



BOARD OF COUNTY COMMISSIONERS

FEDERAL LEGISLATIVE PROGRAM

109th Congress
2nd Session
February 2006



BOARD OF COUNTY COMMISSIONERS



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POLICY STATEMENTS

ARTS FUNDING

It is the responsibility of the federal government to help make the arts accessible to benefit the social, economic and cultural well being of the American people. Public support of the arts and humanities is dependent upon the development of a cultural infrastructure at all levels of government. **The Broward County Board of County Commissioners supports** funding of cultural arts programs.

BEACHES

Florida's beaches are a critical part of the State's travel and tourism industry, generating jobs and local, state, and federal tax revenues. Beaches are also the first line of defense against hurricane and storm surge threats to life and property. U.S. Army Corps of Engineers' studies confirm that healthy beaches reduce flood damage to coastal properties, resulting in a reduction in Federal disaster rehabilitation payouts. The Florida Department of Environmental Protection estimates that more than one-third of Florida's 787 miles of beaches are in a state of critical erosion. **The Broward County Board of County Commissioners supports** a dedicated source of federal funding for the nation's valuable beaches in order to protect and maintain these essential elements that are vital to our environmental and economic infrastructure.

Beach nourishment and shore protection programs continue to occupy a low priority for funding by the Executive Branch of the federal government. Additionally, Congress has impeded funding for reimbursable projects in general and for reimbursable beach nourishment projects in particular. Because Broward County's beach projects are historically reimbursable, there is concern that federal funding for current and future Broward projects may be in jeopardy. **The Broward County Board of County Commissioners opposes** restrictions on reimbursements for beach nourishment projects for which funds have been appropriated, **supports** authorization of reimbursement costs of mitigation and removal of derelict erosion control structures; and **supports** the inclusion in law of provisions which standardize the budgetary process for reimbursable projects and streamline the process of reimbursing the local sponsor.

The Broward County Board of County Commissioners opposes any provision in the Water Resources Development Act that would create a Beach Nourishment Advisory Committee, which would require additional overlapping rules for beach projects, since many of the policies and standards required by the Advisory Committee already exist in current Corps regulations or in federal statute. Florida has carefully developed permitting requirements for our beach projects that require site-specific consideration of environmental and local issues.

Future implementation of the County's Beach Management Plan may require acquisition of aragonite sand or other non-domestic beach-quality material. Current law severely restricts federal financial participation in projects which utilize non-domestic sand. **The Broward County Board of County Commissioners opposes** restrictions on the use of aragonite or other non-domestic sand for beach nourishment where such material is economical and environmentally sound. In addition, the Board urges that the Federal Government:

- Recognize and acknowledge the inevitability of coastal erosion and the need to replenish beaches when necessary;
- Streamline and simplify the confusing and conflicting regulatory requirements that stem from overlapping jurisdictions of Federal agencies in the coastal zone; and
- Apportion costs among beach nourishment project participants consistent with the actual economic and environmental benefits that beaches provide to those participants.

COMMUNICATIONS

The advent of communications technology presents considerable opportunities for counties to enhance the quality of life in communities by providing regulatory powers over telecommunication services in order to protect the health, safety and welfare of the public and insure the same level of services for all residents. There are significant fiscal and policy implications that will require prompt and thoughtful decisions about maintaining local regulatory authority, zoning, taxation, consumer protection, and local government communication networks and infrastructure.

Therefore, the **Broward County Board of County Commissioners supports** establishing an equitable system that promotes improvements to the state and local tax and fee structure for products and services that will strengthen Florida's economy, while maintaining revenue neutrality for local governments. The **Broward County Board of County Commissioners** also supports the preservation of local government responsibility to manage communication franchises, public resources, including, but not limited to, public rights-of-way.

ECONOMIC DEVELOPMENT

A major goal of county government is to encourage economic development to promote a full range of high wage/high skilled employment, business and housing opportunities, which lead to improving the economy, increasing the tax base, and encouraging diversity. **The Broward County Board of County Commissioners supports** policies to enhance economic development utilizing various tools to induce business expansion, new capital investment and job creation. **The Broward County Board of County Commissioners also supports** the County's evolution into a global center for trade and investment. **The Broward County Board of County Commissioners also supports** legislation that promotes and enhances the growth of foreign direct investment, trade, travel and tourism as facilitated by its Office of Economic Development, Convention & Visitors Bureau, Port Everglades Department and Aviation Department (Fort Lauderdale-Hollywood International Airport). **The Broward County Board of County Commissioners also supports** programs and efforts providing capital formation for small and emerging businesses, the expansion and creation of enterprise zones, and commercial revitalization projects that help to enhance redevelopment in all distressed areas of the County. **The Broward County Board of County Commissioners opposes** legislation that results in a disadvantage for County economic development, in general, and tourism, seaport, aviation, and transportation, specifically, if such legislation impedes the County's ability to make competitive business decisions.

EVERGLADES RESTORATION

The Comprehensive Everglades Restoration Plan (CERP), as approved by Congress, provides a framework stating: "The overarching objective of the Comprehensive Plan is the restoration, preservation and protection of the South Florida ecosystem while providing for other water-related needs of the region." This landmark legislation authorizes construction projects and implementation procedures, and establishes a process to ensure that the goals and purposes of the Plan are achieved.

The **Broward County Board of County Commissioners supports** restoration of the Everglades and believes that the implementation of the CERP is critical to the future of South Florida and Broward County's environment, economy, and water supply. In order to ensure that the plan moves forward as intended by Congress and as supported by the Board of County Commissioners of Broward County, efforts must now focus on securing sufficient federal funding and expediting core CERP projects.

