



# **2016 STATE LEGISLATIVE PROGRAM**



## BOARD OF COUNTY COMMISSIONERS



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# **INTRODUCTION**

Broward County is dedicated to the fundamental concept that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. Broward County is committed to delivering quality services to its community at the lowest possible cost, generating the greatest possible return. Broward County's dedication to the community is reflected in historical commitments to economic development, a robust transportation network, growth management, human services and environmental protection.

To avoid erosion in the capability of local governments to fulfill their financial obligations or provide necessary services to their residents, Broward County opposes any legislative or constitutional efforts to impose expenditure or revenue caps on local governments. Further, maintaining the integrity of home rule power, allowing counties to develop solutions to local problems and opposing unfunded mandates are vital. Infringement on home rule and unfunded mandates can compromise a county's ability to provide essential and discretionary services deemed appropriate by the local community.

A major goal of county government is to encourage economic development to promote opportunities including small business and not-for-profits which lead to an improved economy for the community. Broward County supports policies to enhance economic development utilizing various tools and incentives to induce business expansion, targeted industry retention, new capital investments, and revitalization of economically depressed areas. Maintaining the ability of local governments to implement strong growth management programs is also core to providing the appropriate level of local support to economic development.

Establishing and maintaining an efficient and accessible intermodal transportation network is essential to providing quality service to the community and fostering economic growth. Broward County is committed to providing a wide array of transportation options for residents, visitors and commercial entities including public transit, airports, seaports, roads, bridges and multipurpose facilities. The Board encourages its state partners to continue state funding for operations, maintenance, and capital for transit, airport and seaport projects.

Broward County recognizes the importance of providing basic human services to protect and assist residents in need; and has demonstrated its commitment by providing funding for the direct delivery of medical assistance, mental health and substance abuse services, social and aging services, child advocacy and sexual assault services and housing assistance with the purpose of promoting wellness and achieving self-sufficiency. The Board supports increased funding for core human services including mental health programs, substance abuse services, supportive housing, HIV/AIDS prevention and services, employment and education initiatives for people with behavioral health issues or disabilities.

The Board values a vibrant, healthy environment with abundant and accessible open space including nourished beaches, public parks and preserved environmental resources. Broward County has long recognized the value of strong programs to protect the environment and encourages the State reflect that commitment through enhanced funding for beach nourishment projects, water infrastructure projects, climate preparedness and adaptation initiatives and renewable energy projects; and science-based, defensible environmental policies.

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# **2016 PRIORITIES**

## **BEACH RENOURISHMENT AND INLET MANAGEMENT FUNDING**

Support increased funding for beach nourishment and inlet management projects through the Department of Environmental Protection Local Government Funding Assistance Program for countywide beach renourishment projects and the Port Everglades Sand Bypass project.

## **PROHIBITION OF OIL OR GAS DRILLING**

Support legislation clarifying that no oil or gas permit may be issued unless a county, like municipalities, approves the application for oil or gas drilling projects within its jurisdiction.

## **PORT EVERGLADES**

Support legislation amending 311.07, F.S., to increase the minimum appropriation available to Florida Seaport Transportation and Economic Development Program (FSTED) from \$15 million to \$25 million.

## **WATER PROJECT AND INFRASTRUCTURE FUNDING**

Support state funding for water infrastructure projects including replacement of aging underground piping, lift stations, water storage facilities, treatment and reuse systems, alternative water supply projects, and water development projects designed to eliminate the future use of ocean outfall systems. Specifically, the Board supports funding for the following projects: \$200,000 for Hillsboro Aquifer Storage and Recovery; \$150,000 for Wetlands Rehydration Construction; \$160 million for the C-51 Reservoir Project; \$65 million for the Broward County – Palm Beach County Reclaimed Water Pipeline; \$1 million for reclaimed water mains, master valves, reclaimed water booster pumps, irrigation systems, and electrical systems at T.Y. Park., and \$7 million for the South Florida Water Management District S-38B Pump Rehabilitation Project.

## **BEHAVIORAL HEALTH SERVICES**

The Board supports reform legislation that provides increased access to behavioral health services, ensures effective treatment and outcomes for individuals and families within their communities, and diverts individuals with a behavioral health diagnosis from the criminal and juvenile justice systems. The Board also supports state initiatives that offer increased funding for community behavioral health services in Broward County, including community action treatment teams, family intensive treatment teams and crisis stabilization unit beds, and to establish a pilot community forensic multidisciplinary team program within Broward County to divert individuals from committed forensic facilities.

## **CHILDCARE DEVELOPMENT ASSOCIATES**

Support teacher preparation in all publicly-funded early learning programs by requiring each lead teacher to have a Child Development Associate degree within five years and by requiring 20 hours of annual professional development.

