bill: The bill would have increased the sentencing points inmates could receive in order to be eligible for a prison diversion program. However, the bill would also have allowed judges the option to sentence a prisoner who violated the diversion program to be held in jail for a term of up to 90 days.

Impact to Counties: This legislation would have moved toward prison reform by providing immediate sanctions; however this may have cause an increase in jail population and cost.

Juvenile Detention (HB 983 / SB 1354)
Representative Glorioso / Senator Storms

Outcome: The legislation died. Neither bill received a hearing.

The Bill: This legislation would have increased the reasons that youth can be held in secure detention. Additionally, the bill would have increased the number of days from 3 to 21 in which a child could be held in secure detention if a child failed to appear at two or more court hearings, regardless of the risk assessment instrument. In terms of the length of detention allowed, the bills would have increased time frames from 21 to 30 days and extended the extension period from 9 to 15 days. For any youth who was charged with a felony involving violence, the youth could be held in secure detention for 45 days.

Impact to Counties: This legislation could have increased detention cost for counties by extending the length of detention for predisposition stays.

SECTION IV

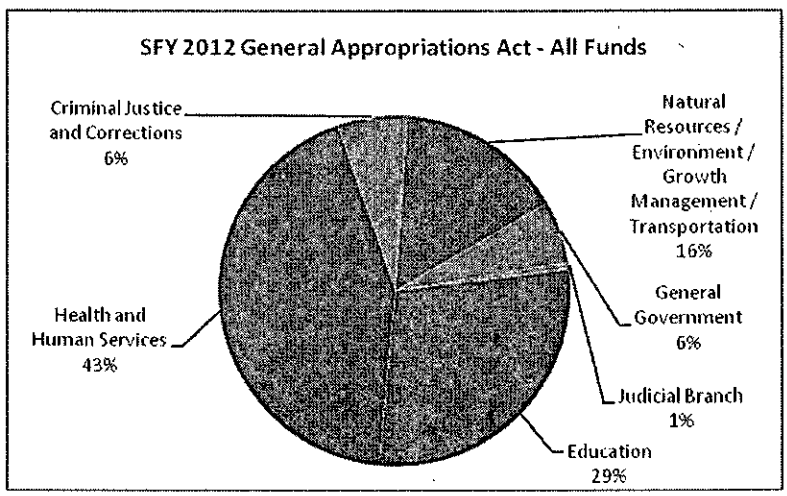
BUDGET SUMMARY

2011 General Appropriations Act
SB 2000 by the Senate Budget Committee (HB 5001)

The General Appropriations Act for State Fiscal Year (SFY) 2012 totals approximately $69.7 billion, and represents a $700 million decrease from the previous state fiscal year. The chart below summarizes a comparison of expenditures between SFY 2012 and SFY 2011 by budget section.

Budget Comparison by Section (In Millions)			$ Difference	% Difference
(Amounts across and down due not equal due to rounding)	SFY 2011	SFY 2012	SFY 11 vs. SFY 12	SFY 11 vs. SFY 12
Section 1. Education	1,300.60	1,376.80	76.20	5.86%
Section 2. Education	21,214.60	18,523.80	(2,690.80)	(12.68%)
Section 3. Health and Human Services	28,482.30	29,991.30	1,509.00	5.30%
Section 4. Criminal Justice and Corrections	4,650.90	4,478.50	(172.40)	(3.71%)
Section 5. Natural Res. / Environment / Growth / Transportation	9,778.60	10,858.90	1,080.30	11.05%
Section 6. General Government	4,488.10	3,988.30	(499.80)	(11.14%)
Section 7. Judicial Branch	462.40	459.20	(3.20)	(0.69%)
Total Budget	**70,377.40**	**69,676.60**	**(700.80)**	**(1.00%)**