The State of Florida has initiated ACCELER8, a plan that will speed up funding, design, and construction to complete eight CERP projects, including the Broward County Water Preserve Area, by more than a decade ahead of schedule. Because ACCELER8 demonstrates the State's commitment to restore the Everglades by providing \$1.3 billion, it is imperative that Congress live up to its partnership agreements and commitment to fund 50 percent of CERP. **The Broward County Board of County Commissioners supports** capability funding for the U.S. Army Corps of Engineers, Jacksonville District, to fulfill a partnership agreement between the State and Federal government.

Whereas the Master Implementation and Sequencing Plan (MISP), a plan that provides a schedule for CERP projects, is under review by federal interests, the **Broward County Board of County Commissioners supports** the inclusion of certain authorized projects including the Broward County Secondary Canal Improvement Project as part of the expedited MISP Band I projects.

The Broward County Board of County Commissioners believes that local and state water allocations and growth management policies, water quality improvement strategies and water conservation programs must be consistent with Everglades restoration goals, and other water-related needs of the region and advance those goals where possible.

HEALTH AND HUMAN SERVICES

Broward County recognizes the importance of providing basic human services to protect and assist residents in need. Broward County has demonstrated its commitment by providing funding for the direct delivery of medical assistance, mental health, social and aging services, and housing assistance. **The Broward County Board of County Commissioners supports** local involvement in the formulation and implementation of policies that protect the health, mental health, safety and welfare of Florida's residents. **The Broward County Board of County Commissioners supports** equity in and adequacy of funding for human services from state agencies' budgets and **opposes** any funding reductions in the areas of health, mental health and human services in order to meet the increasing demand.

HOME RULE

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. **The Broward County Board of County Commissioners supports** maintaining the integrity of home rule power that allows counties to develop and implement solutions to local problems.

TRANSPORTATION

As Florida's second most populated county, Broward County has ongoing needs to modernize and expand transportation infrastructure and increase capacity to meet the needs of the traveling public and private sectors. Our transportation system must be upgraded in the coming years to accommodate the increasing needs of our growing urban county and region, with particular emphasis on facilitating Express Bus, Bus Rapid Transit (BRT), and Light Rail Transit (LRT) in addition to developing an efficient network to facilitate passenger, vehicular, and freight traffic through for Airport and Seaport connections. Broward County is committed to working with regional, state and federal officials to ensure that our transportation needs are addressed in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorization by maximizing the return of funding to Florida and creating flexible means of utilizing these dollars. **The Broward County Board of County Commissioners supports** the development, funding and construction of a comprehensive regional transportation system to meet safety and security needs of all transportation modes, from seaport and airport to mass transit, roadways, and bicycle/pedestrian facilities

UNFUNDED MANDATES

Many federal directives mandate local governments to provide services or programs without providing the appropriate monies or funding sources. These unfunded mandates can compromise a county's ability to provide essential and discretionary services deemed appropriate by the local community. **The Broward County Board of County Commissioners opposes** any federal legislative actions that implement unfunded mandates on a local government's fiscal and public policy.

WASTEWATER

As residential and commercial growth continues, Broward County recognizes the importance of properly managing public works, especially in the areas of wastewater treatment, disposal and water resources management. **The Broward County Board of County Commissioners supports** the efforts by the Florida Department of Environmental Protection, the U.S. Environmental Protection Agency, and others to find reasonable, environmentally-sound, cost-effective, and timely solutions to the regulatory issues pertaining to underground injection of treated domestic wastewater effluent.

**FISCAL YEAR 2007
FEDERAL APPROPRIATIONS REQUESTS
109th Congress, 2nd Session**

Airport

FLL Exit Roadways	\$3,700,000
Automated People Mover and Intermodal Center	\$4,000,000
Airfield Modifications.....	\$26,400,000

Seaport

Southport Dredging Reimbursement.....	\$4,000,000
Port Everglades Dredging Program.....	\$600,000

Transportation

Alternate Fuel Buses	\$8,000,000
WaterBuses	\$1,000,000
Transit Facility	\$3,000,000
US441/Bus Rapid Transit/Articulated Buses.....	\$3,000,000
Downtown Transit Link	\$10,000,000
SFRTA Tri-Rail Integrated Fare Collection System	\$21,700,000
SFRTA FEC Corridor	\$700,000,000
SFRTA Cypress Creek Intermodal Facility	\$19,700,000

Other Appropriations Requests

Beach Nourishment.....	\$10,000,000
Oral Rabies Vaccine	\$600,000
Organization of American States Reimbursement	\$5,392,920

AIRPORT

FLL ROADWAYS

Broward County is requesting \$3.7 million for design and construction of a double-deck roadway system which would exit the Fort Lauderdale-Hollywood International Airport to the south and disperse traffic in an effective manner. The total cost of this final phase of the project is \$75 million. The project will serve the future South Terminal (4) expansion and the Consolidated Rental Car Facility. Previous phases completed include the airport approach roadway and the double decking of terminals 1, 2, and 3. When completed, the structure will allow for an orderly flow of traffic exiting the airport into an intricate series of roads that will distribute motorists in all directions, including eastbound to Port Everglades. The state and the county are financial participants in the project, which received \$500,000 in FY05 Federal Transportation Appropriations, \$3.2 million in federal TEA-LU funds, and \$8.7 million from the State of Florida over four years.

AUTOMATED PEOPLE MOVER AND INTERMODAL CENTER

Broward County is requesting \$4 million to continue to develop a financially viable plan, including an Environmental Impact Statement and Preliminary Design and Engineering (PDE) for the first phase of an automated system for moving passengers and their baggage (the People-Mover) between and among the passenger terminals at the Fort Lauderdale-Hollywood International Airport, the Airport's parking garages and rental car facilities. Future expansion will include the cruise ship terminals and public parking at Port Everglades (Port), and an inter-modal transportation center (IMC) to be sited between the Airport and the Port. Broward County received \$500,000 in FY 03 federal funding to initiate feasibility studies, and \$750,000 in FY06 federal funding to continue the study. The project has been placed on the Metropolitan Planning Organization's Long Range Plan.