## **CRIME LAB FUNDING**

Amend state law to ensure each local criminal analysis laboratory, designated in Section 943.35(1), F.S., receives the state mandated funding level (75 percent of actual operating costs) required under Section 943.35(2), F.S.

## **UTILITY RELOCATION**

Oppose legislation mandating that counties pay for the relocation of private utilities when such utilities are located within a publicly-owned right-of-way and must be relocated for public purposes, including transportation improvements, rail projects, and water and wastewater infrastructure projects.

# **APPROPRIATIONS REQUESTS**

## **AVIATION FUNDING**

Support state funding for the construction of Federal Inspection Services (FIS) Facilities at the new Concourse G in Terminal 4 and at the new Concourse A in Terminal 1 at Broward County's Fort Lauderdale-Hollywood International Airport. State funding will help address FIS facility capacity issues associated with the fast growth in international service.

## **BEACH RENOURISHMENT AND INLET MANAGEMENT FUNDING**

Support increased funding for beach nourishment and inlet management projects through the Department of Environmental Protection Local Government Funding Assistance Program. Specifically, the Board supports:

Broward County's Segment II Beach Renourishment project. Segment II is anticipated to receive a 55 percent federal cost-share participation, which is \$24.2 million of the total construction project budget of \$44 million. The remaining 45 percent (\$19.8 million) will be cost shared between the state, Broward County and cities within the project limits (Fort Lauderdale, Pompano Beach and Lauderdale-by-the-Sea). The state appropriated \$4.7 million in the 2013-2014 budget, \$2.03 million in the 2014-2015 budget, and \$2.7 million in the 2015-2016 budget. For the 2016-2017 budget year, the Board requests an appropriation of \$112,300 for monitoring.

Broward County's Segment III Beach Renourishment project. Segment III is eligible for a 58 percent Federal cost-share percentage on a reimbursable basis. The remaining 42 percent will be cost shared between the state and Broward County. The Board requests an appropriation of \$250,237 for design services.

Port Everglades Sand Bypass project. The Bypass project will facilitate the economical collection of beach compatible sand for use along the shoreline south of the inlet. As inlet projects are eligible for a 75 percent cost share by the state, the Board requests an appropriation of \$9,533,250 (\$738,750 for design, \$8,644,500 for construction, and \$150,000 for monitoring). The remaining 25 percent of the costs will be borne by Broward County.

## **PORT EVERGLADES**

Support legislation amending Section 311.07, F.S., to increase the minimum appropriation available to Florida Seaport Transportation and Economic Development Program (FSTED) from \$15 million to \$25 million.

Support full appropriation and allocation of projects in FDOT's adopted Five-Year Work Program which are prioritized based on the level of the return on investment. Each Work Plan approved initiative provides a reliable source of capital funding to complement limited financial resources and facilitates the ability of Florida ports to compete outside of Florida.

## **COMMUNITY CARE FOR THE ELDERLY**

Support increased funding for the Community Care for the Elderly Program within the Florida Department of Elder Affairs. A recurring annual increase of \$500,000 for Broward County – Planning and Service Area 10, would allow for a reduction in the current waitlist of 1,215 functionally impaired elderly residents.

## **HOMELESSNESS**

Support \$3 million for the Florida Coalition for the Homeless as Florida's coordinating agency for the 28 local homeless coalitions. The work of Broward County and 27 other local homeless coalitions draws down more than \$79.7 million in federal funds targeted to housing and supportive services for homeless individuals and families. The funding of individual coalitions through a statewide coordinating entity has become a best practice in social service delivery systems.

Support \$3.84 million for statewide Challenge Grants. Authorized in Section 420.644(4), F.S., Challenge Grants competitively award grants to assist local continuums of care lead agencies in implementing strategies to address the needs of persons experiencing homelessness.

Support \$560,406 for the State of Florida Office on Homelessness. The Florida Office on Homelessness is essential for the receipt of non-entitlement federal funds and to coordinating the activities of the Council on Homelessness.

## **WATER PROJECT AND INFRASTRUCTURE FUNDING**

Support state funding for water infrastructure projects including replacement of aging underground piping, lift stations, water storage facilities, treatment and reuse systems, alternative water supply projects, and water development projects designed to eliminate the future use of ocean outfall systems. Specifically, the Board supports funding for the following projects: \$200,000 for Hillsboro Aquifer Storage and Recovery; \$150,000 for Wetlands Rehydration Construction; \$160 million for the C-51 Reservoir Project; \$65 million for the Broward County – Palm Beach County Reclaimed Water Pipeline; \$1 million for reclaimed water mains, master valves, reclaimed water booster pumps, irrigation systems, and electrical systems at T.Y. Park., and \$7 million for the South Florida Water Management District S-38B Pump Rehabilitation Project.