Health and Human Services received the largest portion of funding in the amount of approximately $30 billion. This represents a 5.3% increase in appropriations from the previous year. All educational programs and services combined received the second largest amount of total in funding equal to approximately $19.9 billion. This represents approximately a 12% decrease from the previous fiscal year. Finally, natural resources, environmental issues, growth management and transportation expenditures represent the third largest portion of the SFY 2012 with funding equaling $10.85 billion, which represents a 11% increase from the previous fiscal year. The figure below displays the percentage of SFY 2012 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 2011	SFY 2012	SFY 11 vs. SFY 12	SFY 11 vs. SFY 12
General Revenue	23,789.70	23,182.70	(607.00)	(2.55%)
Trust Funds	46,587.70	46,493.90	(93.80)	(0.20%)
All Funds	**70,377.40**	**69,676.60**	**(700.80)**	**(1.00%)**

2011 General Appropriations Act – Implementing Bill
SB 2002 by the Senate Budget Committee (HB 5003)

The Appropriations Implementing bill makes certain changes to substantive law in order to implement the General Appropriations Act for State Fiscal Year 2012. These provisions only are in effect for SFY 2012. Specific provisions of the bill that may impact counties include:

Section 6. 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 9. Provides that the appropriations for the Medicaid Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs are based on calculations contained within the document entitled "Medicaid Supplemental Hospital Funding Programs" as created on May 3, 2011 and filed with the Secretary of the Senate.

Section 14. 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 % of the facility construction cost, less building impact fees imposed by the municipality or by the county.

Section 18. 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 23. 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 32. Provides for the authorization of funds in the Land Acquisition Trust Fund to be transferred to support the Total Maximum Daily Loads program.

Section 34. 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 36. Provides for the funding of activities related to mosquito control programs from the Ecosystem Management and Restoration Trust Fund.

Section 37. 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 43. Provides that the Department of Transportation (DOT) shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to $15,000,000 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, 2011 in DOT's five(5) year work program. Additionally, airport development projects listed in the 2011 General Appropriations Actt shall be funded and not reduced or deferred.

Section 44. 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 multi-county transportation or expressway authority created under Chapter 343 or Chapter 348, F.S., 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 48. Reenacts the statute creating and defining mission for the Century Commission for A Sustainable Florida.

Section 50. 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 84. Provides that, except as otherwise expressly provided in this act, this act shall take effect July 1, 2011; 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, 2011.

FAC SFY 2012 Appropriations Summary - Conference Report - SB 2000							
			SFY 2010	SFY 2011	SFY 2012	$ Variance	% Variance
	Proviso		All Funds	All Funds	All Funds	2012 vs. 2011	2012 vs. 2011
1		**Section 3 - Human Services**					
2		***Agency for Health Care Administration***					
3	***Yes***	#146 - #151 - Florida Kidcare Program	471,945,857	501,048,370	520,962,322	19,913,952	3.97%
4	***Yes***	#171- Rural Hospital Financial Assistance Program	14,030,766	14,030,766	14,030,766	-	0.00%
5	***Yes***	#175 - Home Health Services	187,771,566	159,932,827	171,267,718	11,334,891	7.09%
6	***Yes***	#187- Medicaid Patient Transporrtation	117,362,019	129,984,498	141,958,450	11,973,952	9.21%
7		#196 - Rural Health Services	88,488,330	94,532,162	101,277,171	6,745,009	7.14%
8	***Yes***	#204 - Home and Community Based Services	1,007,403,452	1,000,476,643	1,024,717,619	24,240,976	2.42%
9							
10		***Agency for Persons with Disabilities***					
11	***Yes***	#231, 300, & 376 - Home & Community Based Service Waiver	849,699,685	805,826,618	980,182,819	174,356,201	21.64%
12							
13		***Department of Children and Family Services***					
14		Reinvestment Grant - DCF Share	1,000,000	3,000,000	-	(3,000,000)	(100.00%)
15	***Yes***	#314A - Public Safety, Mental Health, and Substance Abuse Local Match	3,000,000	3,000,000	3,000,000	-	0.00%
16	***Yes***	#315 - Children's Mental Health	44,698,361	47,315,346	47,011,346	(304,000)	(0.64%)
17	***Yes***	#167 & 316 - Community Mental Health	228,626,118	224,062,552	297,521,087	73,458,535	32.78%
18		#317 - Baker Act Services	62,883,948	62,333,949	62,333,949	-	0.00%
19		#327 - Children's Baker Act Services	14,021,460	14,021,460	14,021,460	-	0.00%

