

**BOARD OF COUNTY COMMISSIONERS**

DATE: December 10, 2013  
AGENDA ITEM NO. *33c*

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

**Subject:**

Adoption of the 2014 State Legislative Program as revised at the November 19, 2013 Board of County Commissioners' meeting.

**Department:**

County Administrator

**Staff Member Responsible:** *wn*

Wendy Nero, Intergovernmental Relations Manager

**Recommended Action:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) DISCUSS THE THREE LEGISLATIVE ITEMS RAISED BY COMMISSIONER ROCHE DURING THE NOVEMBER 19, 2013 BOARD MEETING.

I FURTHER RECOMMEND THAT THE BOARD ADOPT AND UPDATE, AS NECESSARY, THE LEGISLATIVE PROGRAM BASED ON THE DISCUSSION OF THE PRECEDING THREE ITEMS.

**Summary Explanation/Background:**

The first document attached represents the three items raised by Commissioner Roche at the November 19, 2013 Board meeting. The second document attached represents an update to the Board's State Legislative Program for the 2014 Legislative Session that was adopted at the November 19, 2013 Board meeting. Changes/additions suggested during the meeting are included in the updated document and are highlighted in green.

County staff will continue to monitor these items as the legislative process continues and will remain in close coordination with our state lobbying team in Tallahassee.

**Fiscal Impact/Cost/Revenue Summary:**

N/A

**Exhibits/Attachments Attached:**

Additional Items for Discussion for Inclusion in the 2014 State Legislative Program  
2014 State Legislative Program as adopted November 19, 2013

**ADDITIONAL ITEMS FOR DISCUSSION FOR INCLUSION  
IN THE 2014 STATE LEGISLATIVE PROGRAM**

**Domestic Partnership Registry**



Support establishment of a statewide domestic partnership registry rather than developed county-by-county.

**Medicaid Increase for Dental Care**



Support legislation to increase the Medicaid buy-back rate for indigent dental care, allowing for increased profitability and greater participation by the dental community.

**Infrastructure Sales Tax (Penny for Pinellas)**



Support a general statute amendment allowing the county to have more discretion for utilizing 8% of future Penny funds for operations or maintenance expenditures.



## **2014 STATE LEGISLATIVE PROGRAM**

*Adopted November 19, 2013*

# PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS 2014 STATE LEGISLATIVE PROGRAM

## UNFUNDED MANDATES



Oppose state unfunded mandates that negatively impact local government budgets and control.

*Unfunded mandates by the state of Florida are usually imposed without discussion or consensus from local governments on the impacts that they may have on available resources or methods of implementation.*

## PRIORITY ITEMS

### Affordable Housing Trust Fund (SHIP and SAIL)



Support full funding of the State Housing Initiatives Partnership (SHIP) and State Apartment Incentive Loan Program (SAIL).

*The documentary stamp tax on deeds was created specifically to fund the Affordable Housing Trust Fund but state lawmakers continue to redirect the funds raised (approximately \$100 million annually) to the general revenue account. All monies collected from the Sadowski Affordable Housing Trust Fund should be used for their intended purpose – housing.*

### Beach Nourishment



Support legislation that maintains a state funding source for beach restoration projects throughout Florida.



Support legislative approval of state funding for construction of erosion control structures (such as permanent rock structures) that reduce nourishment frequency requirements on highly erosive beaches.

### Court-Related Functions Expenditure



Support legislation to remove the unfunded mandate that county expenditures for certain court-related functions increase by 1.5 percent per year, regardless of need.

*Article V, Revision 7 of the State Constitution redefined the responsibilities of the state and county with regard to Court-related funding. Florida Statutes Section 29.008(4) includes a mandate that County expenditures in certain categories increase by 1.5 percent per year. This mandate has no relation to the dedicated funding sources for these expenditures which were, and are, inadequate to support current levels. The Legislature suspended this requirement for the past several fiscal years. The requirement should be permanently eliminated.*

### Department of Health Reorganization



Support continued funding for the Pinellas County Health Department to maintain their ability to provide primary care and direct patient care services.



Oppose any state reductions to the County Health Department Trust Funds and any legislation which proposes to reduce or eliminate the provision of primary health care services by the County Health Departments.

### Department of Juvenile Justice Billing



Support juvenile justice reforms that reduce county financial obligations for detention, revise the current billing structures, and provide for more accountable juvenile justice operations.





Support greater collaboration and incentives to benefit youth and reduce detention cost waste.



Oppose new cost obligations to the county.

### **Infrastructure Sales Tax (Penny for Pinellas)**



Support a general statute amendment allowing the county to have more discretion for utilizing future Penny funds for operations or maintenance expenditures.

### **Medicaid Expansion**



Support efforts to expand Medicaid eligibility.

*Medicaid expansion would decrease the number of uninsured residents in Pinellas County and the number of individuals served through the Pinellas County Health Plan, thereby reducing the county's financial burden for medical care.*

## **ITEMS OF GENERAL CONCERN**

### **911 Fees on Prepaid Phones/Cards**



Support the collection of 911 fees on prepaid phones and cards.

*Transitions in the wireless industry from post-paid wireless phone service to prepaid service have reduced Pinellas County 911 fee revenue by more than \$500,000 in the last two years. The 911 fees would be used to maintain current 911 systems and purchase beneficial technologies such as text/picture messaging and telematics (e.g., to receive data from GPS technology companies such as OnStar about air bag deployment, vehicle rollover, etc.).*

### **Biggert-Waters Flood Insurance Reform Act (Identical to FAC Policy Statement)**



Support revision of the Biggert-Waters Act to delay flood insurance rate increases that unfairly penalize Florida's consumers.



Support completion of the affordability study by FEMA, required by the 2012 law.