AIRFIELD MODIFICATIONS

Broward County is requesting \$26.4 million for two important airfield modification projects. Construction of high speed taxiways on the north side of Runway 9L/27R will allow efficient use of runway occupancy time and enhance airfield capacity and design and construction of the second phase of Taxiway C will connect the existing taxiway on the north side of the terminal complex. The taxiway will also provide additional capacity to access the primary runway improving taxiway efficiency and an enhanced level of safety for aircraft operations.

SEAPORT

SOUTHPORT DREDGING REIMBURSEMENT

Broward County is requesting \$4 million from the FY 2007 Energy and Water Appropriations bill to reimburse Port Everglades for the federal share of costs associated with widening and deepening the Southport Channel and Turning Notch. The Water Resources Development Act of 2000 authorized reimbursement of \$15,003,000 to Port Everglades for the federal share of project costs incurred by the non-federal interest in carrying out this project. Past federal appropriations are: FY 2002, \$3 million, FY 2003, \$3 million, FY04, \$600,000, FY05, \$400,000, FY06 \$375,000. Broward County is seeking the remaining amount of this authorized reimbursement.

PORT EVERGLADES DREDGING PROGRAM

Broward County is requesting \$600,000 from the FY2007 Energy and Water Appropriations bill on behalf of the U.S. Army Corps of Engineers. A feasibility study conducted by the U.S. Army Corps of Engineers has determined that in order to serve Port Everglades' current and future shipping tenants, deeper and wider channels are required. The total cost of the project is currently estimated at approximately \$230 million. The federal share of the project is expected to be 50 percent with state and county governments participating in the remaining share. The Draft Environmental Impact Statement and Chief's Report are expected in 2008, with construction to begin in 2010. This project has received the following federal appropriations: FY03 \$93,000, FY04 \$100,000, FY05 \$100,000 and FY06 \$175,000.

MASS TRANSIT

ALTERNATE FUEL BUSES

Broward County is requesting \$8 million for 16 hybrid electric buses from FY07 Transportation Appropriations. The current fleet of vehicles is not sufficient to meet FTA standards, and purchase of these vehicles will allow Broward County to address transit capacity and expansion needs while also addressing clean air issues.

WATERBUSES

Broward County is requesting \$1 million for capital costs of contracting related to the operations of the WaterBus. The WaterBus is a public/private partnership that provides water-based mass transit for commuters, tourists and residents of Broward County. The City of Fort Lauderdale received \$500,000 in FY04 in Ferry Bus funding for similar costs.

TRANSIT FACILITY

Broward County is requesting \$3 million for land acquisition for later construction of a transit facility in Broward County. Southwest Broward is among the fastest growing populations in the United States, and Broward County has not been able to keep pace with the growth in terms of transit services. As a county which is 95 percent built out, targeting and purchasing property to allow for transit expansion is essential.

In 2000, mass transit expanded from 197 to 232 buses and in 2001 there was a further expansion to 250 buses. This expansion added 150 positions to staff. Broward County maintains two bus facilities, one each in north and south county. The current north county bus facility houses administration, scheduling, planning and intelligent transportation system (ITS) facilities; it is inadequate to accommodate maintenance, training, automation, and service development enhancements. Expansion of the north county facility will allow the infrastructure to meet the needs of the public. In FY05, Broward County received \$1.2 million, and in FY06, Broward County received \$1 million.

US 441/BUS RAPID TRANSIT/ARTICULATED BUSES

Broward County is requesting \$3 million for the purchase of eight articulated buses to provide for express bus service along U.S. 441/SR 7 corridor in Broward County, which has been identified as a priority for urban redevelopment and revitalization. US 441 is a 25 mile, north-south corridor through the county that traverses 13 cities and the Seminole Indian Tribe of Florida Reservation, and is a feeder road that provides major regional linkage.

The buses will be used during peak commuter hours, providing regional service from Miami-Dade through Broward to Palm Beach counties.

This project is a multi-phased, multi-year component of the larger initiative to redevelop and revitalize US441. Other components include a planning initiative to provide an opportunity for municipal stakeholders to reach consensus on unifying themes, and widening of the roadway.

DOWNTOWN TRANSIT LINK

The Broward County Board of County Commissioners supports the request for funding for the Downtown Transit Link. This project is jointly sponsored by Broward County, the City of Fort Lauderdale and others. Funding is being sought for a transit demonstration project on Southwest 2nd Street. Broward County's primary participation will be through operation of the transit service, once constructed. The FY07 appropriation request includes \$6 million for New Start funds, \$1.5 million for Intelligent Transportation Systems and transit stops, and \$2.5 million for streetscapes.

SFRTA INTEGRATED FARE COLLECTION SYSTEM (SMART CARD)

The South Florida Regional Transportation Authority/Tri-Rail is requesting \$21.7 million from the Transportation Appropriation for procurement of equipment and implementation of the regional smart card system which will allow for seamless connections between the Tri-Rail and the mass transit systems in Miami-Dade, Broward and Palm Beach counties. The Smart Card will reduce barriers and encourage greater use of public transit for regional travel needs by residents and visitors to the area. **The Broward County Board of County Commissioners supports** this request.

SFRTA FEC CORRIDOR

The South Florida Regional Transportation Authority/Tri-Rail is requesting an appropriation of approximately \$700 million in transportation appropriations Section 5309 New Starts Funding toward project development, preliminary engineering and environmental assessment of the railroad right-of-way in FY 2007. **The Broward County Board of County Commissioners supports** this request.

