

# TALLAHASSEE WEEKLY REPORT

## August 8-12, 2011

### Miami-Dade Legislative Delegation

The Miami-Dade Legislative Delegation met this week in the city of Miami's commission chamber for a second public hearing. This meeting served as an opportunity for the group to hear from organizations who were unable to present at the first meeting due to time constraints.

The groups that presented at this meeting included: United Teachers of Dade, Voices for Children, Village of Miami Shores, City of Miami Beach and several organizations who spoke in unison to voice their concerns over possible immigration reform. Jackson Hospital CEO Carlos Migoya also apprised the delegation of Jackson's priorities for the upcoming session.

The delegation will meet again, at a yet to be determined time and place, for the purpose of discussing additional delegation priorities and holding delegation elections. Below, please find a reprint from last week's report detailing the delegation priorities that passed at the August 1 meeting:

*At this meeting, the delegation also voted on priorities for the upcoming session, which includes:*

- *Support for the Miami-Dade Home Rule Charter joint resolutions that were filed last session. The resolution, which provides for a ballot question amending the constitution to allow the delegation to put changes to the Miami-Dade County Home Rule Charter on the countywide ballot, was defeated in the Senate. A vote was never taken on the House floor*
- *Support of a senior property tax freeze*
- *Support of legislation addressing mortgage fraud*
- *Support of legislation addressing property insurance rates/equity in Miami-Dade*
- *Restoration or maintenance of funding for Farm Share, Poison Control Center, autism research, FIU Medical School, Miami-Dade Public Schools, Jackson, and local services providers*

### Florida House Committee Assignments

House Speaker Dean Cannon made changes to his committee assignments in preparation for the upcoming session.

Attached, please find the memo detailing the new committee assignments.

### Senate Select Committee

Senate President Mike Haridopolos created the “Florida Senate Select Committee on Protecting Florida’s Children” earlier today. The creation of this committee comes on the heels of the Casey Anthony murder trial. Two House members – Reps. Jose Diaz (a member of our local delegation) and Scott Plakon – have already filed legislation in their chamber making it a felony to not report a dead or missing child within 48 hours.

The Senate Select Committee will be chaired by Sen. Joe Negron. The other members of the committee are Sens. Arthenia Joyner, who will serve as vice-chair, Anitere Flores, Greg Evers, and Chris Smith.

Below, please find the statement from the President’s office:

*“In the wake of the verdict in the Casey Anthony trial, members of the Florida Senate, as well as concerned Floridians requested the issue of child protection be further examined by the Florida Senate.*

*In response to these requests, the Senate President today announced the creation of a Senate Select Committee on Protecting Florida’s Children. This select committee will be charged with examining the various policy options that are available to further advance the protection of Florida’s children. The Florida Senate will discuss these options as a legislative body, and then determine whether changes need to be made to current Florida law.”*

## **Florida Budget**

The Budget Control Act recently passed by Congress and signed into law by President Obama, and the ensuing debt debate, could have an affect on future state budgets.

Even though Standard and Poor’s kept the state’s credit rating high, and the legislature’s recent budgets were crafted with warnings from financial ratings agencies, the \$2.1-2.4 trillion in cuts over the next ten years could trickle down to Florida, where federal spending is the state’s largest source of money. Most of the federal cuts have not been identified, the recently appointed “super-committee” is tasked with finding \$1.5 trillion in savings. However, at least \$917 billion in automatic cuts start next year and could mean less money for highway construction and housing assistance.

Medicaid will not be affected from the outset, but, legislative leaders have stated they would accept less money for Medicaid, in exchange for a “block grant” for the program.

Senate President Mike Haridopolos said the “super-committee” should remove requirements on federal money for transportation projects and education. He went on to say, “We would be willing to accept less money if it meant we could spend it how we saw fit”.

## **Property Taxes**

The LeRoy Collins Institute, a public policy research group, has released a report stating that restricting property taxes may make it harder for Florida counties to deal with the ongoing recession. The report, which can be found by accessing the link at the end of this section,

states that recent property tax legislation coupled with the economic downturn, particularly related to the housing crisis, has counties making up for lost revenue by cutting spending.

Revenue and spending climbed for 30 years through 2007, which is when counties first began to experience financial instability. In an example of what has taken place since then, public safety spending dropped 40 percent in 2008 and 2009. The recession, when combined with property tax cuts, caused county revenues to fall an average of \$60 to \$1,226 per capita in 2008.

Carol Weissert, a Florida State University professor and director of the Collins Institute, believes that legislation on the 2012 ballot may be even more detrimental to counties. Amendment 4 on the 2012 ballot, which extends a cap on assessments to non-homestead properties and gives a large tax break to first-time home buyers, will cause another drop in property tax revenue which will affect local counties and school districts.

<http://collinsinstitute.fsu.edu/sites/collinsinstitute.fsu.edu/files/Collins%20Institute-The%20Double%20Whammy%20Facing%20Florida's%20Counties-Aug%202011.pdf>

## **Public Service Commission**

The Public Service Commission (PSC) has narrowed the list of candidates being considered for executive director from 129 to 15. These candidates will be interviewed individually. Timothy Devlin resigned in May as executive director of the PSC after 35 years with the agency.

The interviews will take place by August 22, followed by a vote at the August 23 PSC meeting to determine which two or three candidates to bring back for more interviews.

