

*State
Legislative Final
Report
2005*





BOARD OF COUNTY COMMISSIONERS



Ilene Lieberman
District 1



Mayor
Kristin D. Jacobs
District 2



Vice-Mayor
Ben Graber
District 3



Jim Scott
District 4



Lois Wexler
District 5



Sue Gunzburger
District 6



John E. Rodstrom, Jr.
District 7



Diana Wasserman-Rubin
District 8



Josephus Eggelton, Jr.
District 9

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State Legislative Final Report 2005

Section One: Appropriations

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* Section One is a report on the FY2005-2006 Final Budget prepared by the Capitol Hill Group.



SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

1. AGENCY FOR WORKFORCE INNOVATION

- A. Grants & Aids- Regional Workforce
Florida Youth Summer Jobs Program in Broward

\$500,000 - VETOED
Item #2121

2. DEPARTMENT OF AGRICULTURE

- A. Support for Food Banks
 - FY 2005-2006 Appropriation \$475,000 - Statewide
 - FY 2004-2005 Appropriation \$300,000 - Statewide
 - Item #1422A
- B Citrus Canker Eradication
 - FY 2005-2006 Appropriation \$54,235,542 - Statewide
 - FY 2004-2005 Appropriation \$54,600,000 - Statewide
 - Item #1467
- C. Citrus Canker Tree Compensation Program
 - FY 2005-2006 Appropriation \$1.8M - Statewide
 - FY 2004-2005 Appropriation \$1.5M - Statewide
 - Item #1469A
- D. Citrus Canker SHADE Replacement Program
 - FY 2005-2006 Appropriation \$1.8M - Statewide
 - FY 2004-2005 Appropriation \$1.5M - Statewide
 - Item #1469B
- E. Mosquito Control Grants to Local Governments
 - FY 2005-2006 Appropriation \$2,160,000 - Statewide
 - FY 2004-2005 Appropriation \$2,160,000 - Statewide
 - Item #1390

3. DEPARTMENT OF COMMUNITY AFFAIRS

- A. Land Acquisition – Environmentally Endangered, Unique/Irreplaceable Lands
 - FY 2005-2006 Appropriation \$66,000,000 - Statewide
 - FY 2004-2005 Appropriation \$66,000,000 - Statewide
 - Item #1568
 - B. State Housing Initiative
 - FY 2005-2006 Appropriation \$130,886,000 - Statewide
 - FY 2004-2005 Appropriation \$130,886,000 - Statewide
 - Item #1571
- Broward County – Total Allocation**
Broward \$12,626,198
Coral Springs \$ 3,324,479
Davie \$ 922,975
\$ 593,431

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF COMMUNITY AFFAIRS, CONTINUED

<i>Deerfield Beach</i>	\$ 481,058
<i>Fort Lauderdale</i>	\$1,257,569
<i>Hollywood</i>	\$1,060,601
<i>Lauderhill</i>	\$ 430,553
<i>Margate</i>	\$ 401,513
<i>Miramar</i>	\$ 713,380
<i>Pembroke Pines</i>	\$1,102,267
<i>Plantation</i>	\$ 623,734
<i>Pompano Beach</i>	\$ 641,411
<i>Sunrise</i>	\$ 650,249
<i>Tamarac</i>	\$ 422,978
C. Cuban American Bar Association –Pro Bono Project Item #830	\$100,000 - VETOED
D. Emergency Operations Center – Broward Item #1508A	\$ 12,987 - VETOED
E. Emergency Operations Center retrofit/upgrade Item #1508A	\$1,000,000

F. Growth Management Policy (SB360) FY 2005-2006 Appropriation <ul style="list-style-type: none"> • Transportation Project Funding • Water Project Funding • Public School Funding 	\$1.5 Billion – Statewide \$1,116,750,000 \$ 200,000,000 \$ 183,250,000
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4. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Land Acquisition for Conservation and Recreation - Florida Forever FY 2005-2006 Appropriation FY 2004-2005 Appropriation	\$300 M – Statewide \$300 M – Statewide
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The Florida Forever program is funded annually by the sale of bonds. Agencies and programs that benefit from Florida Forever funding include the Department of Environmental Protection, Florida Recreational and Development Program (FRDAP), Land Acquisition, Recreation and Parks Maintenance, and Recreation Trails. Additionally, the Department of Community Affairs, Fish and Wildlife Conservation Commission, Department of Agriculture and Consumer Services, Division of Forestry, and the Water Management Districts also receive funding from Florida Forever.

B. Examples of Broward County projects, which have been approved for funding from recent cycles of Florida Forever Funds, are listed below:

Florida Communities Trust/Community Affairs Projects from Florida Forever FCT Grant Awards

<i>Little Fuzzy Bunny Cove – City of Dania</i>	\$ 924,931
<i>Hollywood N. Beach Park Addition – Broward County</i>	\$1,492,668
<i>Southwest Meadows Sanctuary – Town of Southwest Ranches</i>	\$3,300,000
<i>Deerfield Beachfront Park – City of Deerfield</i>	\$326,500

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF ENVIRONMENTAL PROTECTION, CONTINUED

Vista View Regional Park Expansion – Town of Davie

* The 2005-2006 funding cycle begins September 2005.

C. Florida Recreation & Development Assistance Grants (FRDAP)

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1778

\$6,409,704

\$43,687,396 - Statewide
 \$21,200,000 – Statewide

Town of SW Ranches – Southwest Meadows Sanctuary

Town of Davie – SW 58 Avenue Park

City of Lauderhill - Inverary Waterfront Park

City of Pompano Beach – Community Park Enhancements

City of Miramar - Miramar Park Enhancements

City of Deerfield Beach – Pioneer Park

City of Margate – Coral Gate Park Enhancements

City of Pompano Beach – Mitchell/Moore Park Enhancements

City of Oakland – Carter Woodson Park

Town of Pembroke Park – 2005 Preserve Cap. Improvements

City of Cooper City – Flamingo Park

City of Tamarac – Tamarac Aquatics Complex

City of Lighthouse Point – DeGross Park Nature Project

City of Wilton Manors- Richardson Estate Park

City of Hollywood – Church Site Park

\$200,000
\$200,000
\$200,000
\$200,000
\$200,000
\$200,000
\$200,000
\$200,000
\$ 50,000
\$ 50,000
\$200,000
\$ 94,000
\$112,500
\$135,850

D. Local Governments – FCO – Local Parks

FY 2005-2006 Appropriation
 Item #1778A

\$2,000,000 – Statewide

Hillsboro Canal Linear Trail- Deerfield Beach

Southside School Revitalization- Broward

\$ 50,000 - VETOED
\$200,000 - VETOED

E. Beach Projects

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1778A

\$73,262,200 - Statewide
 \$25,000,000 - Statewide

Broward County Beach Nourishment

Hillsboro/Deerfield Beach Nourishment

Hillsboro Inlet Management District

\$ 256,924
\$1,251,000
\$ 510,000

F. Water Projects – Restoration Projects

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1717A

\$123,562,460 - Statewide
 \$120,000,000 - Statewide

Basin S-9 and S-10 Stormwater Improvement Project

Fort Lauderdale Peele-Dixie Wellfield Recharge

\$800,000
\$150,000

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF ENVIRONMENTAL PROTECTION, CONTINUED

Lauderdale Lakes Comprehensive Stormwater Improvements

\$250,000

Pembroke Park Stormwater Improvements

\$550,000

Pompano Beach Rehab Storm Drain Pipe

\$300,000

Tamarac Stormwater Pump Station Replacement

\$550,000

Edgewood/River Oaks Drainage – Ft. Lauderdale

\$500,000

Plantation Acres Imp District Master Drainage Plan

\$250,000

Town of Lauderdale by the Sea – Stormwater & Sanitary Sewer Capital Improvement Project

\$600,000

Plantation Acres Improvement District Master Plan

\$250,000

United Ranches Water Supply

\$250,000 - VETOED

Miramar Unidirectional Flushing Water System

\$200,000 - VETOED

G. Hurricane Relief – Marinas

\$5M - Statewide

Item #1910A

5. DEPARTMENT OF STATE

A. State Aid to Libraries

FY 2005-2006 Appropriation

\$35,490,870 - Statewide

FY 2004-2005 Appropriation

\$35,490,870 - Statewide

Item #2962

Broward County Library System

\$2,703,783*

Oakland Park

\$ 42,918*

Lighthouse Point

\$ 21,019*

*Estimated appropriation provided by the Department of State – final appropriations will be determined at a later date.

B. Library Cooperative Grant Program

FY 2005-2006 Appropriation

\$1,800,000 - Statewide

FY 2004-2005 Appropriation

\$1,500,000 - Statewide

Item #2961

Southeast Florida Library Network (SEFLIN)

\$300,000

C. Library Construction Grants

FY 2005-2006 Appropriation

\$ 7,500,000 - Statewide

FY 2004-2005 Appropriation

\$11,872,575 - Statewide

Item #2967A

Lauderdale Lakes Branch Library

\$500,000

Miramar Branch Library

\$500,000

D. Historic Museum Grants

FY 2005-2006 Appropriation

\$1,750,000 - Statewide

FY 2004-2005 Appropriation

\$1,312,500 - Statewide

Item #2944

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF STATE, CONTINUED

E. Historic Preservation Grants	
FY 2005-2006 Appropriation	\$2,000,000 - Statewide
FY 2004-2005 Appropriation	\$1,585,870 - Statewide
Item #2945	
F. Grants and Aids –FCO - Special Categories - Acquisition, Restoration of Historic Properties	
FY 2005-2006 Appropriation	\$12,500,000 - Statewide
FY 2004-2005 Appropriation	\$10,424,873 - Statewide
Item #2949A	
Presidential Train “U.S. No.1” Phase II	\$300,000
Viele House - Davie School Foundation, Inc.	\$235,000
G. Non-State Entities FCO – Specific Cultural & Historic	
Item # 2982D	
Lauderhill Performing Arts Center	\$ 50,000 - VETOED
H. Lauderdale Lakes Educational and Cultural Resource Center	\$150,000 - VETOED
Item #2967B	
I. Cultural Endowment Program	
FY 2005-2006 Appropriation	\$960,000 - Statewide
FY 2004-2005 Appropriation	\$480,000 – Statewide
Item #2978A	
J. Arts Grants	
FY 2005-2006 Appropriation	\$2,919,029 - Statewide
FY 2004-2005 Appropriation	\$2,225,279 - Statewide
Item #2974	
K. Science Grants	
FY 2005-2006 Appropriation	\$500,000 - Statewide
FY 2004-2005 Appropriation	\$375,000 - Statewide
Item #2975	
L. Arts in Education Grants	
FY 2005-2006 Appropriation	\$550,000 - Statewide
FY 2004-2005 Appropriation	\$375,000 - Statewide
Item #2976	
M. Local Arts Agencies/State Service Org.	
FY 2005-2006 Appropriation	\$400,000 - Statewide
FY 2004-2005 Appropriation	\$300,000 - Statewide
Item #2977	

