Budget Negotiations

On Monday evening, the House and Senate closed out variances within their respective appropriations bills and proviso language, meeting the 72-hour "cooling off" period required prior to floor consideration. The final outcomes of several conforming bill negotiations remain unclear, most notably HB 5301 relating to Medicaid. Conforming bills are subject to a 24-hour waiting period, meaning that they can be considered as late as Thursday and still allow for a timely Sine Die.

Budget Conference Highlights include:

- A more modest ($2.1 million) reduction in Adult Community Mental Health and Adult Substance Abuse programs in the Department of Children and Families' budget, where the Senate initially offered a 25% cut and House offered no reductions. In Adult Community Substance Abuse funding, $2.56 million was earmarked for two special projects. Out of Community Mental Health, $3.45 million was earmarked for special projects, one of which was for homeless veterans (and vetoed in last year’s budget).
- $1 million additional dollars were appropriated over 2011 levels, in Community Care for the Elderly programming, allowing older adults to age-in-place. Of the total CCE funding, there is $150,000 earmarked in nonrecurring general revenue for Alzheimer’s community care; $1 million earmarked in nonrecurring general revenue for aging resource centers; and $2 million earmarked in nonrecurring general revenue for Choice Counseling.
- The entire $2.3 million line item for homeless programs that leverages $77 million in federal match was removed from the budget.
- Increase of $450,000 for Child Protection Team Medical Directors, for a total of $660,000.
- $2.5 million in recurring general revenue provided to reduce the AIDS Drug Assistance Program (ADAP) waiting list.
- Petroleum cleanup pre-approval program, from the Inland Protection Trust Fund, funded at $125 million, a modest $3 million reduction from the previous year’s funding level.
- Storage tank compliance verification program, also from the Inland Protection Trust Fund, received no reductions and is funded at $7 million.
- Title V program is fully-funded at last year’s level.
- Everglades restoration funded at $30 million.
- $8 million restored to Florida Forever.
Solar Amendment

This week, both SB 704 by Sen. Bennett and HB 651 by Rep. Davis were amended to include language allowing property owners to submit both permitting documents and the necessary signatures electronically when applying to install solar devices. SB 704 was substituted for HB 651 in the House, and passed unanimously on third reading.

Energy Bill Amended

Sen. Bogdanoff and Rep. Moraitis filed amendments to SB 2094 and HB 7117, the energy package, to allow for proceeds of a voter-approved local government infrastructure surtax to be used for energy efficiency improvements on commercial properties. The bills are expanding the surtax’s use to include energy efficiency in addition to infrastructure projects. Before the amendments, energy efficiency improvements were limited to residential properties. While Broward County does not currently levy this surtax, the County believes it could be an important tool for future residential and commercial energy efficiency programs. HB 7117 is now in Senate messages; SB 2094 is on second reading in the Senate.

Informed Consent Amendment

Efforts to amend the informed consent language on to viable House and Senate vehicles have been unsuccessful. While there remains interest on this issue in both chambers, several members voiced concerns about introducing a policy change of this nature without the benefit of committee hearings. Sen. Sobel has expressed interest in conducting an interim project to evaluate the patient safety benefits and the impact to the health care industry, which will likely act as the impetus for stand-alone legislation in the next session.

Cap-and-Trade Law Repealed by the House

On Thursday, the House passed HB 4001 by Rep. Plakon, which would repeal a 2008 law, authorizing the Department of Environmental Protection to develop rules for a cap-and-trade system regulating greenhouse gas emissions. Florida never moved forward with establishing a cap-and-trade system, but supporters of the repeal questioned scientific evidence that humans contribute to climate change and argued that the cap-and-trade system on businesses would kill jobs. Opponents questioned the need for repeal, maintaining that the state needs to take steps to boost energy efficiency and renewable energy. The House passed the bill by an 82-34 vote. The companion bill, SB 648, has cleared committees and is ready to go to the full Senate.

Internet Café Update

The House passed HB 3, banning internet cafés that offer computerized games, which opponents argue are forms of illegal gambling, targeting low-income individuals. Conversely, the industry maintains they are in compliance with sweepstakes laws and, thus, are legal. Opponents to the ban also argue that it would cause thousands of café workers to lose their jobs. Several Senators have stated they prefer a regulatory scheme over an outright ban on Internet cafés.
Department of Health Reorganization

HB 1263 revamps the Department of Health, rewrites the duties of the state surgeon general, and makes changes in the Children’s Medical Services program. Public-health advocates raised concerns about whether the bill would reduce the disease-prevention efforts stemming from proposed revisions to the legal duties of the department and the state surgeon general, who heads the agency. After adopting a technical amendment and hearing debate, HB 1263 passed in the House by a vote of 86-28.

Anti-Rejection Drug Coverage Resolution

This week, Broward was pleased to have Rep. Jenne urge Congress to pass the SR 1454 Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act by Sen. Durbin. Rep. Jenne has reached out to members in Congress asking for passage of this life and cost saving measure, which will remove the 36-month post-transplant Medicare coverage limitation on anti-rejection drugs. Currently, Medicare pays for dialysis for life, but for comparatively less expensive anti-rejection drugs for three years. Rep. Jenne joins Sen. Rich, who also distributed correspondence on the issue, and Sen. Smith who filed a Senate resolution expressing the same sentiment.

Transportation Legislation

The House of Representatives has passed its transportation bill, HB 1399, by a 97-16 vote. As reported before, the bill contains seaport provisions supported by the Florida Ports Council, Broward County and public ports around the state. In particular, the bill increases from $8 million to $15 million the statutory funding minimum for the FSTED program; creates a new Strategic Port Investment Initiative with $35 million designated for the program; provides for FDOT to develop a freight mobility plan and a statewide seaport and waterways plan; authorizes seaports to provide onsite and offsite stormwater treatment to mitigate for port activity impacts, and provides an expedited challenge process for dredge material environmental resource permits issued by DEP. Rep. Brandes also amended the bill on second reading with the County’s red-light camera citations for deceased persons language.

In addition, the bill includes the agreed-upon SFRTA language and the bus bench language worked out between FDOT and the cities and counties. On third reading, Rep. Brandes amended the bill to increase from 30 days to 60 days the amount of time cities and counties would have to remove noncompliant bus benches or transit shelters installed on state roads after notice is received from FDOT. SB 1866, by Sen. Latvala, passed the Budget Committee last and will soon be ready the full Senate’s consideration. Although there remain differences between the House and Senate bills, both sponsors have been talking and appear to be close on an agreed-upon package. Reminiscent of years past, it’s likely this year’s transportation bill will be one of the last bills to pass during the Regular Session.

Bridges of America Closings

The Department of Corrections (DOC) has proposed closing several Bridges of America locations in Florida. Several members who have questioned DOC through the process have been unsatisfied with the DOC’s justifications for eliminating the facilities. At this point, it is unclear who will provide these vital social supports.