## **DEPARTMENT OF JUVENILE JUSTICE DETENTION CENTERS**

Support state funding to the Department of Juvenile Justice to upgrade, renovate, or reconstruct detention centers that are in a state of disrepair. Support investments in juvenile facilities to enhance the conditions of secure confinement for detained youth.

## **FORENSIC SEXUAL ASSAULT SERVICES - NANCY J. COTTERMAN CENTER (NJCC)**

Support \$100,000 for the Broward County Nancy J. Cotterman Center State Attorney Liaison program to ensure that non-reporting victims of sexual violence and their non-offending family members have the resources and skills necessary to pursue legal action for their cases.

## **TIRE REMOVAL FUNDING**

Support \$1.8 million in state funding for FY 2016-2017 to remove and dispose of approximately 100,000 tires from Broward County's near-shore coastal system.

# **LEGISLATIVE PROPOSALS**

## **ARTICLE V TECHNOLOGY FEE**

Advances in technology have outpaced revenues for mandated court technology resources. Funding priorities must be reexamined as advances move forward. Therefore, the Board supports legislation that:

- Amends state law to increase the County's portion of the recording surcharge in Section 28.24(12) (e)1, F.S., from \$2.00 to \$8.00, to fund the technology needs of the state trial courts, State Attorney Offices, Public Defenders Offices and Guardian Ad Litem Offices.
- Deletes the requirement that counties must increase Article V expenditures 1.5% over the previous year's expenditures.
- Allows counties more flexibility in the use of the funds generated by the discretionary \$65.00 cost on criminal and traffic cases provided in Section 939.185, F.S.

## **CLERK OF COURT RECORDING FEE CLARIFICATION**

Amend state law to allow Broward County to recover the costs in recording orders of dismissal, final judgments, certificates of title in foreclosure sales, and for certified copies of documents in the Official Records of Broward County.

## **FIREARM REGULATION IN TREATMENT FACILITIES**

Amend state law to prohibit the possession of weapons and ammunitions in substance abuse programs, mental health programs and sexual assault treatment facilities.

## **ALTERNATIVE FUEL VEHICLES AND CHARGING INFRASTRUCTURE**

Support legislative initiatives to expand the use of electric vehicles and other alternative fuel vehicles, including hybrid, hydrogen fuel cell, and clean diesel vehicles. Support the expansion of electric vehicle charging infrastructure.

## **SOLAR ENERGY**

Support the expansion of existing net metering policies to allow for off-site or "virtual" net metering and allow for Power Purchase Agreements.

Support legislation and/or constitutional amendments that exempt any increase in the just value of a commercial property attributable to the installation of solar photovoltaic systems and/or tangible personal property taxes because of such installations.

## **REGULATION OF PLASTIC BAGS**

Support legislation to remove the prohibition on local government action to regulate the use of disposable plastic bags.

## **LOCAL AMENDMENTS TO THE FLORIDA BUILDING CODE**

Support legislation allowing local energy conservation, renewable energy, and water conservation amendments to an edition of the Florida Building Code to carry over into the next edition, subject to the normal review and modification procedures outlined in the Code.

## **SYNTHETIC DRUGS**

Support expanding the prohibition of general use and sale of new types of synthetic drugs without impacting medical and research practices and support restriction of marketing, display, labeling, and advertising of synthetic drugs and related substances by utilizing consumer protection laws or classifying these activities as deceptive trade practices.

## **PRESCRIPTION DRUG MONITORING**

Support a requirement that all medical practitioners enter drug information into the Florida Prescription Drug Monitoring System within three days of prescribing and support recurring state funding for the program.

## **FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FIBER OPTIC CABLING**

Support legislation allowing counties and cities to obtain access and use of FDOT surplus Fiber Optic cabling including federally funded fiber optic cabling awarded to the state of Florida.

## **PROHIBITION OF OIL OR GAS DRILLING**

Support legislation clarifying that no oil or gas permit may be issued unless a county, like municipalities, approves the application for oil or gas drilling projects within its jurisdiction.

## **CRIME LAB FUNDING**

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## **UTILITY RELOCATION**

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## **LOCAL BILLS**

### **Florida Fish and Wildlife - Waterway Markers**

The Florida Fish and Wildlife Conservation Commission (FWCC) changed its administrative rules to remove responsibility from Broward County to manage waterway markers advising boaters of certain speeds along the Florida Intracoastal Waterway. The local bill amends Section 2 of Chapter 86-364, Laws of Florida, to remove the requirement that the County maintain such signage. The FWCC requested the County file this local bill.

## **NOTES**



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