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF STATE, CONTINUED

N. Youth & Children's Museum Grants	
FY 2005-2006 Appropriation	\$250,000 - Statewide
FY 2004-2005 Appropriation	\$187,500 - Statewide
Item #2978	
O. Cultural Exchange Program	
FY 2005-2006 Appropriation	\$250,000 - Statewide
FY 2004-2005 Appropriation	\$187,500 - Statewide
Item #2979	
P. Cultural Institutions	
FY 2005-2006 Appropriation	\$6,495,872 - Statewide
FY 2004-2005 Appropriation	\$4,871,904 - Statewide
Item #2980	
Q. Florida Endowment for the Humanities	
FY 2005-2006 Appropriation	\$215,000 - Statewide
FY 2004-2005 Appropriation	\$161,250 - Statewide
Item #2981	
R. State Touring Program	
FY 2005-2006 Appropriation	\$200,000 - Statewide
FY 2004-2005 Appropriation	\$150,000 - Statewide
Item #2982	
S. Challenge Grant Program	
FY 2005-2006 Appropriation	\$280,776 - Statewide
FY 2004-2005 Appropriation	not funded
Item #2978B	
T. Cultural Facilities Program (FCO)	
FY 2005-2006 Appropriation	\$11,738,950 - Statewide
FY 2004-2005 Appropriation	\$ 4,169,346 - Statewide
Item #2982A	
Museum of Discovery and Science	\$427,185
Young Circle Arts Park	\$500,000
City of Plantation Amphitheater	\$217,158
U. Regional Cultural Facilities Programs	
FY 2005-2006 Appropriation	\$ 500,000 - Statewide
FY 2004-2005 Appropriation	\$1,000,000 - Statewide
Item #2982B	

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF STATE, CONTINUED

V. Voting System Assistance	
FY 2005-2006 Appropriation	\$17,525,000 - Statewide
FY 2004-2005 Appropriation	\$12,125,000 - Statewide
Item #2931	
W. Voter Education	
FY 2005-2006 Appropriation	\$3M - Statewide
FY 2004-2005 Appropriation	\$3M - Statewide
Item #2983	

6. DEPARTMENT OF TRANSPORTATION

A. <i>Lighthouse Point Bridge Replacement</i>	
Item #2030	\$300,000 - VETOED
B. Seaport – Economic Development	
FY 2005-2006 Appropriation	\$15M-Statewide
FY 2004-2005 Appropriation	\$15M-Statewide
Item #1993	
C. Seaport – Access Program	
FY 2005-2006 Appropriation	\$10M-Statewide
FY 2004-2005 Appropriation	\$10M-Statewide
Item #1994	
D. Seaport Grants	
FY 2005-2006 Appropriation	\$33,183,000-Statewide*
FY 2004-2005 Appropriation	\$ 14,750,000-Statewide
Item #1995	

*Appropriation includes Strategic Intermodal System (SIS) projects related to Seaports.

Port Everglades New River Bridge Over FPL Canal Port Everglades Southport Container (VIII) Phase 3

E. Aviation Development Grants	
FY 2005-2006 Appropriation	\$115,973,722-Statewide
FY 2004-2005 Appropriation	\$ 92,244,000-Statewide
Item #1990	
Airport In-Line Baggage Screening System	\$5,600,000
FY 2005-2006 Appropriation	
These funds are for terminal expansion and are provided by a fund shift in the DOT 5-year work plan	
Fort Lauderdale Airport Security	\$50,000 - VETOED
Item #1201	

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF TRANSPORTATION, CONTINUED

Airport South Terminal (Exit) Roadways Phase 3

FY 2005-2006 Appropriation
DOT 5-year work plan

\$2,566,000

Airport Taxiway C Design and Construction

Due to need of additional environmental studies before this project can move forward, Fort Lauderdale Airport staff requested that the funds for this project be shifted to the Airport In-Line Baggage Screening System.

F. Public Transit Development Grants
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #1991

\$169,035,096-Statewide
\$146,524,729-Statewide

Second Street Transit Pedestrian Corridor Broward County Block Grant Operating Assistance

\$1,488,000
\$8,248,011

G. Rail Development Grants
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #1996

\$166,983,989-Statewide
\$ 65,091,569-Statewide

Double Track seg#5

H. Transportation Disadvantaged Grants
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #1998

\$6,000,000
\$37,721,278-Statewide
\$38,113,532-Statewide

I. Transportation Disadvantaged Medicaid Services
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #1999

\$80,037,492-Statewide
\$67,373,040-Statewide

J. Intermodal Development Grants
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #1997

\$147,616,191-Statewide
\$154,265,610-Statewide

K. DOT Work plan – major projects within Broward County funded for FY 2005-2006
SR-811 (Dixie Highway) from Sunrise Blvd. to South Fork of Middle River
SR-870 (Commercial Blvd.) From E of NE Ave. to ICWW
SR-824 (Pembroke Rd) From E of SR-817 (University Dr) to SW 62nd Ave.
SR-736 (Davie Blvd.) From East of SW 9th Ave. to SR 5 (US-1)
I-595 (SR 862) From 136th Ave. (I-75) to W of Pine Island Road
SR-7 (US-441) From S of Oakland Park to S of Commercial Blvd.
SR-5 (US-1) From Sunrise Blvd. to Oakland Park Blvd.
SR-848 (Stirling Road) From E of SR-7 (US-441) to SR-5 (US-1)

\$1,498,497
\$2,637,122
\$3,823,829
\$4,194,430
\$4,418,636
\$4,478,822
\$4,970,333
\$6,797,758

SECTION ONE: APPROPRIATIONS GENERAL GOVERNMENT BUDGET

DEPARTMENT OF TRANSPORTATION, CONTINUED

<i>I-95 (SR-9) From NW 6th Street Bridge to S end of Poweline Rd.</i>	\$ 7,122,867
<i>SR-7 (US-441) From NW 3rd Street to S Oakland Park</i>	\$ 7,436,511
<i>SR-834 (Sample Road) From W of I-95 to W of SR 5 (US-1)</i>	\$ 7,870,821
<i>I-595 (SR-862) From 136th Ave. (I-75) to W Pine Island Drive</i>	\$10,536,305
<i>I-95 (SR-9) From S end of McNab Road Br to Sample Rd. (SR-834)</i>	\$11,129,881
<i>I-75 (SR-93) From N of Sheridan St. to Sawgrass Expwy.</i>	\$14,758,263
<i>Widen Turnpike from HEFT to N of Johnson St. (6 to 8 lanes)</i>	\$11,039,330
<i>SR-7 (US-441) From N of Hallendale Bch. to N of Filmore St.</i>	\$12,952,469
<i>Install Fiber Optic & ITS Devices Atlantic to Coral Ridge MP6-MP10</i>	\$ 3,977,960
<i>SR-862 (I-595) From WB I-595 to WB SR-84</i>	\$ 5,967,016
<i>Broward County Camera Project</i>	\$ 1,807,110
<i>Widen Sawgrass from Atlantic Blvd. to Coral Ridge Road (to 6 lanes)</i>	\$34,639,131
<i>SR-822 (Sheridan Street) From N 26th Ave. to N 23rd Ave.</i>	\$ 1,175,556
<i>SR-736 (Davie Blvd) from 25th Ave. to E of SW 17th Ave.</i>	\$ 1,272,387
<i>SR-810 (Hillsboro Blvd) at Military Trail</i>	\$ 1,292,204
<i>SR-A1A (17th St Causeway) from US-1 to SE 10th Ave.</i>	\$ 1,375,058
<i>SR-736 (Davie Blvd) from SW 38th Ave. to SW 25th Ave.</i>	\$ 1,958,642
<i>Andrews Ave. Exit from S of Atlantic Blvd to S of RR Bridge Approach</i>	\$ 4,273,648
<i>Andrews Ave. Extension Br over CSX RR & Roadway Approaches</i>	\$13,361,965

7. OFFICE OF TOURISM TRADE AND ECONOMIC DEVELOPMENT

A. Transportation Projects Item #2510	\$10M - Statewide
B. Lauderdale Lakes Movie & Film Production Development Item #2498B	\$100,000 - VETOED

SECTION ONE: APPROPRIATIONS JUDICIAL AND CRIMINAL JUSTICE BUDGET

1. STATE ATTORNEY/PUBLIC DEFENDER AND STATE COURT SYSTEM

A. State Attorney's Office – 17th Judicial Circuit

Salary and Benefits

FY 2005-2006 Appropriation

Total Positions

FY 2004-2005 Appropriation

Total New Positions

Item #931

\$27,377,602
494
\$26,665,887
9

B. Public Defender – 17th Judicial Circuit

Salary and Benefits

FY 2005-2006 Appropriation

Total Positions

FY 2004-2005 Appropriation

Total New Positions

Item #1019

\$12,407,060
213.5
\$12,079,426
- 0 -

2. ARTICLE V

A. Article V Technology Board

Item # 2594A

\$500,000 - Statewide

B. Data Processing Services – Judicial Inquiry System

State Courts Administrator for deployment of JIS

Item #2998

\$3,994,088 - Statewide

C. Due Process Contingency Fund

Total Positions

Item # 2999

\$774,334 - Statewide
33

D. Additional Compensation for County Judges

Item # 3022C

\$275,855 - Statewide

E. Guardian Ad Litem

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #846-850

\$26,259,278 - Statewide
\$22,357,256 - Statewide

F. New Judge Positions

FY 2005-2006

FY 2004-2005

Item #832A

55 - Statewide
- 0 -

The GAA provides funding for a total of 55 new judges statewide including 35 Circuit Court Judges and 12 Court Judges. Additionally, funding is provided for each thirty-five new Circuit Court Judges to hire a Judicial Assistant. Broward County will receive three Circuit Court Judges, one position is effective November 2, 2005 and the other two positions are effective January 2, 2006 and two County Judges, one position is effective November 1, 2005 and the other is effective January 2, 2006.

