

Broward SLI

State Legislative Information

August 22, 2011

Number 15 - Volume XIII

CONTENTS

Florida Transportation Vision
for the 21st Century

Department of Economic
Opportunity

The Florida Capital Access
Program

Public Hearing on DCF
Managing Entity

Department of Juvenile Justice
Detention Cost Share
Workgroup

Medicaid 1115 Waiver
Extension

Wetlands Conservation in the
Everglades

Senate Select Committee on
Protecting Florida's Children

Legislative Committee Weeks

Broward County 2012 State
Legislative Program

Follow us on
Twitter
@BrowardSLI

INTERGOVERNMENTAL

AFFAIRS STAFF

Gretchen Harkins

Eddy Labrador

Christopher Brown

Susan Harbin

Florida Transportation Vision for the 21st Century

On August 5, 2011, Florida Department of Transportation (FDOT) Secretary Ananth Prasad unveiled a new transportation plan before the Florida Transportation Builders' Association annual convention in Marco Island. The Florida Transportation Vision for the 21st Century Plan is intended to stimulate private sector job creation and grow Florida's economy through investment in transportation infrastructure.

The plan supports the Governor's goal to change the state's economic climate and create 700,000 new jobs in seven years. As announced, the plan identifies several components that will significantly change Florida's transportation system including:

- **Implementing tolling as a financing alternative to the gas tax.** The plan proposes that, where feasible, tolling be the primary funding tool for projects adding new capacity on interstates and expressways, and projects involving widening and replacement of river crossings. In fact, the plan proposes that tolling at least "complement traditional funding in delivering [transportation] improvements and new capacity."
- **Offering transportation choices to users and customers.** To more efficiently move goods and people, the department plans on developing a system of managed lanes throughout the state, including a managed lane loop system throughout Southeast Florida. FDOT will also seek a public private partnership (P₃) to expand I-75 in Broward County starting in July 2012, conduct a traffic and revenue study of managed lanes on I-4 next year, and consider managed lanes for other projects such as the Palmetto Expressway in Miami-Dade County. FDOT plans on holding an industry forum in 2012 with P₃ firms to discuss the measures needed to deliver these projects.
- **Tri-Rail.** The plan calls for developing a P₃ opportunity to expand transit services along the Tri-Rail corridor at lower costs to taxpayers. This potential privatization of Tri-Rail is likely designed to allow the state to shed the annual operating subsidies it currently provides to Tri-Rail.
- **Stronger emphasis on port, aviation and rail development.** To take advantage of the Panama Canal expansion and speed up the development of the commercial space industry in Florida, the plan identifies several actions, including: 1) Funding the Port of Miami dredging project; 2) Establishing an Office of Freight Planning and Logistics within the FDOT which will include seaport and rail focused offices; 3) Investing over \$15 million for infrastructure improvements at Cape Canaveral and working with Space Florida, NASA and private sector partners to enhance Florida's leadership in "aerospace research investment exploration and commerce;" and 4) Given the importance of Florida's aviation transportation system, the department

plans to expend more than \$170 million “to support strategic investments in Florida’s aviation infrastructure.”

- **Focus on Regional Governance.** While recognizing that presently transportation planning and decision-making occurs at the local level, the plan suggests realigning these processes. The department seeks to shift the state’s transportation planning process to focus more on regional and metropolitan transportation issues. The plan posits that strengthening Metropolitan Planning Organization (MPO) partnerships or potentially consolidating MPOs in urbanized areas, will allow it to “promote integrated regional transit solutions, strengthen regional coordination among seaports, airports, spaceports, railroads and other modal partners, and provide incentives for regional planning and decision making.”

The plan describes the need to plan and develop new transportation corridors. The department will also be working with its local and federal partners to remove the regulatory burdens that delay project advancement and discourage private sector investment in transportation. The plan also identified projects the department intends to advance in the coming year, including Florida Turnpike projects. Most of the designated projects are located in central and northern Florida. FDOT is planning a Turnpike Industry Forum for late September/early October to explore P₃ opportunities in hopes of leveraging the Florida Turnpike System to generate additional revenue to advance turnpike projects.