SFRTA CYPRESS CREEK INTERMODAL FACILITY

The South Florida Regional Transportation Authority/Tri-Rail is requesting an appropriation of \$19.7 million for the Cypress Creek facility, which will be comprised of an Intermodal Center and SFRTA Administration and Operations Center. **The Broward County Board of County Commissioners supports** this request.

OTHER APPROPRIATION REQUESTS

BEACH NOURISHMENT

Broward County is requesting \$10 million in the FY07 Energy and Water Appropriations bill to reimburse the County for the federal share of beach renourishment on 12 miles of critically eroded County beaches.

Erosion of Broward County beaches threatens the public safety, economic development, and environment of the region. The total federal share of this project is approximately \$25.3 million. Under the current arrangement with the U.S. Army Corps of Engineers, authorized by the Water Resources Development Act of 1999 (WRDA '99), the County must first expend local funds for both the local and federal share of the project before seeking reimbursement. WRDA '99 authorized the County for reimbursement once a construction contract is signed. Construction began with mitigation in early FY 2003, and Phase 3 construction was completed in January 2006. The requested funding is to reimburse the County for a portion of the 56.5% federal share of costs for pre-construction, engineering, design, environmental monitoring and construction. Past appropriations include FY02 \$1 million, FY03 \$4 million, FY04 \$1 million, FY05 \$1.5 million, and FY06 \$750,000 for reimbursement of the federal share of this project.

ANIMAL CARE DIVISION ORAL RABIES VACCINE

Broward County is requesting \$600,000 in FY07 Agriculture Appropriations to establish an Oral Rabies Vaccine Program. Rabies is a growing problem in Florida, and Palm Beach County has experienced an alarming increase in rabies cases. This project, which was fully funded and executed by Broward County in 2005, create a rabies barrier to prevent the spread of the disease to the southernmost portion of Florida by distributing some 300,000 oral rabies vaccine baits in the first of five years. The total cost to fund this multi-year program is estimated at \$600,000 annually for five years. In the FY06 Agriculture Appropriation, legislative language was included directing the State to fund the Broward County project.

ORGANIZATION OF AMERICAN STATES REIMBURSEMENT

Broward County is requesting \$5,392,920 in State Department or Emergency Supplemental appropriations for reimbursement for costs associated with hosting the Organization of American States (OAS), a high-level diplomatic meeting, at the Greater Fort Lauderdale/Broward County Convention Center. Foreign Ministers from more than 33 countries were in attendance at the Broward County Convention Center in June 2005, and were hosted by the United States Secretary of State. The meeting was successfully executed without any meaningful disruptions.

Broward County was required to provide a safe and secure environment in and around the Broward County Convention Center, plus other selected venues for attending OAS heads of state and their families. This effort required substantial expenditure of resources from Broward Aviation, Port Everglades Department, the Greater Fort Lauderdale Convention & Visitors Bureau, the Broward Sheriff's Office, Fort Lauderdale Police Department, Florida Department of Law Enforcement, U.S. Coast Guard, U.S. Customs and Immigration and Transportation Security Administration.

LEGISLATIVE PROPOSALS

AVIATION

As part of a regional transportation system, the Airport and Seaport are the economic engines that create and promote commerce and industry. The Fort Lauderdale-Hollywood International Airport serves the air travel needs of Broward, north Miami-Dade and southern Palm Beach counties. In 2005, it is estimated that the airport will handle approximately 23 million passengers and generate more than \$2.3 billion in economic activity, which includes 31,500 jobs. Located in close proximity, Port Everglades generates an estimated economic impact of more than \$3.5 billion annually, handles more than four million cruise passengers and 25 million tons of cargo each year, and is an equally vital part of this transportation system. **The Broward County Board of County Commissioners supports** continued and increased federal funding for both Fort Lauderdale-Hollywood International Airport and Port Everglades. This funding will provide capital for expansion, maintenance, and security improvements, which are all vital for travel and trade to the South Florida area. **The Broward County Board of County Commissioners supports** legislation that promotes airports, seaports and the maritime industry, and opposes legislation which could be detrimental to those interests.

Cargo at Fort Lauderdale-Hollywood International Airport has increased significantly since 1991, due to carrier expansion. With more than 100 acres of land available for development and strong interest in the cargo sector, much more growth is anticipated in the short term. The potential for economic development in the next five years is directly related to acquisition of adequate resources for infrastructure and staffing of cargo and passenger facilities. Advanced expansion of the cargo industry at the airport could result in 3,300 jobs, generating more than \$100 million in salaries each year.

Therefore, **the Broward County Board of County Commissioners supports** the following legislative proposals:

- **Approval and funding assistance to modify all four terminals at Fort Lauderdale-Hollywood International Airport (FLL)** to comply with increased federal baggage screening requirements. The implementation of this technology at FLL has been delayed repeatedly by the Transportation Security Administration due to inadequate funding. Installation of the required systems will require design modifications of the existing airport terminals, and the cost for these mandated airport security enhancements and infrastructure improvements is estimated to be \$150 million. Urge Congress to adequately fund this program. Work with Transportation Security Administration to implement installation of the EDS and the structural modifications necessary in the most expeditious and effective manner possible, to maximize efficiencies and minimize disruption to the traveling public. Seek expedited approval of Letter of Intent (LOI) funding for the installation of the EDS.
- **Modification of Federal Aviation Administration Regulations Part 150** to allow funding eligibility for noise impact area mitigation within the 60 DNL or higher contour.
- **Additional staffing for United States Customs and Border Protection** in Fort Lauderdale-Hollywood International Airport.
- **Clarification and modification of security regulations** relating to fingerprint-based criminal history records checks.