Support alternative policies that stabilize the NFIP Trust Fund but lessen the financial impact on families and small business owners.

### **Child Protection Services**



Support increased funding for the Pinellas County Sheriff's Office Child Protection Investigation Division.

### **Entertainment Tax Credit Incentive**



Support increasing, stabilizing and extending the state entertainment tax credit incentive for films, high-impact television series, digital media and commercial production.

*Commercial, film and media production in Pinellas County generates upwards of \$25 million per year.*



Support funding the state Office of Film and Entertainment at a level commensurate with its statutory duties.

### **Fertilizer Ordinance**



Oppose legislation that would pre-empt any local fertilizer ordinances established prior to July 1, 2011.

## **Fireworks**



Oppose legislation to repeal sections of Florida Statutes Chapter 791 regarding the sale of fireworks which preempt local ordinances to restrict the sale of fireworks.

## **Florida Association of Counties (FAC)**



Support FAC's 2014 Legislative Program policy statements which are not contrary to the policies of Pinellas County.

*Draft policy statements are attached.*

## **Florida Communities Trust (FCT) Eldridge-Wilde Grant**



Oppose the recent change to the appraisal evaluation process by the State of Florida.

*The revised process could result in a lower grant amount for the Eldridge-Wilde property, potentially costing the County approximately \$1.7 million dollars. The \$1.7 was intended to be placed in the CIP fund for stormwater projects.*

## **Florida Highway Patrol**



Support reallocation of Florida Highway Patrol resources to cover traffic crash investigations within Pinellas County boundaries.

## **Homeless Services**



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



Support the development of strategies that would allow local governments to work with the state and federal government to serve homeless populations.



Support efforts to seek a dedicated funding source to financially support homeless services (e.g. Local Option Food and Beverage tax).

## **Internet Retailer Tax Exemption**



Support revisions to state sales tax laws to specify that taxes are based upon "the total consideration charged and collected from the guest for the hotel room".

*Local governments are losing significant amounts of revenue due to the way that Internet intermediaries (such as Priceline.com and Expedia.com) calculate the taxable amount of hotel room transactions.*

## **Local Business Tax**



Oppose legislation to repeal Florida Statutes Chapter 205 which would prevent local governments from collecting a local business tax.

*The county does not currently collect the tax. However, a repeal of Florida Statutes Chapter 205 would impact our ability to take advantage of this alternative revenue source in the future.*

## **Prescription Drugs**



Support legislation that provides for appropriate prescribing practices including a requirement that all physicians use the Prescription Drug Monitoring Program.



Oppose any state action that seeks to preempt local regulatory options to curb the ongoing prescription problem.


## **Redevelopment Trust Funds**



Support legislation to revise the deadline for county and city tax increment financing (TIF) payments to Community Redevelopment Agencies (CRAs) from January 1 to 30 days after certification of the final tax rolls by the Property Appraiser.


*The January 1 date was established prior to the extension of the Value Adjustment Board (VAB) appeals process. Previously, final tax rolls which are used to determine the amount of TIF payments were historically certified in November. Since the revision of the VAB process, final certification does not occur until February or March.*

### **Small Business Development Center (SBDC) Network**

 Support continued state funding for the Florida Small Business Development Center Network.


*During the 2013 session, the Legislature instituted recurring funding for the state's SBDC network in order to help Florida's small and mid-sized businesses to grow and to assist Floridians in starting up new businesses.*

### **Sovereign Immunity**

 Oppose any revision to the current sovereign immunity limitation thresholds.  
*If a sovereign immunity bill is introduced and likely to pass, include language to allow public entities to self-insure up to the new thresholds in order for a claims bill to be disallowed.*

### **Springs Protection**


 Support legislation that provides nutrient load reductions in Florida springsheds.

 Oppose springs protection legislation that requires local governments to pay up front for improvements and protection, with proposed reimbursement from documentary stamp revenue.

 Oppose the Florida Department of Environmental Protection (FDEP) setting maximum fertilizer regulations, which is a local government pre-emption.


*Draft legislation being prepared by Senator David Simmons to amend Florida Statutes Chapter 369 needs to be clarified. Specifically, the language varies between "Outstanding Florida Spring" and "spring", which could impact Pinellas County that has two springs, but no Outstanding Florida Springs.*

### **Statewide Special Needs Registry**

 Oppose initiatives to amend Florida Statutes 252.355 to change the current county-based special needs program to a statewide web-based platform for registration.


*It is critical for local governments to retain flexibility to administer their special needs program based on available staffing, transportation and sheltering.*

### **Tax Email Exemption from Public Records Requests**


 Support protection of citizens' email addresses by exempting public records requests for email addresses of residents who receive a tax bill via email (e-billing).

*Florida Statutes 197.322 was amended in July 2011 to allow Tax Collectors to e-mail tax bills. Pinellas County Tax Collector Diane Nelson is seeking protection for citizens against fraud before offering e-billing.*

### **Title V Funding for Local Air Quality Program**

 Oppose any legislation that would drastically reduce or eliminate the local air quality control contract.

### **Uniform Chart of Accounts**

 Oppose uniform charts of accounts for reporting of financial information of state agencies, local governments, educational entities and entities of higher education.

### **Consumer Protection: Contractor Billing**



Support billing reforms that protect consumers from subcontractor liens when payment was made to the originating contractor.

*Reform is needed of Florida Statutes Chapter 713 regarding contractor liens levied when a consumer pays for contracted work but the originating contractor fails to pay a subcontractor.*

### **Consumer Protection: Telemarketing**



Support requirement that all telemarketing operators registered within the State of Florida record the entire telemarketing call.

*A telemarketing recording will allow for audit of sales practices and protection against unfair or deceptive activities.*

### **Non-Recurring Revenue Funding**



Support funding for various projects/items utilizing non-recurring revenues.