SECTION ONE: APPROPRIATIONS JUDICIAL AND CRIMINAL JUSTICE BUDGET

3. FLORIDA DEPARTMENT OF LAW ENFORCEMENT

A. National Criminal History Improvement Program (NCHIP)

State Agencies

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #1154

\$2,683,102-Statewide
\$2,683,102-Statewide

B. National Criminal History Improvement Program (NCHIP)

Local Government

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #1155

\$1,529,434-Statewide
\$1,529,434-Statewide

C. Project Safe Neighborhoods

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #1156

\$1,263,483-Statewide
\$1,263,483-Statewide

D. Community and Statewide Drug Abuse Prevention Program

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #1160

\$4,497,908-Statewide
\$4,497,908-Statewide

E. Project DARE

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #1162

\$508,302-Statewide
\$508,302-Statewide

F. Strengthening Domestic Security

FY2005-2006 Appropriation

FY2004-2005 Appropriation

Item # 2090A

\$101,590,029 - Statewide
\$130,740,368 - Statewide

Abbreviated list of statewide projects of interest to Broward County include:

Statewide Interoperable Communication Solution

All discipline Multi Agency Coordination System Build-out in each region

Urban Area Security Initiative (for distribution)

Sustain & Maintain Equipment Regional Hazmat Response Teams

Urban Search & Rescue/Hazardous Materials Training

Statewide Regional data sharing project

Region 7 – Miami/Broward

Buffer Zone Protection Program (for distribution)

\$10,767,000
\$ 3,285,000
\$30,885,716
\$ 1,041,200
\$ 3,626,500
\$ 9,410,000
\$ 3,000,000
\$ 4,850,000

SECTION ONE: APPROPRIATIONS JUDICIAL AND CRIMINAL JUSTICE BUDGET

4. DEPARTMENT OF JUVENILE JUSTICE

A. Legislative Initiatives to Reduce and Prevent Juvenile Crime – Detention Centers

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1072

\$1,795,524 - Statewide
 \$ 595,524 - Statewide

B. Grants for Fiscally Constrained Counties for Juvenile Detention Center Costs

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1073

\$5,529,581 - Statewide
 \$3,500,000 - Statewide

C. Outsourced Detention Center Operations

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1072

\$2,411,506 - Statewide
 \$2,411,506 - Statewide

D. Legislative Initiatives to Reduce and Prevent Juvenile Crime - Aftercare Services

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1076D

\$1,837,235 - Statewide
 \$1,350,000 - Statewide

E. Legislative Initiatives to Reduce and Prevent Juvenile Crime - Probation

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1076K

\$1,080,000 - Statewide
 \$1,580,000 - Statewide

F. Legislative Initiatives to Reduce and Prevent Juvenile Crime-Non-Residential Delinquency Rehabilitation

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1076P

\$200,000 - Statewide
 \$325,000 - Statewide

G. Legislative Initiatives to Reduce and Prevent Juvenile Crime- Non-secure Residential Commitment

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1124A

\$450,000 - Statewide
 \$937,235 - Statewide

H. Legislative Initiatives to Reduce and Prevent Juvenile Crime – Prevention and Diversion

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1146

\$6,301,000 - Statewide
 \$5,144,572 - Statewide

5000 Role Models of Excellence Project Expansion

I. PACE Centers for Girls

FY 2005-2006 Appropriation
 FY 2004-2005 Appropriation
 Item #1145

\$200,000 - VETOED

\$10,472,579 - Statewide
 \$ 9,710,627 - Statewide

SECTION ONE: APPROPRIATIONS JUDICIAL AND CRIMINAL JUSTICE BUDGET

5. DEPARTMENT OF CORRECTIONS

- A. Fixed Capital Outlay/Prison Beds
FY 2005-2006 Appropriation (Funded approximately 2886 new prison beds statewide) **\$23,940,530 - Statewide**
FY 2004-2005 Appropriation (Funded approximately 11,000 new prison beds statewide) **\$99,600,000 - Statewide**
- B. Prison Beds funded for operations - Statewide
FY 2005-2006 Appropriation (Estimated prison population = 86,615 which includes a daily population increase of 1,962) **\$23,242,751 - Statewide**
FY 2004-2005 Appropriation (For increased prison population estimated at 3075 and two new Institutions in Franklin and Columbia Counties) **\$39,100,000 - Statewide**

*Of the 2004-2005 Appropriation for Fixed Capital Outlay, roughly 79% has been spent or has been encumbered.

SECTION ONE: APPROPRIATIONS EDUCATION BUDGET

1. PUBLIC SCHOOLS/OPERATIONS

A. Broward County Public Schools/Total Potential Funding

FY 2005-2006 Appropriation
FY 2004-2005 Appropriation

\$1,679,343,768
\$1,571,074,163
6.89% increase

B. Broward County Public Schools/ Total Funds per Un-weighted FTE

FY 2005-2006 Appropriation
FY 2004-2005 Appropriation

\$6,177.07
\$5,842.84
5.72% increase

C. State Categorical Programs/Broward County Schools

- 1. Instructional Material**
- 2. Student Transportation**
- 3. Public School Technology**
- 4. Teacher Lead Program**
- 5. Teacher Training**
- 6. Class Size Reduction**
- 7. Reading**

\$ 401,831
\$ 31,939,158
\$ 5,073,884
\$ 1,819,408
\$ 1,829,340
\$162,187,861
\$ 9,095,247

D. Aid to Local Governments – Workforce Development

Broward County School District

Item #116

\$68,022,335

E. Safe School Activities – Broward School District

Item #73

\$50,000

F. Communities in Schools – Multi-county

Item #86

\$1M - Statewide

G. Special Categories – School & Instructional Enhancements

Item #99

WPPB-TV Becon Educational Programming

Holocaust Teacher Training & Resources

\$250,000 - VETOED
\$150,000

H. Teacher Training and Resources

Item #1146

\$18M - Statewide

I. Aid to Local Governments – District Cost Differential

Broward County

FAU Lab School

FSU Lab School (Broward)

Item #79A

\$4,477,252
\$ 1,452
\$ 12,820

SECTION ONE: APPROPRIATIONS EDUCATION BUDGET

2. PUBLIC SCHOOLS/ FIXED CAPITAL OUTLAY

FY 2005-2006 Appropriation	\$228,100,000 - Statewide
FY 2004-2005 Appropriation	\$194,602,648 - Statewide
FY 2005-2006 Statewide Allocations:	
Public Schools	\$148,889,804
Community Colleges	\$ 19,429,057
State University System	\$ 32,081,139
Charter Schools	\$ 27,700,000

3. COMMUNITY COLLEGES

A. Broward Community College Lottery Funds Item #8	\$7,032,451
B. Aid to Local Governments – Jobs for Florida’s Future Broward Community College Item #119	\$362,749

C. Aid to Local Governments – Challenge Grants Broward Community College Item #120B	\$3,447,275
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D. Community College Fixed Capital Outlay Gen ren/rem HVAC/fire alarm system, Bldg 3-31 Major ren/rem fire alarms, HVAC, UG Utilities M complete Ren/rem Classrooms/labs in Bldg 50-51 Ren/rem Library Bldg 72 to Classrooms Classrooms/Labs/Stu Svcs w/ City – Town Cntr – Miramar Item #19	\$3,507,518 \$2,000,000 \$3,510,009 \$1,015,049 \$1,080,000
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E. Community College – Facilities Matching Program Automotive Technology Facility – Miramar Aviation Institute – South Buehler Planetarium – Central Teaching Auditorium/ Performing Arts Center Item #23A	\$200,000 \$ 49,995 \$414,450 \$ 25,000
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F. Aid to Local Governments – Adults with Disability Funds Broward Item #32	\$1,827,855
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4. ACADEMIC PROGRAM CONTRACTS

A. Nova Southeastern University – MS in Speech Pathology Item # 59	\$91,368
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SECTION ONE: APPROPRIATIONS EDUCATION BUDGET

5. SPECIAL CATEGORIES

A. *Nova Southeastern University – Health Programs*
Item # 62

\$5,990,750

B. *Nova Southeastern University – Nursing School*
Item #62

\$800,000 - VETOED

6. STATE UNIVERSITY SYSTEM – FIXED CAPITAL OUTLAY

FAU Student Activity Center – Davie

\$2,639,249

FAU Outdoor Site Improvements – Davie

\$ 106,846

FAU Joint-Use Child Care Center – Davie

\$ 10,000

FAU Student Space Modification – Downtown

\$ 70,000

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

1. AGENCY FOR HEALTH CARE ADMINISTRATION (AHCA)

A. Florida KidCare

- 1) Program/Operating Budget
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item # 162-166

\$531.3M – Statewide
\$531.3M – Statewide

2) KidCare Enrollment

Case load ceiling level = 389,515
Statewide

House Bill 569 CS, Florida KidCare Program, passed during the 2005 Legislative Session and was presented to the Governor on May 20, 2005. The bill allows year-round enrollment in the Florida KidCare program and provides that KidCare applications are valid for 120 days from the date it is received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application is rendered invalid and the applicant must be notified of the action. The applicant may then resubmit the application.

This legislation is a result of Senate Bill 2000, which passed during the 2004 Legislative Session and included two 30-day open enrollment periods per fiscal year. In November of 2004, the Social Service Estimating Conference reviewed recent KidCare program experience and learned that caseloads were on a downward trend. Caseloads for November 2004 were at approximately 85 percent of the average appropriated monthly level for the fiscal year. In December 2004 approximately 55,000 children lost their subsidized health insurance because their families did not provide the necessary paperwork to renew coverage. It was determined that the enrollment time constraints and the significant increase in required application documentation provided for in SB2000 was contributing to the decline in enrollment. During the 2004 Special Session, Senate Bill 28A, Florida KidCare Program Eligibility, reduced the required documents for enrollment.

B. Medicaid Program - Statewide

- 1) Total Funding
FY 2005-2006 Appropriation
FY 2004-2005 Appropriation

\$15.5 B - Statewide
\$14.6 B - Statewide
11% Increase

2) Medically Needy

This program has an estimated statewide caseload of 35,034 and has been fully funded at \$393,345,560.

3) Hospitals

The impact of a statewide hospital rate freeze will produce a projected net loss in uncompensated care of \$117M.

4) Pharmaceuticals

The impact of policy changes provided for in the 2005-2006 GAA which amends Medicaid pharmaceutical coverage policies to: rename the prescription drug formulary as the preferred drug list (PDL); authorizes step-therapy approval for prior authorization of drugs not on the PDL and authorizes exemptions to step-therapy will produce an estimated reduction of more than \$300M.

5) Nursing Homes/LT Care

The result of policy changes delaying nursing home staff increases modifying the methodology for nursing home rates and redirecting \$64.7M to the Nursing Home Diversion Program will produce an estimated reduction of \$285,675,012.

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

6) Medicaid Reform SB 838

Senate Bill 838 was developed from recommendations submitted to booth Select Committees on Medicaid Reform, input from interested parties, and provisions of the Governor's Medicaid Reform Plan. The bill passed the Legislature on May 6. It contains both short and long-term Medicaid reform activities related to long term care as well as a primary and acute care, general statutory changes for improved Medicaid administration, guidelines for demonstration projects, appropriations for implementing reforms and studies designed to improve efficiency and achieve sustainable growth in Florida's Medicaid Program.

AGENCY FOR HEALTH CARE ADMINISTRATION (AHCA), CONTINUED

Several policy issues of interest to Broward County include:

Long Term Care Reform Provisions

Directs AHCA to redesign and implement the capitated, integrated long-term care system in two unspecified areas of the state and one of those areas must be a voluntary program.

