

# Broward SLI

State Legislative Information

October 11, 2013

Interim Committee Week 2 – 2014 Session

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### INTERGOVERNMENTAL

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### Department of Juvenile Justice Updates Legislature

During the October 7, 2013 legislative committee week, Department of Juvenile Justice (DJJ) Secretary Wanley Walters appeared before committees in both chambers. Secretary Walters gave updates on the recent court ruling impacting juvenile detention cost sharing with counties and the early draft rewrite of Chapter 985, F.S., that governs DJJ.

During the October 7, 2013 Senate Committee on Criminal Justice, the Secretary educated the committee on the June, 2013, 1st DCA ruling in favor of the counties holding the state financially responsible for all secure detention youth days beyond their original disposition. The court's decision clarifies that post disposition now includes other disposition types, the largest being youth on probation, including those with a new law violation. According to the Secretary, the decision increases the state's share by \$35.5 Million for 2013-14, with an impact of \$39.3 Million for 2014-15 and beyond. This accounts for increases of 27% to 68% of the state's share and a reduction from 73% to 32% for counties. Secretary Walters was noncommittal when members of the committee asked how DJJ planned to address the previous year's overpayment by counties, but acknowledged it is an issue that needs to be worked out. The Secretary did commit to making the increased DJJ share a part of the Department's official Legislative Budget Request.

The Secretary also appeared before the House Criminal Justice Subcommittee to review DJJ's proposed rewrite of Chapter 985, F.S. A section of the draft calls for a pilot program in a multicounty judicial circuit to study the use of video proceedings at the first detention hearing. DJJ is required to report to the Governor and the Legislature at the conclusion of the pilot. The video proceedings section caught the attention of several legislators and was the subject of public testimony. A speaker representing the Florida Public Defenders Association spoke in strong opposition to the pilot program. He argued that a video appearance for minors is too quick a transition away from an environment where the minor has the chance to be joined in court by family, counselors and an attorney. Members of the committee reacted by admitting the bill was an early draft and several issues were still being explored. The committee also discussed the cost implications of the court case. Several representatives

expressed apprehension about pushing costs back down to local governments to fill the DJJ budget gap. Vice-Chair, Rep. Ray Pilon echoed the same sentiment reassured the committee he would not participate in an effort to shift costs to counties.

### [Gambling Impact Study](#)

Last week the Senate Gaming Committee and the House Select Committee on Gaming examined a draft study relating to expanded gaming in the state. Spectrum Gaming Group was hired by the Legislature to study the economic and social costs of adding more gaming establishments in the state. While the report has three parts, Part 1, Section A, was previously released and assesses the current gaming environment and compares to other states; Part 1, B and Part 2 examines the economic effects of expanded gaming under different methodologies and the resulting social costs.

The report essentially states that Florida already has wide gaming opportunities available, so any expansion will have relatively minimal economic and social impacts to the state. In addition, such impacts would be least felt in bigger counties as new casinos would not expand a local economy. The study will be used during deliberation, on how the Legislature will move forward with gaming policy.

### [House Finance and Tax Subcommittee Hears Initial Tax Cut Proposals](#)

During the first legislative committee week of the year, Chair of the House Finance and Tax Subcommittee, Rep. Workman, charged the committee members with preparing to discuss numerous tax cut proposals at the next committee meeting. On October 10, 2013, the committee met again to entertain those proposals. The proposals were presented in an effort to align with Governor Scott's effort to cut \$500 million of the roughly \$38 billion Florida generates in taxes, fees and charges. The Governor's proposal would cut \$500 million from the expected \$846 million budget surplus in FY 2013/2014.

Several ideas were presented by committee members, industry representatives and public speakers. The Florida Realtors asked for a reduction to the 6 percent sales tax applied to commercial leases. According to committee staff, Florida is the only state that levies a lease tax. The Florida Chamber of Commerce was present to argue for cutting the communications services tax. According to testimony during the committee hearing, Floridians pay an average of 14.21 percent in state and local taxes on cable television and cell phone services, one of the highest tax rates in the nation. The Florida Retail Federation asked legislators to impose an internet sales tax, arguing this would level the playing field between internet retailers and bricks and mortar stores in Florida. Other business industry representatives advocated for a reduction to the premium tax on health insurance policies and reduction to corporate filing fees.

While the House Finance and Tax Subcommittee was entertaining potential

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proposals, SB 156 – Motor Vehicle License Taxes, was approved by Senate Transportation Committee. SB 156 will return annual charges and fees paid for a motor vehicle registration to 2009 levels. The fee reductions will result in an average savings of \$12 annually per motor vehicle registration and a \$233 million reduction in state revenue.

### **Committee Hears Update on Disposition and Acquisition of Surplus Conservation Lands**

The House Agricultural and Natural Resources Subcommittee met on Wednesday, October 9, 2013, to hear a presentation by the Department of Environmental Protection's (DEP) Division of State Lands. Susan Grandin, Director of State Lands, updated committee members on the process to dispose of and acquire conservation lands. Proviso language included in the state's FY 2014 budget directed DEP to analyze the current Inventory of state-owned conservation land to see which sites may no longer be needed for conservation purposes. Director Grandin gave an overview of the process used to analyze the inventory of lands owned by Division of Recreation and Parks, Florida Forest Services, and the Florida Fish and Wildlife Conservation Commission for their conservation value. According to the presentation, working with a technical advisory group, DEP identified non-contiguous parcels, areas with scattered ownership patterns, and locations determined to be disturbed sites. These sites were then analyzed for the presence of significant resources and assessed for their market value. Director Grandin informed the committee that following additional public hearings, the lands will go out to competitive bid, and then an Acquisition and Restoration Council will make final recommendations to the Florida Board of Trustees (BOT). The process will conclude with a decision by the BOT to either complete the transaction or retain the property. Currently, no lands within Broward County are included on the list.

### **Local Government Caucus Introduced to Legislature**

On Tuesday, October 8, 2013, the Florida Association of Intergovernmental Relations (FAIR) hosted a reception to introduce the newly formed Local Government Caucus (LGC). The reception was hosted on the capital grounds and provided an opportunity for Rep. Travis Cummings and Sen. Rob Bradley to introduce themselves as Chair and Vice-Chair, respectively, of the LGC. The reception was attended by several members of the Legislature who voiced their commitment to joining the caucus. The LGC will launch during the 2014 Legislative Session with the goal of promoting the virtues of home rule and to provide a platform for awareness of local government services, interests, concerns, responsibilities and accomplishments. The caucus will provide local governments an excellent avenue to keep their issues at the forefront during the legislative process.