20	*Yes*	#334 - Children and Adolescent Substance Abuse Services	72,035,070	72,360,070	72,215,003	(145,067)	(0.20%)
21		#335 - Community Substance Abuse Services	127,438,989	129,488,989	123,518,882	(5,970,107)	(4.61%)
22		#344 - Challenge Grants	2,031,354	2,031,354	2,031,354	-	0.00%
23	*Yes*	#345 - Fed. Emer. Shelter Program	17,514,645	4,610,380	3,822,427	(787,953)	(17.09%)
24	*Yes*	#345A - Homeless Housing Assistance	5,000,000	3,250,000	12,000,000	8,750,000	269.23%
25		Homeless Prevention		8,602,844		(8,602,844)	(100.00%)
26		#354 - Financial Assistance Payments - Cash	215,255,117	211,115,965	177,522,123	(33,593,842)	(15.91%)
27	*Yes*	#298 - Grants to Sheriffs for Protective Investigations	-	-	45,985,592	45,985,592	-NA -
28							
29		***Department of Elder Affairs***					
30	*Yes*	#371 - Community Care For the Elderly	52,547,990	53,044,996	53,044,996	-	0.00%
31		#373 & 381 - Older Americans Act	105,437,704	97,090,726	97,590,726	500,000	0.51%
32	*Yes*	#378 - Local Services Program	7,015,811	7,465,811	8,196,109		
33							
34		***Department of Health***					
35		#426,448,462,473 & 523 - County Health Units	201,635,089	187,326,842	155,844,006	(31,482,836)	(16.81%)
36		#427 - Primary Care Program	20,078,887	19,221,512	19,221,512	-	0.00%
37	*Yes*	#430 - School Health Services	20,319,530	20,319,530	20,319,530	-	0.00%
38	*Yes*	#482C - County Health Dept. - Construction, Renovation, & Equip.	7,028,400	12,355,200	32,920,983	20,565,783	166.45%
39		#482D - Maintenance & Repair of County Health Departments	7,533,960	7,533,960	7,533,960	-	0.00%
40		#486 - Emergency Medical Services County Grants	6,211,675	6,211,675	6,211,675	-	0.00%
41		#487 - Emergency Medical Services Matching Grants	4,681,461	4,681,461	4,681,461	-	0.00%

42		#524 - Local Health Councils	906,000	1,006,000	1,006,000	-	0.00%
43							
44		**Section 4 - Criminal Justice and Corrections**					
45		***Department of Corrections***					
46		#702 -705 - Pre Trial Intervention Supervison	-	-	4,269,953	4,269,953	-NA -
46	***Yes***	#725- DOC Sentencing Alternatives	-	700,143	700,143	-	0.00%
47							
48		***Department of Juvenile Justice***					
49	***Yes***	#1068 - 1077A - County Share Predisposed Detention	99,284,985	97,248,936	77,819,360	(19,429,576)	(19.98%)
50		#1073A - Fiscally Constrained County Detention Center Costs Grant	5,425,388	5,581,332	4,632,618	(948,714)	(17.00%)
51							
52		***Florida Department of Law Enforcement***					
53		#1157 - Community and Statewide Drug Abuse Prevention Program			4,497,908	4,497,908	-NA -
54		#1183 - Criminal Investigations - Aid to Local Crime Labs			3,120,793	3,120,793	-NA -
55							
56		**Section 5 - Nat. Resources / Env. / GM / Trans.**					
57		***Department of Agriculture , Consumer Services, & Commerce***					
58		#1358 - State Forest Receipts	-	-	595,000	595,000	-NA -
59		#1395A & 1437A - Deep Water Horizon	-	-	9,842,667	9,842,667	-NA -
60	***Yes***	#1399 - Mosquito Control	2,166,168	2,166,168	1,293,368	(872,800)	(40.29%)
61							
62		***Department of Community Affairs***					
63	***Yes***	#1495 - Regional Planning Councils	2,500,000	2,500,000	2,500,000	-	0.00%
64		#1498 - Technical and Planning Assistance (Century Commission)	116,000	-	1,079,994	1,079,994	#DIV/0!