Covers individuals 60+ exceptions for certain eligibility groups and covers all Medicaid services.

Competitive procurement and actuarially sound rates are required and legislative approval is required before implementation.

Primary and Acute Care Reform Provisions

Authorizes AHCA to continue developing a plan to demonstrate a capitated managed care system to replace the fee-for-service system, contingent upon a mechanism that provides a reasonable growth factor for the upper-payment-level funding and the use of other intergovernmental transfers.

Specifies Broward, Duval, Baker, Clay and Nassau counties as **demonstration sites and allows for fee for service payment options for provider service networks.**

Requires that provider service network contracts currently in effect shall be extended for a period of three years and provides a definition for a provider service network.

Requires AHCA to post any waiver applications to implement the pilot on its Internet web site 30-days before submission to the federal government and to submit the waiver applications to the appropriate committees of the Legislature for review and comment before submission.

C. ***Demonstration Project to reduce geriatric falls among community-based Medicaid beneficiaries – (Broward, Miami-Dade)***

Item #169

\$4,824,000 - VETOED

2. **DEPARTMENT OF CHILDREN AND FAMILIES (DCF)**

A. Emergency Shelter and Transitional Housing

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #284

\$ 911,600 - Statewide

\$4,000,000 - Statewide

B. Child Abuse Prevention and Intervention

FY 2005-2006 Appropriation

FY 2004-2005 Appropriation

Item #287

\$43,804,646- Statewide

\$43,804,646- Statewide

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

DEPARTMENT OF CHILDREN AND FAMILIES (DCF), CONTINUED

C. Grants to Sheriffs for Protective Investigations	
FY 2005-2006 Appropriation	\$36,330,584 - Statewide
FY 2004-2005 Appropriation	\$31,912,999 - Statewide
Item #295	
Broward County Sheriff	\$13,337,160
D. Community Care for Disabled Adults	
FY 2005-2006 Appropriation	\$2,041,955 - Statewide
FY 2004-2005 Appropriation	\$2,041,955 - Statewide
Item #278	
E. Home and Community Based Services Waiver	
FY 2005-2006 Appropriation	\$8,302,091 - Statewide
FY 2004-2005 Appropriation	\$8,302,091 - Statewide
Item #281	
F. Community Mental Health Services – Adults	
FY 2005-2006 Appropriation	\$207,684,442 - Statewide
FY 2004-2005 Appropriation	\$204,945,367 - Statewide
Homeless Mental Health Project	\$425,000
Item #326	
Special Categories – Homeless Programs	
FY 2005-2006 Appropriation	\$5,900,000 - Statewide
Item #1573	
G. Baker Act Services for Adults	
FY 2005-2006 Appropriation	\$60,145,363 - Statewide
FY 2004-2005 Appropriation	\$59,099,570 - Statewide
Item #327	
H. Children’s Mental Health Services	
FY 2005-2006 Appropriation	\$41,979,481 - Statewide
FY 2004-2005 Appropriation	\$41,061,560 - Statewide
Item #332	
I. Children’s Baker Act Services	
FY 2005-2006 Appropriation	\$12,181,793 - Statewide
FY 2004-2005 Appropriation	\$ 9,633,401 - Statewide
Item #336	
J. Children and Adolescent Substance Abuse Services	
FY 2005-2006 Appropriation	\$75,568,192 - Statewide
FY 2004-2005 Appropriation	\$26,828,262 - Statewide
Item #351	

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

DEPARTMENT OF CHILDREN AND FAMILIES (DCF), CONTINUED

K. Alternative Therapies Program – Broward, Dade Item #354	\$50,000
L. Florida Association of Food Banks – Broward Item #378	\$50,000 – VETOED
M. Homeless Assistance Funding Homeless Assistance Funding FY 2005-2006 Appropriation Item #377	\$5,000,000 – Statewide
N. Broward Addiction Recovery Center & Psychotropic Medication FY 2005-2006 Appropriation	\$3,752,784
This appropriation is included in the base budget for the Department of Children and Families for adult substance abuse operations/ services at the Broward Addiction Recovery Center. The contract does provide the flexibility for BARC to purchase psychotropic drugs. The Community Issue Budget Request in the amount of \$633,000 for the purchase of psychotropic drugs was not funded	
O. Older Adult Behavioral Health Services Elderly and Veteran Services FY 2005-2006 Appropriation	\$1,600,000
Recurring funding from the Department of Children and Families	
3. ELDER AFFAIRS	
A. Alzheimer Projects/Services FY 2005-2006 Appropriation FY 2004-2005 Appropriation Item #416	\$6,941,071 - Statewide \$6,421,571 - Statewide
Alzheimer's Services for Multi-Cultural Communities Alzheimer's Services for Multi-Cultural Communities	\$ 75,000 - Statewide \$335,500 - Statewide
B. Alzheimer Respite Care Services FY 2005-2006 Appropriation FY 2004-2005 Appropriation Item #417	\$7,651,454 - Statewide \$8,801,454 - Statewide
C. Community Care for the Elderly FY 2005-2006 Appropriation FY 2004-2005 Appropriation Item #418	\$53,636,284 - Statewide \$52,976,284 - Statewide
D. Home & Community Based Waiver FY 2005-2006 Appropriation FY 2004-2005 Appropriation Item #423	\$88,569,763 - Statewide \$78,448,855 - Statewide

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

ELDER AFFAIRS, CONTINUED

E. Assisted Living Facility Residential Waiver

FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #424

\$31,626,666 - Statewide
\$30,754,351 - Statewide

F. Public Guardianship Services

FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #441

\$1,882,527 - Statewide
\$1,824,627 - Statewide

G. Special Categories – Local Service Programs

Item #426

South FL Naturally Occurring Retirement Communities (NORC) Palm Beach, Broward, Miami-Dade

**Howard C. Forman Service Campus Affordable Sr. Residences
Southwest Focal Point Early Bird Nutrition Center – Broward**

**\$900,000 - VETOED
\$206,101 – VETOED
\$25,000**

H. Aid to Local Governments – Fixed Capital Outlay

Item #428A

Lauderdale Lakes – Alzheimer’s Day Care

I. Home Care for the Elderly
FY 2005-2006 Appropriation
Item #418

\$52,897,315

Home Care for the Elderly is a part of the Community Care for the Elderly. The allocation between Home Care for the Elderly and Community Care for the Elderly will be determined by mid-July 2005.

4. DEPARTMENT OF HEALTH

A. County Health Departments

1) Total Funding to County Health Units

Funding includes state, federal and local sources

FY 2005-2006 Estimated Appropriation

- Family Health Services
- Infection Disease Control
- Environmental Health Services
- Local Health Needs

\$725,072,068 - Statewide
\$502,910,557
\$125,507,164
\$ 24,599,552
\$ 878,478,42

B. Other Health Issues

1) School Health Services

FY 2005-2006 Appropriation
FY 2004-2005 Appropriation
Item #473

\$21,271,881 - Statewide
\$21,271,881 - Statewide

SECTION ONE: APPROPRIATIONS HEALTH AND HUMAN SERVICES BUDGET

DEPARTMENT OF HEALTH, CONTINUED

- 2) Ounce of Prevention
FY 2005-2006 Appropriation \$3M - Statewide
FY 2004-2005 Appropriation \$3M - Statewide
Item #476
 - 3) Aids Patient Care
FY 2005-2006 Appropriation \$19,861,929 - Statewide
FY 2004-2005 Appropriation \$19,861,929 - Statewide
Item # 529
 - 4) Ryan White Consortia
FY 2005-2006 Appropriation \$20,754,358 - Statewide
FY 2004-2005 Appropriation \$20,754,358 - Statewide
Item #488
- Specific Appropriation 488 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award.
- C. **Joe DiMaggio Children's Hospital Craniofacial Program**
Item #547 **\$200,000 - VETOED**
 - D. **Pediatric Liver Transfer – Alachua, Broward**
Item #560 **\$205,968**
 - E. **Iset Cell Transplantation – Broward**
Item #525 **\$400,000 – VETOED**

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SECTION TWO: LEGISLATIVE PROPOSALS

AFFORDABLE HOUSING SURTAX

The Broward County Board of County Commissioners supported legislation to establish a documentary stamp surtax on commercial property transactions for the purpose of creating a dedicated funding stream for affordable housing pending referendum approval. **HB 1221** by Representative Smith and **SB 2578** by Senator Atwater provided charter counties with populations of 1.2 million or more (Broward and Palm Beach) with the authority to hold a referendum for the approval or rejection of levying the tax. Approval of the surtax would not impact the amount of funding derived from other housing trust funds but would provide additional revenue. **HB 1221 and SB 2578 did not pass.**

AGRICULTURAL ECONOMIC DEVELOPMENT

The Broward County Board of County Commissioners opposed **HB 561** and **SB 716** which would accelerate the conversion of agricultural land to development, increase urban sprawl and weaken the county land use decision making authority. This legislation established an "agricultural enclave" classification, created a new cause of action under the Bert Harris Act, and weakened the counties authority related to urban sprawl. **HB 561 and SB 716 did not pass.**

ALIMONY

The Broward County Board of County Commissioners opposed legislation to allow for the modification of alimony based on evidence that the recipient lives with someone not related by blood or marriage in a supportive relationship. **CS/SB 152**, which authorizes a court to reduce or terminate an alimony award upon specific written findings that a supportive relationship exists between the recipient of alimony and a third party, **passed**. The legislation recognizes that relationships exist that provide economic support equal to that of a marriage and that alimony may be modified upon a showing of equivalent equitable circumstances. **Chapter Reference: 2005-168. Effective Date: June 10, 2005.**

ARTICLE V

HB 1935 addresses the state's continued implementation of Revision 7 to Article V of the State Constitution. The bill revises the conflict counsel process and also addresses the relationship between the courts and the Clerks of Court regarding the court-required clerks functions. Notably for Broward County, the bill addresses the County's custodianship of the official records by providing that where the duty of maintaining official records exists in a county office other than the clerk of court or comptroller, such county office is designated the custodian of all official records, and the clerk of court is designated the custodian of all court records. **Chapter Reference: 2005-236. Effective Date: July 1, 2005, except where otherwise provided.**

BUILDING CODE

The Broward County Board of County Commissioners supported legislation providing increased consumer protection for Florida residents. **SB 442** addresses a number of issues relating to the development and administration of the Florida Building Code and related building safety requirements. While the legislation addressed several building related industries, the provisions impacting local government operations are detailed below.

Administrative

- Provides that it is grounds for discipline for a building code administrator, engineer, or registered architect to perform building code inspections without the necessary insurance.
- Bars cities and counties from imposing additional certification or licensure requirements for state certified electrical and alarm contractors.
- Provides new procedures for binding review of building code decisions by local building officials.
- Allows a fee owner's contractor, rather than only the fee owner, to use a private provider for building code inspection services.
- Eliminates the requirement that the private provider of code inspection services maintain comprehensive general liability insurance and increases professional liability insurance requirements.
- Restricts local governments' ability to use building code fee revenues for non-related activities.