The more prominent names on the list include : Braulio Baez, an attorney from Coral Gables and former Chair of the PSC; Stephen Hogge, a former House staff director; Diana Caldwell, a former PSC attorney; Steven Marshall, a former logistics director for the U.S. Navy; and Chris Hart, CEO of Hart Enterprises in Tallahassee.

## **Elections Law**

While the most controversial portions of the sweeping elections law passed by the legislature and signed into law by the Governor are still unresolved, the United States Department of Justice (DOJ) gave the go-ahead this week to dozens of changes included in the bill. Due to previous instances of discrimination, the federal government must sign off on any election changes that impact Collier, Hardee, Hendry, Hillsborough, and Monroe counties.

Historically, the state would halt implementation of new election laws throughout the state until changes were precleared to make sure the election law changes were uniform throughout the state. In this case, the state told election officials in the 62 other counties to start following the new law before the federal authorities had reviewed it.

The most controversial portions of the bill were withdrawn from consideration by DOJ due to a decision from Secretary of State Kurt Browning to have a federal district court sign off on them instead. These changes include: a requirement that a third party voter registration organization submit voter registration applications within 48 hours; a reduction in the number of early voting

days from 14 to 8; a requirement that voters must use a provisional ballot if they are changing their addresses from one county to another one election day; and a provision that would reduced from four years to two years the length of time that signatures on citizens initiatives are valid.

The legislation in questions is SB 1355 by Senator Miguel Diaz de la Portilla, a member of our local delegation.

## Transportation

Ananth Prasad, secretary of the Florida Department of Transportation (FDOT) was in South Florida this week where he took a tour of the Port of Miami tunnel and the reconstruction of the interchange linking the 826 and 836. He endorsed both projects as “dream” projects that he and Governor Scott feel would increase both commuters and cargo in the area.

While in town, Secretary Prasad stated that officials are beginning to design an expanded network of Sunpass express lanes that would link highways in Miami-Dade and Broward over the next ten years. Variable-toll lanes currently exist on I-95 from Miami to the Golden Glades, with a scheduled expansion to Ft. Lauderdale, which would include reversible toll lanes built in the median of I-95 from west of I-95 to I-75. The new network would include cash-free Sunpass express lanes on I-75 in Broward south to the Palmetto, continuing to the 836.

## Associated Industries of Florida

Barney Bishop submitted his resignation to the Associated Industries of Florida (AIF) Board of Directors this week, effective December 31. Bishop felt he had achieved his goal of rebuilding AIF and that the organization was in a very good place. AIF serves as one of the largest business lobbies in Tallahassee.

Bishop was named president of AIF in January 2005, and was elected C.E.O. in March 2006. He will have a consulting contract in place with AIF beginning January 1, 2012.

## Redistricting Hearing

There will be two redistricting hearings held in Miami next **Wednesday, August 17**. The first meeting will take place from 10 am-2 pm at the Miami Dade College, the second from 6 pm-9 pm at the Florida International University College of Law. The two links below include directions and parking information for the two meetings.

<http://censusvalidator.blob.core.windows.net/mydistrictbuilderdata/Additional%20Resources/MiamiParkingandDirections.pdf>

<http://censusvalidator.blob.core.windows.net/mydistrictbuilderdata/Additional%20Resources/SouthMiamiParkingandDirections.pdf>

## Juvenile Justice

Please see the press release below from the Florida Association of Counties related to juvenile justice:

## **Friday, July 29, 2011**

Last week, FAC and the appointed members from various counties discussed detention reforms with Secretary Walters and the Department of Juvenile Justice. This was the second of a series of face to face meetings that resulted from proviso in the state Detention Budget.

While the recommendations are not due to the Legislature and the Governor until November 1, the Department has agreed to submit a Legislative Budget Request to the Governor's Office that would bring the budget into balance with the detention utilization. This adjustment would relieve counties of \$2.7 million in the next fiscal year, provided there are not substantial changes in pre-disposition (or pre-commitment) detention utilization.

Counties have advocated for a statutory definition of pre versus post disposition and hoped that this group would adopt changes. Counties proposed such changes, including violations of probation that are not new law violations, failure to appears, foster youth, youth over 18 and pre-disposition detention stays above the 21 day limit, would move to the state's responsibility. However, the Secretary issued a memo prior to the July 27 meeting that announced the Department would not support any additional changes that would require additional state funding. The Department shared the data that showed how many days would be shifted and the ultimate savings to the counties would be more than \$13 million. The Association will host a webinar to share the details and the progress the Department has made in reforming detention operations.

The ongoing dialogue as to how much counties spend on detention diversion and alternatives continues. The Association surveyed counties in June and is making follow up calls and emails to counties who still have not responded. This information is particularly important in the discussions with DJJ as counties are asked to reinvest detention savings into community based alternatives.

For more information please contact FAC Public Safety Advocate Sarrah Carroll

## **Calendar**

- August 17 – Public Redistricting Hearings
- Week of September 19 – Interim Committee Meetings
- Week of October 3 – Interim Committee Meetings
- Week of October 17 – Interim Committee Meetings
- Week of October 31 – Interim Committee Meetings
- Week of November 14 – Interim Committee Meetings
- Week of December 5 – Interim Committee Meetings
- January 10, 2012 – Opening Day of 2012 Session