Department of Economic Opportunity

In the 2011 State Legislative Session the House and Senate passed SB 2156, an act relating to Governmental Reorganization, which created the Department of Economic Opportunity (DEO). The legislation transfers and consolidates the Divisions of Strategic Business Development, Community Development, Workforce Services, and Finance and Administration into the new Department. The legislation, as detailed in the [Broward County 2011 State Final Report](#), also required the department to appoint a transition team detailing the progress made to date in reorganizing the new department. [The first report](#), which was due August 15, was submitted to the Governor, President of the Senate and Speaker of the House of Representatives. The department is required to be fully operational by October 1, 2011.

The mission of the DEO is to assist the Governor in working with legislative leaders, state agencies, business leaders and economic development professionals to formulate and implement clear and consistent policies and strategies to promote economic opportunities in Florida and to accelerate the state’s economic recovery, promote job growth and support the state’s vision of a streamlined, more efficient and business-friendly government. The goals of the agency transition are to make the DEO the single point of contact for all economic and job growth initiatives in the state of Florida; eliminate duplication between Enterprise Florida and the state; reduce response time of state and local governments; and integrate the functions of numerous separate divisions and agencies into the DEO.

The report states that the DEO is on target to complete the reorganization by October 1 and the transition is not causing any adverse impacts to division or agency programs. The transition team will also be compiling suggestions for Legislative action this Session to assist toward furthering the state’s goal to streamline Florida’s economic development strategy. Additionally the transition team will be completing a strategic business plan by September 1, 2011, outlining the efficiencies resulting from the creation of the new Department of Economic Development.

**Follow us on
Twitter
@BrowardSLI**

**INTERGOVERNMENTAL
AFFAIRS STAFF**

Gretchen Harkins
Eddy Labrador
Christopher Brown
Susan Harbin

The Florida Capital Access Program

The U.S. Treasury Department announced August 16 that Florida will receive \$97 million for a new federal program that supports state-level, small-business lending programs intended to spur small business lending by private sector lenders and create jobs. Florida is among eleven states and the District of Columbia that received approval for a portion \$360 million as part of the Small Business Jobs Act, signed into law by President Obama last year.

As announced by Deputy Treasury Secretary Wolin, the program is will provide two separate pools of money. The first pool, The Venture Capital program, will make investments in small businesses and the Florida Small Business Loan Support Program. The second pool is intended to enable banks to make loans by giving them access to money that boosts their loan loss reserves; thereby unlocking credit that may prove to be simulative for investment and job creation.

Both pools of money will be overseen by the Florida Governor's Office of Tourism, Trade and Economic Development now the Department of Economic Opportunity. The Programs are expected to generate up to \$10 in new private lending for every \$1 in federal funding creating as much as \$3.6 billion in new private lending from the \$360 million allocation.

Public Hearing on DCF Managing Entity

On August 15, the Broward Legislative Delegation, chaired by Senator Chris Smith, held a public hearing to take testimony on implementation of the Department of Children and Families (DCF) Managing Entity process.

Through the Managing Entity plan, authorized in Florida law in 2008, DCF places the responsibility for state funded behavioral health treatment and prevention services within a single private, nonprofit entity at the local level. The designated Managing Entity then receives and manages all state funds appropriated for substance abuse and mental health programs. DCF has proposed merging Broward County into the Southern Region, which currently consists of Miami-Dade and Monroe counties, by amending that region's existing contract; the Managing Entity for the Southern Region is the South Florida Behavioral Health Network, a Miami-Dade organization. Concerns about the action were raised at the hearing, primarily based on the fact that DCF elected to fuse Broward County into an existing Managing Entity structure rather than going through a competitive procurement process and hearing specifically from Broward stakeholders.

David Sofferin, DCF Assistant Secretary for Substance Abuse and Mental Health, was in attendance, and stated that while the Managing Entity plan is ultimately necessary, the agency is willing to slow down the implementation process, possibly consider holding additional meetings and explore alternative routes of implementation. The Broward Delegation will be sending a letter to Governor Scott and DCF, emphasizing the need to slow the implementation process to allow for additional planning time.

**Follow us on
Twitter
@BrowardSLI**

INTERGOVERNMENTAL
AFFAIRS STAFF

Gretchen Harkins
Eddy Labrador
Christopher Brown
Susan Harbin

Department of Juvenile Justice Detention Cost Share Workgroup

On July 27, Commissioner Wexler participated in the second in a series of meetings of the Department of Juvenile Justice's (DJJ) Detention Cost Share workgroup, the entity created in proviso language in the state's detention budget. Comprised of DJJ representatives and various county officials, the workgroup is developing recommendations for reform and improvements to the existing cost share structure, due to the Legislature on November 1. As of now, the DJJ has agreed to prepare and submit a legislative budget request for \$2.7 million dollars to increase the General Revenue appropriation and in turn serve to bring the budget into balance with the actual detention utilization. If accepted, the \$2.7 million adjustment would reduce by 25 percent the total amount paid by counties next year. Other potential targets of reform included changing the risk assessment instrument in terms of what a juvenile is required to score before he or she is committed, as well as revisiting the formula that determines the financial distribution to fiscally constrained counties. The next workgroup meeting is scheduled for mid-September.