SECTION TWO: LEGISLATIVE PROPOSALS

Building Permit Review

- Provides that an application to a county or municipality for a site development plan, building permit, or other permit must be acted upon within 120 days unless the applicant agrees to an extension.
- Provides that the effective date of the Florida Building Code, 2004 Edition, shall be October 1, 2005; however, the bill stipulates that building plans submitted for review between July 1 and October 1 may elect to undergo compliance review using either the current edition of the code or the new 2004 edition of the code.

The bill was approved by the Governor with two section vetoes relating to the appropriation of funds for building code education. **Chapter Reference: 2005-147. Effective Date: July 1, 2005.**

CHARTER COUNTY MILLAGE

SB 554 and **HB 47** would have allowed a charter county to cap, by referendum or citizens initiative, ad valorem taxes in its charter at a rate that is less than the constitutional limit of 10 mills. Additionally, **SB 554** and **HB 47** prescribed the method by which a charter county could cap the growth in property tax revenues. Notwithstanding any other provision of law, the bill required each constitutional and charter officer to comply with the growth rate cap in the county charter when preparing a budget to submit to the county commission. Finally, the bill limited county municipal service taxing unit millage to the amount specified in the ordinance that established such a unit. **HB 47 and SB 554 did not pass.**

CONSTRUCTION AND DEMOLITION DEBRIS

The Board of County Commissioners opposed legislation which would allow for the potential recycling of hazardous materials. **SB 1906** and **HB 1031**, as proposed, revised the definition of "recoverable materials" to include wood and concrete and provided for construction and demolition debris to be considered recovered materials. **SB 1906 did not pass.**

A strike-all amendment to **HB 1031 passed** which changed the bill from a Construction and Demolition Debris recycling bill to a Reuse and Recycling of Campaign Signs bill. This legislation requires the Department of Environmental Protection to design a pilot project to encourage the recycling of campaign signs in four counties. **Chapter Reference: 2005-20. Effective Date: July 1, 2005.**

ELECTIONS

The Broward County Board of County Commissioners supported the following changes to elections law:

- Ceasing early voting one day earlier, so early voting will not be allowed on the day before the election. This will permit Supervisors of Elections to devote the day to Election Day preparations.
- Expanding current law to include additional sites as optional early voting locations.
- Amending Florida law to remove the time limit of eight hours in the aggregate for each weekend during early voting periods and allowing the number of weekend hours to be determined by the local Supervisor of Elections.
- Amending relevant Florida Statute(s) to require a paper receipt or other verification of votes cast in order to provide a viable manual recount, if necessary.

The Legislature passed two comprehensive elections bills, **HB 1589 and HB 1567**, also **HB 1673 passed** which eliminates the second primary election.

HB 1589 sets out requirements for the new Florida Voter Registration System ("FVRS") that must be operational by January 1, 2006, in order to comply with the Federal Help America Vote Act of 2002 ("HAVA"). The bill's provisions include:

Voter Registration

- Requires the Department of State to provide a report of specific voter information to the Legislature within certain timeframes.
- Clarifies that a mark must be placed by a voter registration applicant in the various check boxes on the voter registration application affirming the applicant's eligibility in order for an application to be complete.

SECTION TWO: LEGISLATIVE PROPOSALS

Administrative

- Requires the reporting of election results by precinct.
- Gives the Secretary of State authority to bring and maintain actions at law or by mandamus or injunction to enforce the performance of any duties of a county supervisor of elections or any election official performing duties with respect to ch. 97-102 and ch. 105, F.S., or to enforce compliance with department rules.
- Changes the qualifying date for persons seeking the office of Public Defender and State Attorney to coincide with the qualifying dates for judicial office.
- Expands the rulemaking authority of the Department of State to encompass the interpretation and implementation of any provision of the Election Code.

Campaign Finance

- Restricts candidates for statewide office from accepting contributions from national or state political parties, including subordinate committees, when the aggregate contribution exceeds \$250,000, no more than \$125,000 of which may be accepted prior to the 28-day period immediately preceding the date of the general elections.
- Revises the method of calculating a candidate's expenditures if the candidate is requesting contributions from the Election Campaign Financing Trust Fund.
- The total expenditure limit is increased for a candidate for Governor and Lieutenant Governor from \$5 million to \$2 dollars for each Florida-registered voter and for Cabinet Officers from \$2 million to \$1 dollar for each Florida-registered voter.

Chapter Reference: 2005-278. Effective Date: January 1, 2006 except as otherwise provided.

HB 1567 contains numerous conforming, technical, and clarifying changes to the Florida Election Code stemming from Florida's overhaul of its election administration system originating with passage of the Florida Election Reform Act of 2001. The bill makes the following substantive changes:

Voter Registration

- Regulates voter registration activities by third-party voter registration organizations.
- Removes the affirmation of citizenship that is contained in the oath a voter must sign on a voter registration application.
- Permits a person casting a provisional ballot to present written evidence supporting eligibility to vote to the supervisor no later than 5 p.m. on the third day following an election.

Absentee Ballots

- Requires a voter's request for an absentee ballot to be received by the Supervisor no later than 5 p.m. on the sixth day prior to the election, and requires a Supervisor to mail an absentee ballot to the voters requesting ballots no later than four days before the election.
- Requires a Supervisor to track when a ballot is delivered to a voter, or the voter's designee, or when the ballot was delivered to the post office.

Polling Locations

- Permits any elector or poll watcher to challenge the right of any voter to vote 30 days or less before an election by filing a completed copy of the oath, and provides a penalty for a voter or poll watcher who files a frivolous challenge; however, an elector or poll watcher is not subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such elector or poll watcher by law.
- Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.
- Prohibits anyone from soliciting a voter at a polling place, early voting site, or within 100 feet of such locations, in an effort to provide the voter with assistance in casting their vote.
- Prohibits the solicitation of voters inside the polling place or within 100 feet of the entrance to a polling place or early voting site, and removes all exceptions to the no-solicitation zone.
- Prohibits photography in the polling room or early voting area.

SECTION TWO: LEGISLATIVE PROPOSALS

Early Voting

- Requires Supervisors of Elections to designate early voting sites no later than 30 days before an election and requires all early voting sites in a county to be open on the same days for the same amount of time.
- Permits poll watchers at early voting areas and allows political committees registered to support or oppose a ballot issue to have one watcher in each polling room and early voting area.
- Allows for early voting to end the second day before an election and restricts early voting to eight hours per day during the week and eight hours in the aggregate on weekends.

Administrative

- Allows the political party to nominate a replacement candidate if a vacancy occurs in nomination for any reason.
- Prohibits a manual recount from being ordered if the number of over votes, under votes, and provisional ballots is fewer than the number of votes needed to change the outcome of the election.
- Removes the provision allowing a candidate who was defeated by between one-quarter and one-half percent of the votes from requesting a manual recount.
- Prohibits a political party from accepting an in-kind contribution that does not provide a direct benefit to the political party; permits any employee of the Department of State, with expertise in the matter of concern to the Secretary, to have full access to all premises, records, equipment, and staff of a supervisor of elections, upon the written direction of the Secretary of State.

Chapter Reference: 2005-277. Effective Date: January 1, 2006 except as otherwise provided.

ELECTRIC POWER SUPPLY ALTERNATIVE INVESTIGATION

The Broward County Board of County Commissioners supported the state legislature commissioning a study to investigate solutions to the vulnerability of Florida's electrical supply system due to storm impacts. **SB 526 and HB 677** would have created an Electric Utility Task Force to analyze the current electric utility transmission and distribution systems, the current telecommunications and cable systems, as well as determining available alternatives to these systems, and the feasibility, costs, and reliability of alternatives, including consideration of storm conditions. **HB 677 and SB 526 did not pass.**

ELECTRONIC SIGNATURE FACILITATION

The Broward County Board of County Commissioners supported amending F.S. 713.135 to enable the acceptance of electronic permit applications without a notarized signature and enable the use of a pin number and affidavit clause to verify encryption of the permit.

SB 1854 and HB 1661 would have authorized local governments to accept applications for building permits transmitted electronically. The bill provided for the format of the electronic application, and required the application to include an electronic affidavit by the owner applying for the permit. The legislation also provided criminal penalties for knowingly making a false statement in the affidavit. **HB 1661 and SB 1854 did not pass.**

GROWTH MANAGEMENT

The Broward County Board of County Commissioners opposed legislation which would limit the county's land use planning authority. While several proposals to weaken charter county authority as it relates to land use were considered, **SB 360 passed** without these controversial provisions. **SB 360** also appropriates \$1.5 billion in new money for various transportation, water, and school infrastructure programs and makes numerous changes to the laws governing growth management in Florida. The changes are detailed below.

Financial Feasibility

The bill requires a local government's comprehensive plan to be financially feasible and the capital improvements element in a local comprehensive plan to include a schedule of improvements that ensure the adopted level-of-service standards are achieved and maintained. Also, it requires an annual review of the capital improvements element to maintain a financially feasible 5-year schedule of capital improvements. Capital improvements element amendments must be adopted and transmitted no later than December 1, 2007. The bill provides for sanctions if the amendment and subsequent updates are not transmitted in a timely manner.

SECTION TWO: LEGISLATIVE PROPOSALS

Water Supply Planning

SB 360 strengthens the link between development approval and water supply planning. Specifically, the potable water element must incorporate water supply projects identified by the local government from the regional water supply plan or proposed by the local government within 18 months after the update of the regional water supply plan. Prior to the approval of a building permit or its functional equivalent, a local government is required to consult with the applicable water supplier to determine whether adequate water supplies will be available to serve the new development at the certificate of occupancy.

School Concurrency

Adequate school facilities must be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval. Each local government must adopt a public school facilities element and the required update to the interlocal agreement by December 1, 2008. The state land planning agency shall provide a phased schedule for these amendments. The bill requires a local government's comprehensive plan to include proportionate fair-share mitigation options for schools.

Transportation Concurrency

Transportation facilities must be in place or under actual construction within 3 years from the local government's approval of a building permit or its functional equivalent that results in traffic generation. Each local government must adopt a methodology for assessing proportionate fair-share mitigation options by December 1, 2006.

Small Scale Review

The bill also amends the 10-acre residential density threshold for small scale review to include amendments for which the proposed future land use category allows a maximum residential density that is the same or less than the density allowable under the existing future land use category. Small scale amendment review is also provided for amendments involving the construction of affordable housing units meeting certain criteria.