65		#1502 - EM - Federal EM Preparedness to Counties	2,389,944	2,389,944	2,389,944	-	0.00%
66	***Yes***	#1503A - EM - Federal EMPG to Counties	7,566,360	7,374,231	6,338,361	(1,035,870)	(14.05%)
67		#1506 - EM - Emergency Management Programs	7,089,061	7,389,061	7,089,061	(300,000)	(4.06%)
68		#1507A - EM - Repetitive Flood Claims	1,671,022	1,780,723	1,800,000	19,277	1.08%
69		#1507B - EM - Severe Repetitive Loss Pilot Program	4,177,066	3,902,632	4,500,000	597,368	15.31%
70	***Yes***	#1510A- EM - Predisaster Mitigation	5,700,000	3,770,000	3,500,000	(270,000)	(7.16%)
71	***Yes***	#1511 - EM - Hurricane Loss Mitigation	6,921,764	6,892,389	6,892,389	-	0.00%
72		#1511A - EM - Flood Mitigation Assistance Program	1,323,731	1,819,775	4,000,000	2,180,225	119.81%
73		EM - Local Emergency Management Facilities	625,029	750,000	-	(750,000)	(100.00%)
74	***Yes***	#1515A - EM - Local Emergency Management Critical Facilities	3,000,000	2,400,000	8,000,000	5,600,000	233.33%
75		#1522A - Community Development Block Grants	40,454,893	33,000,000	34,000,000	1,000,000	3.03%
76		#1535 - Community Services Block Grants	46,976,599	17,876,599	17,876,599	-	0.00%
77		#1536 - Home Energy Assistance	90,864,000	124,264,000	111,164,000	(13,100,000)	(10.54%)
78		#1539 A & B - Weatherization	169,684,474	9,700,000	13,000,000	3,300,000	34.02%
79		#1647 - HFC - Affordable Housing Programs	30,110,000	37,500,000	-	(37,500,000)	(100.00%)
80							
81		***Department of Environmental Protection***					
82		#1577 - Payment in Lieu of Taxes	1,360,000	1,360,000	1,360,000	-	0.00%
83		Florida Forever		15,000,000		(15,000,000)	(100.00%)
84	***Yes***	#1580B - Everglades Restoration	50,000,000	10,000,000	29,955,500	19,955,500	199.56%
85	***Yes***	#1648A & C - Total Maximum Daily Loads	1,000,000	6,250,000	10,385,000	4,135,000	66.16%
86	***Yes***	#1653A - Beach Renourishment and Restoration					(48.51%)

			15,000,000	15,536,535	7,999,701	(7,536,834)	
87		#1648B - Nonpoint Source (NPS) Management Planning Grants	16,000,000	5,000,000	12,400,000	7,400,000	148.00%
88		#1675W - Drinking Water Facility Revolving Loan Program	90,474,000	99,654,969	91,053,594	(8,601,375)	(8.63%)
89		#1675X - Wastewater Treatment Facility Revolving Loan Program	163,386,374	171,580,534	164,346,724	(7,233,810)	(4.22%)
90		#1675AA - Small County Wastewater Treatment Grants	13,600,000	13,600,000	16,600,000	3,000,000	22.06%
91		#1703G -Storage Tank Compliance Verification		-	7,000,000	7,000,000	-NA -
92		#1703T-Local Government Cleanup Contracting		-	7,000,000	7,000,000	-NA -
93		#1703X - Inland Protection Trust Fund		120,000,000	128,000,000	8,000,000	6.67%
94		#1764B - Title V Program Funding	-	-	2,237,012	2,237,012	-NA -
95		#1764B - Ambient Air Monitoring	-	-	600,000	600,000	-NA -
96		#1764E - Motor Vehicle Registration Fees	-	-	7,325,936	7,325,936	-NA -
97		#1764F - Asbestos Removal	-	-	150,000	150,000	-NA -
98		Florida Recreation Development Assistance		300,000	-	(300,000)	(100.00%)
99		Alternative Water Supply	7,700,000	-	-	-	-NA -
100							
101		***Department of Transportation***					
102		#1917- Transportation Disadvantaged Program	40,395,706	38,404,800	39,904,800	1,500,000	3.91%
103		#1918 - Transportation Disadvantaged - Medicaid	65,969,126	65,486,126	65,486,126	-	0.00%
104	***Yes***	#1918B - Aviation Development Grants	-	-	187,442,157	187,442,157	-NA -
105		#1918C - Public Transportation Grants	-	-	343,572,957	343,572,957	-NA -
106		#1918E - Seaport - Economic Development	-	-	15,000,000	15,000,000	-NA -
107		#1918F - Seaports Access Programs	-	-	10,000,000	10,000,000	-NA -