Medicaid 1115 Waiver Extension

The federal Centers for Medicaid and Medicare Services (CMS) granted the Florida Agency for Health Care Administration (AHCA) a third extension for its existing Section 1115 waiver, which authorizes the five-county Medicaid pilot program, begun in 2006. Originally set to expire on June 30, the current waiver has been extended to August 31 to allow time for the state to continue its negotiations with CMS regarding statewide implementation of Medicaid managed care, passed by the Florida Legislature during the last Session. Full implementation will require a new and significantly modified Section 1115 Waiver, along with various other waivers and approvals from the federal government. The State submitted its detailed plan to CMS on August 1; however, months of negotiations are expected.

Several Florida legislators, including members of the Broward delegation, have sent letters to CMS requesting that the agency reject the state's request to move forward with statewide managed care.

Wetlands Conservation in the Everglades

On August 11, the U.S. Department of Agriculture (USDA) announced a \$100 million plan for wetlands conservation in the Everglades. The funds, which will come from the Wetlands Reserve Program of the USDA Natural Resources Conservation Service, will be used to acquire permanent conservation easements from agricultural landowners in the Northern Everglades Watershed, made up of parts of Glades, Hendry, Highlands, and Okeechobee counties. Specifically, the program will allow eligible landowners to voluntarily sell the rights to develop their land while otherwise retaining exclusive ownership and the ability to use their land for agricultural purposes. Restoring wetlands in the Watershed will help to decrease water runoff, thereby reducing nutrient contamination in the Everglades and South Florida's water management infrastructure, while also providing critical wildlife habitat.

Follow us on
Twitter
[@BrowardSLI](#)

INTERGOVERNMENTAL
AFFAIRS STAFF

Gretchen Harkins
Eddy Labrador
Christopher Brown
Susan Harbin

Senate Select Committee on Protecting Florida's Children

On August 10, 2011, Senate President Haridopolos created the Senate Select Committee on Protecting Florida's Children, and appointed Senator Negron to serve as the Chair. This committee will serve as a stand-alone select committee and will be staffed by the Senate Committee on Criminal Justice. Membership includes:

- Joe Negron, Chair
- Arthenia Joyner, Vice Chair
- Anitere Flores
- Greg Evers
- Chris Smith

Legislative Committee Weeks

The Florida Senate and House of Representatives released the schedule for Interim Committee meetings to be held in Tallahassee prior to Regular Session which convenes on Tuesday, January 10, 2012 and is scheduled to end on March 9, 2012.

The Interim Committee Weeks are as follows:

- **Week of September 19**
- **Week of October 3**
- **Week of October 17**
- **Week of October 31**
- **Week of November 14**
- **Week of December 5**

The Appropriations Committee hearings will be held on the following dates:

- **October 31**
- **November 14**
- **December 5**

If you need additional information or assistance scheduling travel or meetings, please contact our Office at 954-357-7575.

Broward County 2012 State Legislative Program

The 2012 Broward County State Legislative Program is being developed by the Office of Intergovernmental Affairs (OIAPS). Important dates include the following:

- **November 8** – Broward County Board of County Commissioners' Workshop.
- **December 13** – Joint Broward County Board of County Commissioners / Broward Delegation Legislative Program Workshop.

Broward County legislative resources include:

- [2011 State Legislative Final Report](#)
- [2011 State Legislative Program](#)
- [Office of Intergovernmental Affairs and Professional Standards](#)

OIAPS has begun meeting with Broward County Department Directors and Legislative Coordinators in order to create the 2012 State Legislative Program . If you have any questions as to the process or content of the 2012 State Legislative Program, please call OIAPS at 954-357-7575.

Follow us on
Twitter
[@BrowardSLI](#)

INTERGOVERNMENTAL
AFFAIRS STAFF

Gretchen Harkins
Eddy Labrador
Christopher Brown
Susan Harbin