Community Vision/Urban Service Boundary

Local government is encouraged to develop a community vision. The process of developing a community vision requires the local government to hold a workshop and two public hearings with stakeholders. Also, a local government is encouraged to adopt an urban service boundary. This area must be appropriate for compact, contiguous urban development within a 10-year planning timeframe. The establishment of an urban service boundary does not preclude development outside the boundary. As an incentive for development within an urban service boundary or in an urban infill and redevelopment, the bill allows small scale review of map amendments within the urban service boundary or designated urban infill and redevelopment area. However, this provision does not apply in areas of critical state concern or to amendments that would increase densities in high hazard coastal areas. As an additional incentive, development within an urban service boundary is exempt from development-of-regional-impact review if the local government has entered into a binding agreement with certain jurisdictions and the Florida Department of Transportation regarding the mitigation of certain impacts and has adopted a proportionate share methodology. This exemption from development-of-regional-impact review is also extended to proposed development within a proposed development or redevelopment within an urban infill and redevelopment area designated under s. 163.2517, F.S.

Evaluation and Appraisal Report

SB 360 address the evaluation and appraisal report process under s. 163.3191, F.S. Amendments to update a comprehensive plan based on an evaluation and appraisal report (EAR) must be adopted during a single amendment cycle within 18 months after the report is determined to be sufficient by the state land planning agency. Beginning July 1, 2006, failure to timely adopt and transmit update amendments to the comprehensive plan based on the EAR shall result in a prohibition on plan amendments until the EAR-based amendments are adopted and transmitted to the state land planning agency.

Studies and Task Forces

- *Regional Agency Boundary Study*: The Office of Program Policy Analysis and Government Accountability is directed to perform a study by December 31, 2005, regarding adjustments to the boundaries of the Florida Regional Planning Councils, Florida Water Management Districts, and Florida Department of Transportation Districts. The written report will be submitted to the Governor and the Legislature by January 15, 2006.

SECTION TWO: LEGISLATIVE PROPOSALS

- *Century Commission*: The bill creates the 15-member Century Commission for a Sustainable Florida with its members to be appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives. One member will be designated by the Governor as Chairman. The members will represent diverse interests, with the first meeting to be held not later than December 1, 2005. Beginning January 16, 2007, the Century Commission will send an annual written report to the Governor and the Legislature. The President of the Senate and the Speaker of the House of Representatives will create a joint select committee in 2007 to review the findings and recommendations of the Commission. **The recurring portion of the Century Commission’s funding was vetoed by the Governor**, leaving a nonrecurring appropriation of \$250,000 to fund Commission activities.
- *School Concurrency Task Force*: The bill creates the School Concurrency Task Force to review the requirements for school concurrency in law and make recommendations regarding streamlining the process and procedures for establishing school concurrency. The 11-member task force must report to the Governor and the Legislature by December 1, 2005, with specific recommendations for revisions to the Florida Statutes and administrative rules. **Funding for this Task Force was vetoed by Governor.**
- *Impact Fee Review Task Force*: The bill creates the Florida Impact Fee Review Task Force to be composed of 15 members who are charged with surveying and reviewing the current use of impact fees as a method of financing local infrastructure to accommodate new growth and current case law controlling the use of impact fees. The Legislative Committee on Intergovernmental Relations will serve as staff to the task force. The task force shall provide a report to the Governor and the Legislature by February 1, 2006.

Funding

SB 360 Appropriations	Recurring Doc Stamp	Non-recurring General Revenue
State Transportation Trust Fund		
New Starts Transit Program	\$54.175 M	
Small County Outreach Program	\$27.0875 M	
Strategic Intermodal System	\$345.3656 M	\$175 M
Transportation Regional Incentive Program	\$115.1219M	\$275 M
State Infrastructure Bank		\$100 M
County Incentive Grant Program		\$25 M
Subtotal	\$541.75 M	\$575 M
Department of Environmental Protection		
Water Protection & Sustainability Trust Fund	\$100 M	\$100 M
Subtotal	\$100M	\$100 M
Public Education Capital Outlay		
Classroom For Kids	\$75 M	\$41.65 M
High Growth District Capital Outlay Assistance	\$30 M VETOED	\$30 M
Subtotal	\$105 M	\$71.65 M
DCA Grants and Donations Trust Fund		
Technical Assistance	\$3 M	\$3 M
Century Commission	\$250,000-VETOED	\$250,000
School Concurrency Task Force		\$50,000-VETOED
Impact Fee Task Force		\$50,000
Subtotal	\$3.25 M	\$3.35 M
Total Proposed in SB 360	\$750 M	\$750 M
Totals Approved by Governor FY 2005-2006	\$719.75 M	\$749.95 M

The Governor signed SB 360 into law with three vetoed appropriations provisions: (1) \$30 Million (recurring) for High Growth County District Capital Outlay Assistance Grant Program; (2) \$50,000 (non- recurring) to support the School Concurrency Task Force; (3) \$250,000 (recurring) for the Century Commission. **Chapter Reference: 2005-290. Effective Date: July 1, 2005.**

SECTION TWO: LEGISLATIVE PROPOSALS

IMPACT FEES

HB 1173 and SB 2302 sought to codify the impact fee process by standardizing the way local governments impose, collect, and expend impact fee revenues through the following provisions:

- Required local governments to include an impact fee credit for the full present value of all taxes, fees, or other payments paid directly or indirectly by the fee payer or property owner using the methodology defined in the legislation.
- Instituted a six-month waiting period between the enactment of an ordinance that levies or increases an impact fee and the collection of the fee or increase. It exempted building permit applications that were complete and had been filed prior to the effective date of an ordinance that changed the impact fee structure.
- Required that local governments report annually to the Auditor General on collection, expenditures, refunds, and administrative fees associated with impact fees.
- Mandated that a local government must refund an impact fee plus interest if the funds were not expended within six years for the purposes for which it was collected.
- Required impact fees collected within a municipality be expended pursuant to an interlocal agreement between the county and municipality. If no interlocal agreement existed, the impact fees collected within the municipality would be spent on infrastructure improvements within the municipality. Impact fees could only be spent outside of the city if it directly benefited the new development.
- Allowed an impact fee to be paid on the first closing to transfer real estate or title after issuance of the certificate of occupancy. The remainder of any impact fee would have been assessed as part of the local government's tax bill and paid over a 10 to 20-year period.

While, **HB 1173 and SB 2302 did not pass**, this issue is expected to be revisited during the 2006 legislative session.

INDEPENDENT WATER CONTROL DISTRICT REPRESENTATION

The Broward County Board of County Commissioners supported amending state law to change the governance of independent water control districts in highly populated counties whose members are elected in conjunction with the general election on a nonpartisan basis by the registered voters of the district rather than on one-acre/one-vote basis. **HB 1389** regarding Water Control Districts, expands the powers of the Board of Supervisors to execute water controls plans, revises public hearing notice requirements on district plans, and expands the district's authority to purchase properties. The bill provides significant changes to independent water control districts but does not further Broward County's policy related to governance. **Chapter Reference: 2005-238. Effective Date: June 15, 2005.**

JUVENILE JUSTICE COST SHIFT

The Broward County Board of County Commissioners opposed legislation that would continue the cost shift of juvenile detention to counties and shift the responsibility of operations and cost of juvenile justice detention facilities to the counties. **HB 1917 passed.** The bill makes the following changes to Chapter 985:

- Creates a day treatment program classified as a minimum-risk non-residential level of commitment.
- Provides for up to six months commitment at the minimum-risk non-residential level.
- Requires parents to pay \$1 per day in the minimum-risk non-residential level.
- Reconvenes a task force on juvenile sexual offenders and their victims to re-evaluate laws, practices, and procedures regarding this issue.

The cost shift of pre-detention to the counties was not repealed and remains in effect. The operational responsibility shift, which was in the original bill, was removed during the last few days of session. **Chapter Reference: 2005-263. Effective Date: July 1, 2005.**

LOCAL GOVERNMENT – UTILITIES AND COMMUNICATIONS

SB 1322 provides, in part, how a local government can provide specified communications services. The bill exempts communication services provided by a government, to itself, other governmental entities, or for emergency services. Also, communication services at airports are exempt to the extent that such services are provided within the airport layout plan and do not include the provision of dial-tone service for tenants. Finally, the bill includes a "grandfather" provision for governmental entities which currently provide communication services.

SECTION TWO: LEGISLATIVE PROPOSALS

The bill establishes a process which governmental entities are to use to establish communication services. This process involves notice to the public and resident communication providers of the intent to provide services, public hearings, and an affirmative vote of the governing body to proceed to provide such services. The bill also specifies requirements for the operation of the service and for an evaluation of the financial health of the service after four years of operation. The bill provides alternatives that the governmental entity must consider in order to continue providing communication services if it is determined that the service is not generating sufficient revenue to cover operations. **Chapter Reference: 2005-132. Effective Date: June 2, 2005.**

MEDICAID REFORM

The Broward County Board of County Commissioners supported legislation to extend Provider Service Networks, to continue and expand funding for the Medically Needy and Senior Prescription Program, to expand the Medipass program to include a provider service network for Medicaid mental health services as a form of managed care, and amending state law to establish protocols and criteria to allow for the redistribution of previously dispensed prescription drugs. **The Broward County Board of County Commissioners opposed** any legislation related to Medicaid reform that would eliminate statewide application of mandatory or optional Medicaid services, that shifted costs to counties when there is a state budget deficit or shortfall, or that diverted county funding to managed behavioral health care programs.

SB 838, Relating to Medicaid **passed**. The bill contains short and long-term Medicaid reform activities, pilot projects, studies designed to improve efficiency, development of new tracking systems, and methods for the prevention of Medicaid fraud. Any implementation, including demonstration projects, is contingent on the approval of federal waivers as well as additional approval from the Legislature. The bill extended current Provider Service Networks for a period of 3 years; requires Office of Program Policy Analysis and Governmental Accountability (OPPAGA) to conduct a study of Medicaid buy-in programs, and whether the Medically Needy program can be redesigned to be a Medicaid buy-in program; allows for the Provider Service Networks to provide mental health services; and requires the implementation of an electronic return and reuse program for drugs dispensed by pharmacies to institutional recipients.

The bill further requires the Agency for Health Care Administration (AHCA) to post all waiver applications to implement this program on its Internet website 30 days prior to submission to the federal government. All waiver applications must be provided to the House and Senate 10 days before submission to the federal government. The waivers must preserve the upper-payment-limit funding mechanism for hospitals and protect the disproportionate share program. All mandatory services and optional Medicaid services must continue to be provided and several programs are added to the list of services. Additionally, the bill requires OPPAGA and the Auditor General to conduct an evaluation of the pilot to be provided to the Governor and the Legislature no later than June 30, 2008, to consider statewide expansion.