108		#1918G - Seaports Grants	-	-	117,751,305	117,751,305	-NA -
109		#1938B - Small County Road Assistance Program	25,713,783	10,000,000	10,000,000	-	0.00%
110		#1938C - Small County Outreach Program	23,451,468	21,362,190	21,362,190	-	0.00%
111		#1938E - County Transportation Programs	68,035,074	52,780,796	55,007,529	2,226,733	4.22%
112		#1938V - Local Government Reimbursement Program	65,219,246	52,914,408	30,388,811	(22,525,597)	(42.57%)
113						-	-NA -
114		**Section 6 - General Government**					
111		***Administered Funds***					
112	***Yes***	#1978C - Strengthening Domestic Security	127,578,415	48,486,622	94,303,313	45,816,691	94.49%
113							
114		***Agency for Workforce Innovation***					
115	***Yes***	#2006 - Regional Workforce Boards	259,803,360	249,919,823	249,042,919	(876,904)	(0.35%)
116	***Yes***	#2033 - School Readiness Services	615,442,582	615,442,582	616,762,636	1,320,054	0.21%
117							
118		***Executive Office of the Governor***					
117	***Yes***	#2442A - Economic Development Tools	21,637,500	16,567,473	21,750,000	5,182,527	31.28%
118	***Yes***	#2442G - Economic Development Projects	650,000	1,625,000	136,500,000	134,875,000	8300.00%
118		#2445 - Florida Commission on Tourism	25,000,000	26,647,961	34,899,209	8,251,248	30.96%
119		#2445C- Rural Community Development	1,300,000	1,300,000	1,170,000	(130,000)	(10.00%)
120	***Yes***	#2445D - Rural Infrastructure	1,150,000	1,100,000	1,581,244	481,244	43.75%
121	***Yes***	#2445E - Economic Development Transportation Projects	20,000,000	20,000,000	15,000,000	(5,000,000)	(25.00%)
122							
123		***Department of Management Services***					
124		#2686 - Wireless 911 Distribution to Counties	58,482,388	70,190,273	70,190,273	-	0.00%