- **Continuation of the existing Environmental Impact Statement (EIS)** document, including runway use restrictions contained in the existing EIS document as well as existing interlocal and development orders, and evaluation of enhancements to these restrictions. Evaluation of a property acquisition program for properties located in the runway protection zone, the development of a program for residential noise mitigation in excess of minimum Federal requirements, and encourages the use of airport revenues and Passenger Facility Charges for advanced noise mitigation. Fostering land use compatibility with surrounding communities and the inclusion of mitigation programs in the EIS Record of Decision.
- **Continued communication with the Federal Aviation Administration** to facilitate the incorporation and approval of these policies within the federal National Environmental Policy Act framework.

The Airport Improvement Program (AIP) funds the infrastructure needs of United States airports, including safety, security, construction and noise projects. **The Broward County Board of County Commissioners supports** increased funding in order to adequately provide for safety/security projects at commercial and general aviation airports. **The Broward County Board of County Commissioners also supports** the expansion and streamlining of the AIP for safety and security projects.

Florida, as a “donor” state, has received less than one dollar back for each dollar sent to the Aviation Trust Fund. **The Broward County Board of County Commissioners supports** legislation which will increase the rate of return on all funds distributed to the states.

BREAST CANCER PATIENT PROTECTION ACT

Breast Cancer is the most common cancer diagnosed in women in the nation. When medically necessary, mastectomies and other breast cancer related surgeries are traumatic and physically debilitating. In the past, some insurers have required these procedures to be performed on an outpatient basis, to the detriment of the patient’s health. **The Broward County Board of County Commissioners supports** legislation to require insurers to cover a minimum 48 hour stay in the hospital for patients undergoing certain breast cancer related procedures.

CHILD CARE DEVELOPMENT FUND

The Broward County Board of County Commissioners supports increased funding through the Health and Human Services Appropriation for licensing and monitoring of child care facilities.

CHILD SUPPORT ENFORCEMENT

Through welfare reform, the IV-D child support enforcement agencies throughout the country were provided with tools to help them collect child support. These tools include income withholding for unemployment insurance benefits; access to the new hire directory, federal case registry, federal locator services and participation in the IRS intercept program. Broward County is one of a growing number of non IV-D support enforcement agencies being funded by local governments which needs access to these same resources available to IV-D Agencies. **The Broward County Board of County Commissioners supports** non IV-D agencies receiving the same resources as the entire support enforcement community.

COMMUNITY SERVICES BLOCK GRANT

The Broward County Board of County Commissioners supports a minimum of \$650 million annual funding level for the Community Services Block Grant, which supplies core funding for local agencies assisting the lowest income families in America. Adequate funding levels for this program will increase self sufficiency and reduce dependency on public funds.

EARNED INCOME TAX CREDIT (EITC)

The EITC is intended as a wage support for poor and low-income families, and has been one of the federal government's most effective tools in lifting millions of Americans out of poverty. **The Broward County Board of County Commissioners opposes** any proposal to initiate a pre-certification process or any effort to increase requirements for qualification of the EITC.

ELECTION PRINTERS

The Broward County Board of County Commissioners recognizes that it may be appropriate for local governments to provide for a paper record of an electronic ballot. However, the Board acknowledges that any technology which may be affected would have to be certified by the State of Florida in order to be utilized. **The Broward County Board of County Commissioners urges** Congress to adopt legislation requiring paper receipts and providing additional funds for the acquisition of such equipment.

EMERGENCY MANAGEMENT/HOMELAND SECURITY

In 2004 and 2005, high insurance deductibles precluded many Floridians from receiving compensation from their insurance company while the existence of the insurance precluded federal assistance. **The Broward County Board Commissioners supports** the federal emergency preparedness function remaining under the jurisdiction of the Federal Emergency Management Agency (FEMA). Further, **the Broward County Board Commissioners supports** the amendment of the Stafford Act to allow for Federal Emergency Management Agency eligibility and assistance for those individuals whose insurance deductibles exceeds 15 percent of their annual income.

The Broward County Board of County Commissioners also supports federal support of regional interoperability programs. **The Broward County Board of County Commissioners opposes** any FEMA initiative to increase the per capita threshold for public assistance under the Stafford Act.

Federal laws and regulations clearly state that the counties included in a presidential-declared disaster area may be reimbursed by the federal government for debris removal from private property; however, FEMA has interpreted these laws inconsistently across Florida, requiring counties to pay for such work. **The Broward County Board of County Commissioners supports** efforts to insure counties included in a presidential disaster declaration are reimbursed by FEMA for removing debris from both public and private property, including private roads.

EMINENT DOMAIN

Florida's Constitution and case law require the following baseline for eminent domain proceedings: private property may not be taken by eminent domain unless it is for a predominate public purpose, and the burden is on the condemning authority to prove such public purpose. Unlike the Connecticut statute in the *Kelo* case, Chapter 163, Florida Statutes, does not permit a forcible taking for economic development reasons alone. The Florida Redevelopment Act provides that no authority shall be exercised until there is a finding of necessity supported by data and analysis. The finding must demonstrate either slum or blight or a shortage of affordable housing for low or moderate income persons including the elderly. Eminent domain is just one of the useful tools available to local governments in the arena of redevelopment. In light of the fact that Florida already has adequate safeguards in place regarding the use of eminent domain for redevelopment purposes, **The Board of County Commissioners opposes** the diminution or pre-emption of the powers of local government to effectively address the issues of redevelopment by the Legislature. **The Board also opposes** legislation which would make local governments ineligible for federal economic development funds if eminent domain was used for economic development purposes.