Other pertinent provisions of the bill are as follows:

- Requires AHCA to contract with a vendor to identify and counsel providers whose clinical practice patterns are outside normal practice patterns.
- Authorizes AHCA to use more single-source contracting to reduce costs, without limiting access to care.
- Requires AHCA to determine if purchasing medical equipment is less expensive than renting medical equipment and authorizes AHCA to facilitate purchases in lieu of long-term rentals.
- Requires that provider service network contracts currently in effect shall be extended for a period of 3 years and provides a definition for a provider service network.
- Requires AHCA to consider business cases for changing reimbursement rates for certain services if the change reduces costs in other parts of the Medicaid program.
- Requires AHCA to contract with an entity to develop a real-time utilization tracking system or electronic medical record for Medicaid recipients.
- Modifies the Medicaid prescription drug utilization program to permit dispensing practitioners to participate in the Medicaid pharmacy network regardless of their proximity to other dispensing entities.
- Requires AHCA to implement a prescription-drug-management system and to study whether its reuse program can be expanded to reduce the unnecessary destruction of drugs.
- Allows mental health crisis care to be provided in licensed crisis-stabilization facilities if it is less costly.

SECTION TWO: LEGISLATIVE PROPOSALS

Of particular interest to Broward County is the demonstration project which will change the delivery of Medicaid services from the traditional Medicaid Provider Access System (MediPass), Medicaid Health Maintenance Organizations, Provider Service Networks (PSNs), and fee-for-service. The bill provides that Phase One of the demonstration project be implemented in two geographical areas. One site is Broward County, a second site will initially include Duval County with expansion to include Baker, Clay, and Nassau Counties within one year after the Duval County program becomes operational. No additional counties may be added to the demonstration project without the approval of the Legislature.

The project demonstration will include capitated rates provided to Medicaid recipients and recipients will make a choice from various service plans provided by provider service networks, Medicaid managed health organizations, or other third party approved providers. All clients will be offered counseling to assist them in their choices. A Medicaid client may also choose an "opt-out option" and purchase employer-sponsored insurance. All mandatory services and optional services are to be provided as well as vision screening, dental services, emergency services, disease management, and flexible benefits for wellness.

The bill lists the powers, duties, and responsibilities AHCA shall have with respect to the development of the demonstration program and other reform activities.

The bill also requires OPPAGA to study and confirm the value of nursing home diversion programs, Medicaid buy-in programs. In addition to the studies, **SB 838** requires OPPAGA, with the Attorney General's Medicaid Fraud Control Unit and the Auditor General, to study potential fraud and abuse by pharmaceutical manufacturers in their pricing and rebate practices and a report submitted to the Legislature and Governor by January 1, 2006. **Chapter Reference: 2005-133. Effective Date: July 1, 2005.**

MEDICALLY NEEDED AND DRUG PRESCRIPTION PROGRAM FUNDING

The Broward County Board of County Commissioners supported the continuation of funding for the Medically Needy and Senior Prescription Drug Programs with recurring state general revenue dollars. The Medically Needy Program was not originally funded in the Governor's recommended budget, but a later submitted supplemental budget fully funded the Medically Needy program to the same level as FY 2004, \$397.6 million. Services for 39,500 Floridians identified as medically needy will be continued as of July 1, 2005 for FY 2005-2006. The Medically Needy program is to be the subject of a study for determination if the program can be redesigned to a Medicaid buy-in program.

PORTABILITY OF SAVE OUR HOMES

HB 43 and SB 894 proposed to amend Article VII, section 4 of the Florida Constitution, to provide for assessing at less than just value, a new homestead property purchased within one year after a sale of a previous homestead property, with certain limitations. This would have allowed for "portability" of the "Save Our Homes" assessment limitation. The joint resolution, upon approval of the electorate, would have amended subsection 4(c)(3-4) and created subsection 4(c)(8) of Article VII of the State Constitution. **HB 43 and SB 894 did not pass.**

PROMPT PAYMENT FOR CONSTRUCTION SERVICES

HB 509, re-designates the "Florida Prompt Payment Act," which currently applies to local governments, as the "Local Government Prompt Payment Act." The bill reduces time frames during which contractors and subcontractors must issue payments to their subcontractors and suppliers. It also restricts the percentage (retainage) state and local governments may withhold from each payment to contractors during construction. Upon substantial completion of construction projects, the bill requires state and local governments to develop a list of items, i.e., a punch list, for final acceptance of construction services purchased. **Chapter Reference: 2005-230. Effective date: October 1, 2005**

PROPERTY APPRAISER ASSESSMENTS

HB 499 required real property to be physically inspected every five years for purposes of assessing the value of the property rather than every three years. Additionally, the bill revised the definition of the term "outdoor recreational and park purposes" (for the assessment of certain lands) to clarify the meaning of the term "open to the general public" as applied to a golf course. **HB 499 was vetoed by the Governor.**

SECTION TWO: LEGISLATIVE PROPOSALS

PUBLIC CONSTRUCTION BONDS

SB 652 amends provisions of s. 255.05, F.S., which controls performance and payment bonds used for public construction projects. It amends the bond form to add a space for entry of a bond number and to include language on the face of the bond stating that any action instituted by a claimant under the bond for payment must be in accordance with the notice and time limitation provisions contained in s. 255.05(2), F.S. The bill also revises how a subcontractor makes a claim against a bond and how contractors without privity to the general contractor makes a claim against the bond. The bill revises the statute of limitations for filing a claim against any payment and performance bond for a public work. The bill specifies that under no circumstances may a statutory bond be converted into a common law bond. Broward County requires the use of the statutory bond form in its construction agreements. Finally, the bill exempts causes of actions against a surety insurer under the bad faith provisions of the Insurance Code. **Chapter Reference 2005-218. Effective Date: June 2, 2005.**

RABIES REVACCINATION

The Broward County Board of County Commissioners supported legislation to revise laws addressing rabies revaccination of domestic animals based on vaccine manufacturer's directions in order to address over-vaccination. **HB 255**, which recognizes the validity of three year dog, cat, and ferret vaccinations after the initial one year vaccination of a young animal, passed into law. The bill also prohibits the requirement of re-vaccinating an animal on an annual basis when the three year vaccine has been administered. **Chapter Reference: 2005-74. Effective Date: January 1, 2006.**

RETAIL REFUND ORDINANCE

SB 1520 designated the Department of Agriculture and Consumer Services as the state clearinghouse for matters relating to consumer protection, information, and services. The bill revised numerous consumer protection regulations under the authority of the Department. Notable for the County was a provision that preempted to the State the authority to regulate retail refunds. Local consumer protection agencies would have been limited to enforcing the state retail refund regulations. This provision would have abrogated the County retail refund ordinance. **SB 1520 was vetoed by the Governor.**

RETINOBLASTOMA OCULAR DISEASE

The Broward County Board of County Commissioners supported eye pathology screening at birth and at each well-baby exam and urged the Legislature to pass legislation to assist in the detection of all ocular diseases that affect newborns, infants, and toddlers. **HB 1055** and **SB 1086** relating to infant eye care were introduced. **HB 1055 and SB 1086 did not pass.**

SENIOR SERVICES TAXING DISTRICT

The Broward County Board of County Commissioners supported legislation to establish a local independent taxing district for senior citizen services through a voter approved referendum. This legislation was introduced both as a local bill and as individually sponsored bills. **HB 229** by Representative Goldstein and **SB 62** by Senator Campbell were amended to include not only services for seniors but also for the developmentally disabled. **HB 229 and SB 62 did not pass.**

SLOT MACHINES

The Broward County Board of County Commissioners supported legislative implementation of the Constitutional Amendment authorizing slot machines at existing pari-mutuel facilities in Broward County. **The Board further encouraged** the Legislature to enact legislation that protects local governments' ability to enter into agreements to mitigate the costs generated by additional gaming at existing pari-mutuel facilities.

The Broward County Board of County Commissioners opposed any legislation that places the implementation of the slot machine amendment in jeopardy, by creating a non-competitive business environment to the pari-mutuel facilities in Broward County.

HB 1901 would have created the "Keep the Promise Act of 2005," which proposed a framework for the implementation of Article X, Section 23 of the State Constitution authorizing the operation of slot machines at certain existing pari-mutuel facilities in Broward County. **HB 1901** included the following provisions for slot machine implementation:

SECTION TWO: LEGISLATIVE PROPOSALS

Powers and Duties of the State

- Created a new Division of Slot Machines in the Department of Business and Professional Regulation and a 9-member State Slot Machine Gaming Board within that Division.
- Preempted the regulation of slot machine gaming to the state and any state-tribal compact must be ratified by the Legislature.
- Established reporting obligations for the Board, the Division and the Office of Program Policy and Governmental Accountability.

Regulation and Taxation

- Created a definition for slot machines that mirrored the standards applicable to Class II machines in the federal Indian Gaming Regulatory Act.
- Limited the number of machines that could be operated at a facility to no more than 3,000 per facility and imposed a tax of 55% on slot machine revenue.
- Established the licensing and penalty framework for all entities involved in the operation of slot machine gambling and provided for a significant law enforcement presence through the Division, FDLE and local law enforcement agencies.

Local Government Provisions

- Required chief officers of local law enforcement agencies geographically close to a slot machine gaming facility to annually submit affidavits to the Board concerning the adequacy of funding levels relating to the impacts of slot machine gambling in their jurisdiction.
- Required local governments geographically close to a slot machine gaming facility and local Tourist Development Councils statewide to annually submit resolutions to the Board demonstrating slot machine gambling impacts on local communities and impact on tourism and growth in local communities.
- Established a procedure for a county referendum to de-authorize slot machine gaming and a procedure for a municipality or county to declare slot machine gaming an undue burden.

HB 1901 did not pass, however the issue is being heard by the courts with a possibility of a special session being called by the Governor to address the regulation of slot machine gaming.

TOURIST DEVELOPMENT TAX SELF ADMINISTRATION

The Broward County Board of County Commissioners supported the re-enactment of sections of Florida law (which would otherwise expire on October 1, 2005) pertaining to referendum repeal requirements for the Tourist Development Tax and which will allow Broward County to continue to administer the Tourist Development Tax.

During the 2000 Regular Session, a number of bills were amended onto HB 509, which passed the Legislature, becoming Chapter 2000-312, Laws of Florida. One of the bills contained a repealer section that, once amended into HB 509, was not limited in scope. This repealer section created the current situation where a number of provisions in the Florida Statutes (namely the Tourist Development Tax Self Administration provision) would be repealed effective October 1, 2005, unless re-enacted by the Legislature.

SB 300 continues the repeal of the provision that the Tourist Development Tax cannot apply to any portion of taxes initially levied in November 1989, which has been pledged or are being used to support bonds, until after the retirement of those bonds; and authorizes counties that elect to audit the Tourist Development Tax and the Convention Development Tax to continue to use Certified Public Accountants.
Chapter Reference: 2005-96. Effect Date: July 1, 2005.