125		#2687- Wireless 911 Distribution to Providers	22,514,643	13,175,579	15,484,846	2,309,267	17.53%
126		#2688 - Non Wireless 911 Distribution to Counties	56,764,411	52,518,029	50,030,674	(2,487,355)	(4.74%)
127							
128		***Department of Revenue***					
129		#2844A - Fiscally Constrained Offset (Amendment 4)		2,791,000	537,260	(2,253,740)	(80.75%)
130		#2844B - Fiscally Constrained Offset (Amendment 1)	23,200,000	25,159,000	25,000,000	(159,000)	(0.63%)
131		#2884 - Emergency Distribution From Local Gov. 1/2 Cent (Small Counties)	16,167,042	16,167,042	16,367,042	200,000	1.24%
132		#2885 - Inmate Supplemental Distribution From Local Gov. 1/2 Cent	592,958	592,958	592,958	-	0.00%
133							
134		***Department of State***					
135		#2933A- Special Election Reimbursement	344,256	1,956,301	1,600,000	(356,301)	(18.21%)
136		#2935 - Voting System Assistance	525,000	525,000	525,000	-	0.00%
137		#2936- Statewide Voter Registration System - HAVA	2,802,347	2,802,347	2,794,815	(7,532)	(0.27%)
138	***Yes***	#2941 - Federal Election Activities - HAVA	2,000,000	2,000,000	2,000,000	-	0.00%
139	***Yes***	#2949 - Historic Preservation Grants	612,450	768,250	1,218,250	450,000	58.57%
140		#2962A - Library Cooperatives	1,200,000	1,200,000	1,000,000	(200,000)	(16.67%)
141		#2963 - Aid to Libraries	24,396,017	24,046,017	24,092,039	46,022	0.19%
142		#2972 - Arts Grants	297,200	297,200	297,200	-	0.00%
143	***Yes***	#2973B - Cultural and Museum Grants	2,500,000	2,000,000	2,150,000	150,000	7.50%
144							
145		**Section 7 - Judicial Branch**					
146		***State Court System***					
147		#3012- Traffic Hearing Officers	1,339,864	1,339,864	1,339,864	-	0.00%

148		#3021 - Drug Courts	18,250,000	14,483,000	12,483,000	(2,000,000)	(13.81%)

SECTION V

2011 Issue Votes

• = Did Not Vote

Senator		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 224)
Alexander	JD	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Altman	Thad	Yes	No	No	Yes	Yes	Yes				Yes				Yes
Benacquisto	Lisbeth	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Bennett	Mike	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Bogdanoff	Ellyn Setnor	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes				Yes
Braynon	Oscar	No	No	Yes	No	No	No	No			No				Yes
Bullard	Larcenia J.	No	•	•	•	•	•				•				•
Dean	Charlie	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Detert	Nancy	No	Yes	Yes	Yes	Yes	Yes				No				Yes
Diaz de la Portilla	Miguel	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Dockery	Paula	No	No	No	No	Yes	Yes				No				Yes
Evers	Greg	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Fasano	Mike	Yes	No	Yes	Yes	Yes	Yes				Yes				Yes
Flores	Anitere	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes				Yes
Gaetz	Don	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Garcia	Rene	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Gardiner	Andy	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Haridopolos	Mike	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Hays	Alan	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Hill Sr.	Tony	No	No	Yes	Yes	No	No				No				Yes
Jones	Dennis	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Joyner	Arthenia	No	No	No	No	No	No	No			No				Yes
Latvala	Jack	Yes	Yes	No	Yes	Yes	•				•				Yes
Lynn	Evelyn J.	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Margolis	Gwen	No	No	Yes	Yes	No	No				•				
Montford	Bill	Yes	No	Yes	Yes	No	No				No				Yes
Negron	Joe	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes

• = Did Not Vote		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 1224)
Norman	Jim	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Oelrich	Steve	Yes	No	Yes	Yes	Yes	Yes				No				Yes
Rich	Nan	No	No	No	No	No	No				No				Yes
Richter	Garrett	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes				Yes
Ring	Jeremy	No	Yes	Yes	Yes	No	No				No				Yes
Sachs	Maria Lorts	No	No	No	No	No	No				Yes				Yes
Simmons	David	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes				Yes
Siplin	Gary	No	No	Yes	Yes	No	No				No				Yes
Smith	Chris	No	No	Yes	Yes	No	No				No				Yes
Sobel	Eleanor	No	No	No	No	No	No				No				Yes
Storms	Ronda	Yes	Yes	No	No	Yes	Yes				Yes				Yes
Thrasher	John	Yes	Yes	Yes	Yes	Yes	No	Yes			Yes				Yes
Wise	Stephen	Yes	Yes	Yes	Yes	Yes	Yes				Yes				Yes
Representative															
Abruzzo	Joseph	No	No	Yes	Yes	No	No				Yes	Yes	Yes	No	Yes
Adkins	Janet	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Ahern	Larry	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Albritton	Ben	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Artiles	Frank	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Aubuchon	Gary	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Baxley	Dennis	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bembry	Leonard	No	No	Yes	Yes	No	No				Yes	No	Yes	Yes	Yes
Berman	Lori	No	No	No	No	No	No				Yes	Yes	Yes	No	Yes
Bernard	Mack	No	No	Yes	Yes	No	No				Yes	Yes	Yes	Yes	Yes
Bileca	Michael	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Boyd	Jim	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Brandes	Jeff	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes

• = Did Not Vote

		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 224)
Brodeur	Jason	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Broxon	Doug	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
Bullard	Dwight M.	No	No	No	No	No	No		No		•	•	•	Yes	Yes
Burgin	Rachel	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Caldwell	Matt	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Campbell	Daphne	No	No	No	No	No	No		No	No	Yes	No	Yes	•	Yes
Cannon	Dean	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	•	Yes	•
Chestnut	Chuck	No	No	Yes	Yes	No	No				Yes	Yes	Yes	Yes	Yes
Clarke-Reed	Gwyndolen	No	No	No	No	No	No				Yes	No	Yes	No	Yes
Clemens	Jeff	No	No	No	No	No	No				No	No	No	No	Yes
Coley	Marti	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Corcoran	Richard	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Costello	Fred	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	•	Yes	Yes
Crisafulli	Steve	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Cruz	Janet	No	No	No	•	No	No				Yes	No	Yes	No	Yes
Davis	Daniel	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Diaz	Jose Felix	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Dorworth	Chris	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Drake	Brad	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Eisnaugle	Eric	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Ford	Clay	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Fresen	Erik	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Frishe	Jim	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
Fullwood	Reggie	No	No	Yes	Yes	No	No				•	•	Yes	Yes	Yes
Gaetz	Matt	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	•	Yes	Yes	Yes
Garcia	Luis	No	No	No	No	No	No				Yes	No	Yes	Yes	Yes
Gibbons	Joe	No	No	No	No	No	No				Yes	No	Yes	No	Yes
Glorioso	Rich	Yes	Yes	Yes	Yes	Yes	Yes		No		Yes	Yes	Yes	Yes	Yes
Gonzalez	Eddy	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes

• = Did Not Vote

		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 224)
Goodson	Tom	Yes	Yes	Yes	Yes	Yes	Yes			No	Yes	Yes	Yes	Yes	Yes
Grant	James	Yes	Yes	Yes	Yes	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes
Grimsley	Denise	•	Yes	Yes	Yes	Yes	Yes				Yes	•	Yes	•	•
Hager	Bill	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Harrell	Gayle	Yes	Yes	Yes	Yes	Yes	Yes		•		Yes	Yes	Yes	No	Yes
Harrison	Shawn	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Holder	Doug	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Hooper	Ed	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
Horner	Mike	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Hudson	Matt	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Hukill	Dorothy	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Ingram	Clay	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Jenne	Evan	No	No	No	No	No	No				No	No	Yes	Yes	Yes
Jones	Mia	No	No	•	No	No	No				No	No	Yes	Yes	Yes
Julien	John Patrick	No	No	Yes	Yes	No	No		No	No	Yes	Yes	Yes	Yes	Yes
Kiar	Martin	No	No	No	No	No	No				Yes	Yes	Yes	•	Yes
Kreegel	Paige	No	Yes	•	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Kriseman	Rick	No	No	No	No	No	No				No	No	•	No	Yes
Legg	John	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Logan	Ana Rivas	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Lopez-Cantera	Carlos	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Mayfield	Debbie	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
McBurney	Charles	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
McKeel	Seth	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Metz	Larry	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Moraitis	George	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
Nehr	Peter	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Nelson	Bryan	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Nuñez	Jeanette	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes

• = Did Not Vote

		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 224)
O'Toole	Marlene	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Pafford	Mark	No	No	No	No	No	No				No	No	No	No	Yes
Passidomo	Kathleen	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Patronis	Jimmy	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Perman	Steve	No	No	No	No	No	No				No	No	Yes	•	Yes
Perry	Keith	Yes	Yes	Yes	Yes	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes
Pilon	Ray	Yes	Yes	Yes	Yes	Yes	Yes		No	Yes	Yes	No	Yes	Yes	Yes
Plakon	Scott	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Porter	Elizabeth	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Porth	Ari	No	No	No	No	No	No		Yes	No	Yes	No	Yes	Yes	Yes
Precourt	Steve	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Proctor	Bill	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes
Randolph	Scott	No	No	No	No	No	No				Yes	No	•	Yes	Yes
Ray	Lake	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Reed	Betty	No	No	No	Yes	No	No				Yes	No	Yes	Yes	Yes
Rehwinkel Vasilinda	Michelle	No	No	No	No	No	No				Yes	No	No	Yes	Yes
Renuart	Doc	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Roberson	Kenneth	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	•	Yes
Rogers	Hazel	No	No	No	No	No	No				Yes	No	Yes	No	Yes
Rooney	Patrick	Yes	Yes	Yes	Yes	Yes	Yes				Yes	No	•	Yes	Yes
Rouson	Darryl	No	No	No	No	No	No				Yes	No	Yes	Yes	Yes
Sands	Franklin	No	No	No	No	No	No				Yes	No	Yes	No	Yes
Saunders	Ron	No	No	No	No	No	No				Yes	Yes	Yes	No	Yes
Schenck	Robert	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	•
Schwartz	Elaine	No	No	No	No	No	No			No	•	No	Yes	•	Yes
Slosberg	Irv	No	No	No	No	No	No				Yes	No	Yes	No	Yes
Smith	Jimmie	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Snyder	William	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	No	Yes
Soto	Darren	No	No	No	No	No	No			Yes	Yes	Yes	Yes	Yes	Yes

• = Did Not Vote

		TABOR (SJR 958)	FRS/Pension Reform (SB2100)	Growth Management (HB 7129)	Growth Management (HB 7207)	Medicaid (HB 7107)	Medicaid (HB 7109)	Pretrial (SB 1398 as amended in Committee on 4/12/11) **Judiciary Committee Vote from 4/12/11**	Pretrial (HB 1379) **Criminal Justice Subcommittee Vote 3/29/11**	Pretrial (HB 1379) **Judiciary Vote 4/21/11**	Non-homestead Cap (HJR 381)	Dot.com (HB 493)	Septic Tanks (HB 13)	Environmental Permitting (HB 991)	Local Government Accountability (SB 224)
Stafford	Cynthia	No	No	No	No	No	No				No	No	Yes	No	Yes
Stargel	Kelli	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Steinberg	Richard	No	No	No	No	No	No			No	Yes	No	Yes	Yes	Yes
Steube	Greg	Yes	Yes	Yes	Yes	Yes	Yes			No	Yes	Yes	Yes	Yes	Yes
Taylor	Dwayne	No	No	No	No	No	No				Yes	No	Yes	Yes	Yes
Thompson	Geraldine	No	No	No	No	No	No				No	No	Yes	Yes	Yes
Thurston	Perry	No	No	No	No	No	No		No		No	No	Yes	•	Yes
Tobia	John	Yes	Yes	Yes	Yes	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes
Trujillo	Carlos	Yes	Yes	Yes	Yes	Yes	Yes		•		Yes	Yes	Yes	Yes	Yes
Van Zant	Charles	Yes	Yes	Yes	Yes	Yes	Yes		Yes		Yes	Yes	Yes	Yes	Yes
Waldman	Jim	No	No	Yes	No	No	No				No	No	Yes	Yes	Yes
Watson	Barbara	No	No	No	No	No	No				No	No	Yes	No	Yes
Weatherford	Will	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Weinstein	Michael	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Williams	Alan	No	No	No	No	No	No				Yes	No	Yes	Yes	Yes
Williams	Trudi	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Wood	John	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	•	Yes
Workman	Ritch	Yes	Yes	Yes	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes
Young	Dana	Yes	Yes	Yes	Yes	•	Yes				Yes	Yes	Yes	Yes	Yes