FEDERAL COURTHOUSE

Recently a recommendation was made against the reconstruction of the Fort Lauderdale Federal Courthouse and for the division of Broward County's federal caseload between the Miami Courthouse and the yet-to-be-constructed Palm Beach Federal Courthouse. The determination to construct new federal courthouses is based on a five-year plan compiled by the Administrative Office of the United States Courts, and both Broward County and Palm Beach County courthouses have already been approved for construction, with Palm Beach County slated for construction subsequent to Fort Lauderdale. Presumably, the projects are prioritized based on need, with the Broward County facility being ranked as a higher priority. However, there is no doubt that both courthouses are urgently needed in this region, which is the sixth largest metropolitan statistical area in the United States.

While budget constraints may have led to the recommendation, the move would lead to the disenfranchisement of the 1.7 million people who reside in Broward County, and to the hardship of those citizens required to travel approximately 100 miles round trip when required to appear as a potential juror or witness in a federal case. Additionally, the elimination of the facility would have a terrible financial impact on the county, with jobs and other economic opportunities lost.

Therefore, **the Broward County Board of County Commissioners supports** the retention and rebuilding of the federal courthouse in Broward County.

FLORIDA AREA COASTAL ENVIRONMENTAL INITIATIVE

The Broward County Board of County Commissioners supports the efforts of the National Oceanic Atmospheric Administration, the Florida Department of Environmental Protection, the U.S. Environmental Protection Agency, and other stakeholders involved with the Florida Area Coastal Environmental Initiative program which will study the urban and natural sources and impacts of nutrients, trace metals and other constituents in the marine and estuarine environment. The results of the monitoring program will provide scientifically-based information for making policy and regulatory decisions to control the impact of pollutants and to protect the coastal environment. In 2004, the House - passed Water Resources Development Act (WRDA, HR 2673) authorized this program. However, WRDA died in the 108th Congress.

FILM INDUSTRY

In recent years, other countries such as Canada, Australia, and the United Kingdom have created economic incentives which have lured the film production industry away from the United States. These incentives have been so successful that Florida and other production states such as California and New York have been extremely hard hit by the loss of revenue from “on location” film and television production since 1997. The film industry estimates the economic impact of lost film production revenues from 1998 at \$10 billion. With this industry being a substantial economic engine for our national and local economies, **the Broward County Board of County Commissioners supports** legislation which would begin to counteract subsidies offered by other countries by implementing an industry-specific tax incentive that is wage-based. Along with state and county incentives, the legislation would equalize the competitive area and encourage film production companies to return to the United States.

FREE TRADE AGREEMENT OF THE AMERICAS

The South Florida region is working together to assist the United States government in reaching an agreement to create a 34-nation Free Trade Agreement of the Americas (FTAA) that will create an 800 million person trading block reaching from Alaska to Tierra del Fuego, Argentina. The FTAA will provide substantial benefits to the business community and citizens of South Florida. In this effort, South Florida and the entire state is striving to move the Permanent Secretariat of the FTAA to Miami. Miami is the best location for the Permanent Secretariat of the FTAA and will greatly enhance the international status of South Florida in creating new jobs, relocating businesses and increasing travel to the tri-county area and the State of Florida. **The Broward County Board of County Commissioners supports** relocating the Permanent Secretariat of the FTAA to Miami. **The Broward County Board of County Commissioners opposes** any actions by the FTAA that would preempt local regulatory laws and policies that affect Broward County citizens.

HOMELESSNESS

In 1999, Broward received its first U.S. Housing and Urban Development SuperNOFA grant for its Continuum of Care program, allowing us to expand an array of services that address a wide diversity of the factors which contribute to homelessness. Since that time, annual HUD Homeless Continuum of Care funding has allowed for considerable progress in homelessness and addressing the chronic needs of the previously homeless.

Broward is also home to thousands of very low-income people who depend on or are in need of affordable housing. Specifically, **the Broward County Board of County Commissioners supports** the following ongoing federal policies, programs and funding:

- Increase Continuum of Care annual SuperNOFA funding;
- Increase funding levels for FY 2007 Appropriations for Homeless Programs within the U.S. Departments of Health and Human Services, Housing and Urban Development, Department of Veterans Affairs, Education, and Labor; including the President’s Samaritan Initiative to house and treat the chronic homeless.
- Mainstream renewal of expiring rent subsidy contracts under HUD’s Shelter Plus Care program and other permanent supportive programs for the homeless as opposed to each continuum’s pro-rata need share.

HOUSING

The Broward County Board of County Commissioners supports the restoration of cuts made in the Section 8 Housing Program and support efforts to expand affordable housing alternatives.

The Board also supports legislation and programs such as the National Housing Trust Fund Act, which would provide for a permanent dedicated funding source for affordable housing for the lowest income families, such as the provision which would use a portion of the FHA surplus each year to build housing units; and the restoration of cuts made in Community Development Block Grants (CDBG), which contribute to affordable housing infrastructure, public services and economic development for low to moderate income residents, and maintaining and increasing current levels of funding and cost of living increases in HOME Investment Partnership Program (HOME), which continues our partnerships to assist lower income residents in our community towards home ownership.

The Board also supports the “30/30 Plan”, which provides that existing housing funds should have a greater amount (30%) targeted for persons at or below 30 percent of median income.

The Board also supports legislation which would give employers the option of offering financial homebuyer benefits, much like dental or medical benefits, for housing costs of all types. Employers would be eligible for a tax credit as an incentive for participation.

INTERNET ACCESS

The Broward County Board of County Commissioners opposes legislation that would jeopardize or limit in any way local governments’ taxing authority on telecommunications services related to internet access.

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

The Broward County Board of County Commissioners supports FY 2007 increased levels of funding by the federal government to the State of Florida for the Community Assistance Program and the Low Income Energy Assistance Program.