SECTION TWO: LEGISLATIVE PROPOSALS

TRUST FUND CAP

HB 1889 provides that effective July 1, 2007, the amounts distributed from documentary stamp tax collections to the following trust funds may not exceed amounts specified in the bill. The trust funds capped by **HB 1889** are:

- Land Acquisition Trust Fund
- Water Management Lands Trust Fund
- Invasive Plant Control Trust Fund
- State Game Trust Fund
- State Housing Trust Fund
- Local Government Housing Trust Fund

Distributions in excess of the amounts provided for in this legislation will be paid into the State Treasury to the credit of the General Revenue Fund. **HB 1889** also provides for the following:

- Includes a growth factor that will increase the cap for each fund based on growth in documentary stamp collections.
- Redirects approximately \$404 million to the General Revenue Fund in FY 2007-2008, and \$455 million in FY 2008-2009.
- Provides that the limit imposed on distributions to the State Housing Trust Fund shall not be construed to adversely affect the rights of holders of bonds or affordable housing guarantees.
- Appropriates \$250 million to fund the recommendations of the Hurricane Housing Workgroup.

Chapter Reference: 2005-92. Effective Date: July 1, 2007, except as otherwise provided.

VALUE POLICY LAW

The Broward County Board of County Commissioners and the Broward League of Cities supported no change to the State's value policy law, which in the event of a total loss, requires insurance companies to pay face value of a policy.

SB 1488, which contained a contrary provision regarding value policy, did not pass. **SB 1486**, comprehensive insurance legislation, which included compromise language on the issue of valued policy, passed. The provision allows that if an insured building is a total loss from a covered peril, and the known risk has not increased without insurer's consent, and if there is no fraud or criminal fault by the insured, the insurer shall be responsible for the full amount for which the property was insured.

Legislative intent language states that an insurer is not to be deprived of proper defense or that an insurer should not pay for a loss caused by a peril other than the covered peril. Further, when a loss was caused in part by a covered peril and in part by a non-covered peril, the insurer's liability shall be limited to the amount of loss caused by the covered peril. However, if the covered perils alone would have caused the total loss, the insurer is responsible for the full insured amount. The insurer is never liable for more than the amount necessary to repair, rebuild, or replace the structure following the total loss, after considering all other benefits actually paid for the total loss. The provision is prospective. **Chapter Reference: 2005-111. Effective Date: June 1, 2005, except as otherwise provided.**

SECTION TWO: LEGISLATIVE PROPOSALS

WATER POLICY

The Board of County Commissioners supported legislation that provides funding for Alternative Water Resource development and supported partnership programs that will help to meet growing water needs of the County and State. **SB 444**, Water Supplies, by Senator Dockery, provides for numerous changes to the State's water resource development efforts. The bill creates a new program to guide the water management districts in funding alternative water supply projects, defines the roles of local governments and water management districts and establishes a goal for the districts to provide a 100% match of state funds for development of Alternative Water Supplies. The bill creates the Water Protection and Sustainability Program that will provide \$200 million for alternative water supply development and other water quality programs in 2005/2006 and \$100 million recurring over ten years for water supply and quality programs. Additionally, the bill provides that the water management districts will provide a 100 percent match to State funds and that local government will provide 60 percent matching funds for alternative water supply projects. **Chapter Reference: 2005-291. Effective Date: June 24, 2005.**

WETLANDS MITIGATION

The Board of County Commissioners supported legislation that requires effective functional mitigation for impacts to wetlands which occurs as closely as possible to the area impacted, and which reflects the characteristics of the impacted area; and **opposed** any efforts that would negatively impact the County's ability to regulate the wetland resources of Broward County including through its delegate authority. **HB 759** directs the Department of Environmental Protection to develop on or before October, 2005, a mechanism or plan to consolidate the federal and state wetland permitting programs. The bill's intent is to have the state process all dredge and fill activities impacting 10 acres or less in wetlands or water as part of the environmental resource permitting program. **Chapter Reference: 2005-273. Effective Date: June 20, 2005.**

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SECTION THREE: LOCAL BILLS

NON-ANNEXATION LOCAL BILLS

BROWARD COUNCIL/SENIORS & DISABLED ADULTS TAXING DISTRICT

The Broward County Board of County Commissioners supported legislation to establish a local independent taxing district for senior services through a voter approved referendum.

HB 1501 by Representative Sobel and others, and **SB 2774** by Senator Campbell would have allowed for the creation of the Broward County Council of Seniors and Adults with Developmental Disabilities. The bill provided for a referendum and majority vote of electors to annually levy a tax to provide for the creation of an independent taxing district. **HB 1501 and SB 2774 did not pass.**

BROWARD MUNICIPAL ELECTIONS

HB 1047 shortens the elections filing period established in ch. 2004-443, L.O.F., by seven days. The new filing period will be from noon on the first work day in January to noon on the 7th day following the first work day in January for elections held in March. For elections held in November, the new filing period will be from noon on the first work day in September to the 7th day following the first work day in September. The bill changes when primary elections are to be held in Broward County, calling for all primary elections to be held on the Tuesday 9 weeks prior to the corresponding general election. The bill also clarifies that any November general elections are to be held on the first Tuesday after the first Monday in November. **Chapter Reference: Not Available. Effective Date: June 10, 2005.**

FORT LAUDERDALE DOWNTOWN DEVELOPMENT AUTHORITY

The Fort Lauderdale Downtown Development Authority (DDA) was created by the Legislature in 1965 to plan, construct and maintain public improvements and facilities within the central business district of the City of Fort Lauderdale. **HB 1657** codifies all previous special acts relating to DDA into a single act, as required by s. 189.429, F.S. **Chapter Reference: Not Available. Effective Date: June 10, 2005.**

NORTH LAUDERDALE WATER CONTROL DISTRICT

The North Lauderdale Water Control District (District) is a dependent special district located in Broward County. **HB 1043** is the codification of all prior special acts into a single act as required by s. 189.429, F.S. The bill also makes the following changes to the charter:

- Authorizes the district to borrow money at a rate not to exceed that which is provided by law.
- Provides that members of the board of supervisors shall be the "city commission," rather than the "city council" of the City of North Lauderdale.
- Requires the board to elect a chair and vice chair at the required annual meeting or as necessary due to vacancies.
- Requires the publication of the meeting notice to be made once at least seven days prior to the meeting rather than by publication for two consecutive weeks, and requires the meeting to be held at a public place, rather than a "convenient place," provides for the notice to be waived under emergency situations.
- Provides for the city clerk of the City of North Lauderdale to serve as the district secretary.
- Requires the board of supervisors to meet not less than three times per year to conduct the business of the District.
- Provides for board members to be reimbursed for travel expenses pursuant to s. 112.061, F.S.
- Provides that unpaid assessments become delinquent and bear penalties and interest at the highest rate authorized by general or special law, or as otherwise provided in district legislation imposing the assessment.
- Provides that interest rates on bonds issued by the board may not exceed the maximum rate allowed by law.
- Provides that interest rates on tax anticipation notes issued by the board, may not exceed the maximum rate allowed by law.

Chapter Reference: Not Available. Effective Date: June 13, 2005.

SECTION THREE: LOCAL BILLS

NORTH SPRINGS IMPROVEMENT DISTRICT

The North Springs Improvement District is an independent special district located in Broward County. **HB 1479** is a codification of the authorizing decree and all prior special acts into a single act, as required by section 189.429, F.S.

The bill makes the following changes to the charter:

- Increases the compensation of the board members from \$100 to \$200 per month.
- Authorizes the District to plan, establish, construct and maintain parks and facilities for indoor and outdoor community recreational and cultural uses, when authorized by resolution of the general purpose unit of local government, in its sole discretion, and also authorized by resolution of each municipality served by the District if the parks and facilities are or will be located in the unincorporated area.
- Authorizes the District to construct or renovate school buildings and related structures, when authorized by the local district school board, which may be leased, sold, or donated to the school district, for use in the public educational system.

Chapter Reference: Not Available. Effective Date: June 10, 2005.

PERFORMING ARTS CENTER AUTHORITY

The Performing Arts Center Authority is an independent special district located in Broward County. **HB 1361** is the codification of all prior special acts into a single act, as required by s. 189.429, F.S. **Chapter Reference: Not Available. Effective Date: June 3, 2005.**

PORT EVERGLADES PROMOTION

The Broward County Board of County Commissioners supported the amending of Chapter 94-429, Laws of Florida to authorize staff to promote and engender goodwill toward Port Everglades through expenditures including meals, hospitality and entertainment in the interest of soliciting new customers and retaining current business. Currently, Broward County has full power and authority to "create and promote commerce and industry within the county." **HB 1355** would have amended the Special Act to allow that in addition to the current powers, the County has the express power to expend funds for business development purposes. **HB 1355 was vetoed by the Governor.**

SOUTH BROWARD DRAINAGE DISTRICT

HB 1561 would have amended Chapter 98-524, Laws of Florida. authorizing the board to levy and collect an annual ad valorem tax upon taxable real property within that district. **HB 1561 did not pass.**

ANNEXATION LOCAL BILLS

COUNTRY ACRES ANNEXATION

HB 1359 provides a legal description of the area to be annexed into the City of Parkland effective September 15, 2006, without a referendum. It also provides a legal description for the Country Acres Area and requires a March 14, 2006 referendum for the registered voters residing in Country Acres to choose to be annexed into either the city of Coral Springs or the City of Parkland effective September 15, 2006, by a majority vote. The bill further requires that an interlocal agreement be executed between the annexing municipality and Broward County prior to the date of annexation. **Chapter Reference: Not Available. Effective Date: June 3, 2005.**

PINE ISLAND RIDGE ANNEXATION

HB 1045 provides for the annexation of the Pine Island Ridge unincorporated area by the Town of Davie. The annexation is contingent upon a March 14, 2006 referendum. Only registered voters residing in the area to be annexed may vote in the election, and voters may choose whether to be annexed into the Town of Davie effective September 15, 2006, by a majority vote. The bill further requires that an interlocal agreement be executed between the Town of Davie and Broward County prior to the date of annexation. **Chapter Reference: Not Available. Effective Date: June 10, 2005.**

SECTION THREE: LOCAL BILLS

UNITED RANCHES/RIO RANCHES ANNEXATION

HB 1477 provides a legal description of the unincorporated Broward County property to be annexed into the City of Cooper City effective September 15, 2006, without a referendum. It also provides a legal description for the United Ranches area and the Rio Ranches neighborhood. The bill requires a referendum be held July 5, 2006, the subject of which is the annexation of the United Ranches area either into the City of Cooper City or the Town of Davie. If a majority of the qualified voters residing in the area choose a municipality by majority vote, the area will be annexed into the municipality effective September 15, 2006.

Notwithstanding the results of the vote of the total United Ranches area, if a majority of the qualified voters residing only in the Rio Ranches neighborhood vote to be annexed into the City of Cooper City, the neighborhood will be annexed into that city effective September 15, 2006. The bill further requires that an interlocal agreement be executed between the annexing municipality and Broward County prior to the date of annexation. **Chapter Reference: Not Available. Effective Date: June 3, 2005.**



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