MEDICAID

The Medicaid program is recognized nationally as a partnership between the federal and state governments to provide medical assistance to certain individuals and families with low incomes and resources. Unlike many states, Florida has required counties to contribute financially to the Medicaid program, subsidizing the state’s share. This current policy leaves counties vulnerable each year to potential cost shifts when there is a state budget deficit or shortfall. As the state seeks to implement the federal waiver to help provide predictability in the cost of the state’s share for Medicaid, **the Broward County Board of County Commissioners advocates the following positions:**

Entitlement Issues

SUPPORT legislation that protects Medicaid benefits for residents in institutions for mental disease.

SUPPORT legislation that protects Medicaid benefits for jail inmates.

Financing Issues

SUPPORT legislation that allows the state to finance and promote the objectives of the Medicaid program without shifting additional costs to county government.

SUPPORT legislative efforts to use intergovernmental transfers (IGTs) to help draw down additional federal funding without supplanting the state's share with local funds that have been certified to be federally matched, in addition to the state's contribution.

SUPPORT legislation that provides the financial infrastructure for the state to sustain Medicaid non-emergency patient transportation services by using a methodology rate process for distribution of funds to counties that does not shift financial responsibility of these services to the local level.

OPPOSE any legislative efforts to divert county funding for mental health services to managed care programs.

OPPOSE changes to the funding formula for the Medicaid program between the federal and state government that would reduce the federal share to Florida.

Program Issues

SUPPORT legislation that provides flexibility at the local level for counties to actively participate in the state's efforts to reduce unnecessary nursing home placement by allowing counties to re-direct their Medicaid match to fund local health care services or community-based care programs.

SUPPORT legislation that fully maintains and preserves critical mandatory and optional Medicaid services such as the Medically Needy program.

OPPOSE any legislation that eliminates statewide application of mandatory or optional Medicaid services for eligible recipients.

SUPPORT legislation that ensures Medicaid coverage for dual eligible clients (Medicare/Medicaid)

An increase in the federal share of Medicaid costs would enhance current Medicaid coverage of prescription medication. Enhanced prescription coverage would improve access to prescription medication for Medicare recipients. **The Broward County Board of County Commissioners supports** a Medicaid funding increase and expanded prescription coverage without any copayments. **The Broward County Board of County Commissioners also supports** legislation to enable the State of Florida to seek a waiver from the Department of Health and Human Services, Food and Drug Administration to allow state and local governments to explore the purchase of Canadian pharmaceuticals in an effort to reduce costs.

MEDICARE

Medicare is the primary underwriter of health care for elder citizens. Seniors and others with long-term disabilities are facing a crisis in both long-term care and prescription drug coverage. Budget projections for FY 2010 indicate that long-term care will cost Medicare \$12.3 billion and Medicaid about \$36 billion. Legislation is critical to ensure the future solvency of the Medicare fund which serves more than 30 million elders (69 million by 2030) as well as those elders dependent on Medicare for all or part of their medical and long-term care coverage. **The Broward County Board of County Commissioners supports** legislation that will ensure adequate funding of the Medicare program. Some Health Maintenance Organizations (HMOs) in Florida and across the country are restricting services, increasing co-payments, and imposing prescription drug caps on their insured members. Thousands of South Florida Medicare recipients rely upon daily prescription medication. **The Broward County Board of County Commissioners supports** inclusion of prescription drug coverage within the traditional Medicare framework. **The Broward County Board of County Commissioners also supports** permanent Medicare funding for medical immunosuppressant and other related drugs. **The Broward County Board of County Commissioners also supports** the restoration of any funds cut in FY 05/06.

MENTAL HEALTH PARITY

Most insurance policies, including those owned by Floridians, restrict access to mental health services. Accordingly, many individuals are forced to rely on an underfunded and overburdened public mental health system often resulting in many persons going untreated. Untreated mental illness is associated with homelessness, unemployment, substance abuse, crime, jail overcrowding, and suicide. Treating an emergency or crisis without ongoing care is not cost effective or humane, and medication without appropriate rehabilitative services diminishes the likelihood of successful interventions. **The Broward County Board of County Commissioners supports** mental health parity that would require insurers to provide equivalent coverage for treatment of mental illnesses to that of physical illnesses. **The Board also supports** legislation to expand benefits to include adequate mental health coverage.

MOVING COMPANIES - INTERSTATE

Prior to the Interstate Commerce Commission (ICC) Termination Act of 1995, interstate moving violations were sent to the ICC for resolution. Although the function of the former ICC was transferred to the Federal Highway Administration, the Act did not provide funds for dispute resolution between the mover and the consumer. **The Broward County Board of County Commissioners supports** the identification and adoption of a secure funding source for interstate regulation and enforcement. Additionally, **the Board supports** local and state governments being given the option of regulating and enforcing consumer protection for violations by interstate moving companies.

MUNICIPAL DEBT FINANCING ACT

Under existing law, municipal bond refinancing or refunding are permitted only once. **The Broward County Board of County Commissioners supports** pending legislation which will assist local governments in financing capital investments at the lowest possible cost.

PORT EVERGLADES

Port Everglades is recognized as the second largest cruise port in the world as well as the fastest growing containerized cargo business entity. It is a primary bulk cargo depot for South Florida, as well as the petroleum distribution point for 12 counties.

The Broward County Board of County Commissioners supports:

- **Federal funding for intermodal connectivity** projects at the Port that enhance the regional movement of freight, goods and people.
- **Federal funding for equipment and technology** to implement the Port's security program, and for operations and maintenance related to federal security mandates.
- **Legislation to authorize local authorities to perform federal background checks** on employees or potential employees at the Port.
- **Permanent funding for Port Customs Inspectors** and additional resources for U.S. Customs and Border Protection, U.S. Citizen and Immigration Services and U.S. Department of Agricultural Inspection Services to keep pace with growth in cargo and cruise activities.

The Broward County Board of County Commissioners supports federal funding for continued maintenance of Federal Navigation Channels, and **opposes** alternatives that would place an undue cost burden on ports or their clients.

REFUGEE SERVICES

The Broward County Board of County Commissioners supports the continued funding of all County grants received from the Office of Refugee Resettlement within the Department of Health and Human Services.

The Broward County Board of County Commissioners supports the reauthorization for the Targeted Assistance Discretionary Program to ensure the continuation of services for this at-risk community.

RYAN WHITE FUNDING

Broward County remains one of the highest HIV/AIDS populations in the United States. In FY 2005/2006, the County received \$14.6 million in funding.

The Broward County Board of County Commissioners supports funding the FY07 request for \$16.7 million.

The Broward County Board of County Commissioners supports continuation of the Client Management System.

The Ryan White C.A.R.E. Act continues to be the primary funding mechanism for services related to people living with AIDS and HIV. Allocations for the Ryan White Care Act are based on the geographic point where a person is diagnosed. Under current law, if a person diagnosed with HIV in one area of the country moves to a different area of the country, the allocation is not transferred to where the person moves, but remains at the point of diagnosis. This is commonly called the "hold harmless" provision.

The Broward County Board of County Commissioners supports the reauthorization of the Ryan White C.A.R.E Act, increased funding and the reevaluation and modification of the "hold harmless provision.

SOUTHEAST FLORIDA CORAL REEF INITIATIVE

With guidance from the U.S. Coral Reef Task Force through the National Oceanic and Atmospheric Administration, the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission have coordinated formation of an interagency strategy team for coral reef management and conservation. This strategy team is developing a local action plan to improve coordination of technical and financial support for conservation and management of coral reefs from Miami-Dade County northward to Hobe Sound in Martin County. Four workgroups, Awareness and Appreciation; Fishing, Diving, and Other Uses; Land-Based Sources of Pollution and Water Quality; and Maritime Industry and Coastal Construction Impacts, will outline issues and threats, present them at stakeholder workshops, combine information from public input and technical advisory committees, and propose projects to minimize harmful effects. The outcome will be a coordinated plan to address causes of coral degradation and provide a roadmap for successful conservation and management.

The Broward County Board of County Commissioners supports this effort and will continue to participate and support in developing the local action strategies for the conservation of this important resource.

STEM CELL RESEARCH

Embryonic stem cells stand as a crucial link to the scientific puzzle that may mitigate the pain and suffering of more than 100 million Americans and provide new therapies and other scientific opportunities for countless diseases such as diabetes, Alzheimer's, Parkinson's, ALS, heart disease, spinal cord injury and cancer. **The Broward County Board of County Commissioners supports** protecting and preserving continued federal funding of human embryonic stem cell research.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

The Broward County Board of County Commissioners supports the reauthorization of the Temporary Assistance for Needy Families (TANF) Program and the Child Care Development Block Grant (CCDBG) Program.

TRANSPORTATION

The need for a regional transportation system and intergovernmental communication and coordination is essential to provide South Florida's residents with accessible and affordable public transportation. The Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU), passed in 2005, contained many provisions which will assist us in that goal. In order to further facilitate that coordination, **The Broward County Board of County Commissioners supports** the following specific policy recommendations:

- **Maximize the Return of Funding to Florida**
Historically, Florida as a "donor" state, has received less than one dollar back for each dollar sent to the Highway Trust Fund. Florida still receives only 87 cents on each dollar. **The Broward County Board of County Commissioners supports** language that will increase the rate of return to 95 percent on all funds distributed to the states.
- **Noise Mitigation of Transportation Projects**
Encourage the inclusion of noise abatement costs as eligible for federal funding as part of the expansion of federal highway and railway projects.

TELECOMMUNICATIONS AND PROPERTY RIGHTS

Currently, federal agencies that lease space for wireless towers must consult with local and state governments regarding zoning. The wireless industry is asking for an exemption which would eliminate federal or local agency authority to deny zoning for a wireless tower or antenna. In addition, Congress may exempt local zoning authority for digital television towers because significantly higher towers must be built. It is unknown if additional tower height can be added to existing towers, or if new towers will need to be located elsewhere.

The Broward County Board of County Commissioners supports maintaining the local control over the siting of wireless service towers and antennas; maintaining local control over the zoning of digital television towers; and supports cable rate regulation legislation which will be more consumer friendly and may provide greater authority to local governments.

Current law mandates that land owners and developers exhaust local and state appeals in zoning matters before going to federal courts. Pending federal legislation would give property owners, businesses and developers easier access to federal courts regarding local planning and zoning decisions. The proposed legislation would limit the authority of local governments and zoning boards by allowing owners and developers expedited access to federal courts.

The Broward County Board of County Commissioners opposes legislation that would bypass, undermine, or in any way limit the authority of local governments regarding zoning.

WATER INFRASTRUCTURE

The Broward County Office of Environmental Services estimates that infrastructure replacement costs over the next 20 years will approach \$400 million. Each year the infrastructure comes under greater stress to meet the water and wastewater needs of the consuming public. The Water Infrastructure Network (WIN), a broad-based coalition of local, state and federal officials, state and federal environmental and health administrators, engineers and environmentalists working to improve water infrastructure nationwide, has estimated that a federal infrastructure funding gap of over \$250 billion will exist over the next 20 years.

The Broward County Board of County Commissioners supports legislation that will supplement current funding, which is insufficient to meet the needs for replacing aging infrastructure such as underground piping, lift stations, water storage facilities, and conversion from septic to sanitary sewer systems. **The Broward County Board of County Commissioners also supports** the efforts of the U.S. Environmental Protection Agency, American Water Works Association and the Association of Metropolitan Sewerage Agencies to persuade Congress to create and fund a clean water trust fund, or the proposed Clean Water Trust Act of 2005, or other similar dedicated funding source for infrastructure replacement.

NOTES

NOTES

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