Memorandum

MIAMI-DADE COUNTY

Date:	September 26, 2011
To:	Honorable Chairman Joe A. Martinez & Members, Board of County Commissioners
From:	Joe Rasco Director Office of Intergovernmental Affairs
Subject:	Proposed 2012 State Legislative Agenda

October 4, 2011

Agenda Item No. 1I1

RECOMMENDATION

Transmitted here within are the Miami-Dade County 2012 Preliminary State Legislative Agenda to be included on the agenda for the October 4, 2011 Board of County Commissioners meeting.

Attachments

MIAMI-DADE COUNTY
2012 STATE LEGISLATIVE AGENDA

CRITICAL PRIORITIES

- **State funding/budget**: ***PRESERVE*** state funding for County programs and important community programs and ***OPPOSE*** efforts to cost shift additional financial and programmatic obligations from the state to local governments, in light of the state budget situation and declining state revenues.

- **Pretrial Release**: ***OPPOSE*** legislation that would place arbitrary statutory restrictions on pretrial supervision programs.

- **Elderly Services**: ***PRESERVE*** funding currently received in the area of elderly services, including programs for elderly high-risk meals and homebound elderly and funding for community care and Local Service Providers.

- **Jackson Health**: ***PRESERVE*** current state funding for charity care to Jackson Health System as burdens on Jackson continue to increase as revenue declines.

- **Deep Dredge:** ***SUPPORT*** efforts to maintain funding allocated for the Deep Dredge Project in the Florida Department of Transportation's 2012-2013 Work Program.

MIAMI-DADE COUNTY
2012 STATE LEGISLATIVE AGENDA

GUIDING PRINCIPLES

- **Home Rule and Preemption**: ***SUPPORT*** preservation of local home rule; ***OPPOSE*** any effort to preempt local authority.

- **State Funding, Cost Shifts and Unfunded Mandates**: ***SUPPORT*** preservation of existing state funding for County programs; and ***OPPOSE*** any additional cost shifts or unfunded mandates from the state to the County, and any reductions in County revenue, revenue sharing, or funding from the state. ***OPPOSE*** any measure that would adversely affect County revenues, including in the area of property taxes.

- **Protect Previous State Funding**: ***SUPPORT*** efforts to secure the same level of state funding for County programs as last year.

- **Promote Partnerships**: ***SUPPORT*** partnerships with the state, other counties, municipalities, statewide associations and any other entity that would help to create favorable outcomes for the County.

Miami-Dade County
2012 State Legislative Agenda

Departmental Requests

A.D.A. Coordination

- **Accessible Parking Reform**: ***SUPPORT*** legislation that would curb current abuses that exist with regards to accessible parking spaces and placards.

- **Visitability Legislation:** ***SUPPORT*** legislation that would enact visitability requirements in the state, and build stakeholder buy-in.

Animal Services

- **Animal Control and Cruelty Civil Violation Surcharge**: ***SUPPORT*** legislation which would expand the use of proceeds generated from the $5 surcharge fee on civil violations to fund other operating expenses, in addition to animal control training programs.

Aviation

- **Funding of Capital Projects**: ***SUPPORT*** full funding of Aviation capital projects included in the Florida Department of Transportation's FT 2012-2013 Work Program and **OPPOSE** any efforts that will result in reduction of funding to the work program.

- **Sales Tax Exemptions**: ***MONITOR*** legislation that would repeal the sales tax exemptions on aircrafts.

- **Pilot Programs**: ***SUPPORT*** funding for enhancement of security and safety, particularly through pilot programs.

- **Telecom Legislation:** ***MONITOR*** any telecommunications legislation or rules that would negatively impact the Aviation department.

Building and Neighborhood Compliance

- **Chapter 489:** ***SUPPORT*** legislation amending chapter 489 of the Florida Statutes to empower local enforcement authorities to issue citations to state certified contactors for violations of the Florida Building Code.

Capital Improvements

- **Design-Build (DB) and Architectural and Engineering (A&E) Selection Process –** ***SUPPORT*** legislation which would revise current statutory language which mandates the qualification and selection of no fewer than three firms as the most qualified for the DB and A&E selection processes.

Community Action Agency

- **Community Services Block Grant (CSBG)**: ***SUPPORT*** legislation that would ensure the appropriation of state dollars to augment federal funding the state receives through the CSBG Act.

Consumer Services

- **National Criminal Background Checks**: ***SUPPORT*** legislation that would allow Miami-Dade County to conduct a national criminal background check on all for-hire chauffeurs.

- **Preemption of For-Hire Transportation and Ambulance Regulations**: ***OPPOSE*** legislation that would impact local regulation of for-hire transportation.

- **Preemption of Towing, Moving, Locksmith or Motor Vehicle Repair**: ***OPPOSE*** legislation that would impact local regulation in the areas of towing, moving, locksmiths and motor vehicle repair.

- **Taxicab Lease Rates**: ***SUPPORT*** legislation clarifying that Miami-Dade County may impose reasonable price controls on certain for-hire transportation lease-rates.

- **Local Regulation of Tour Guides**: ***SUPPORT*** legislation which would remove preemption to the state which currently exists on local regulation of tour guides.

Corrections

- **Pretrial Supervision:** ***OPPOSE*** legislation that would favor the bailbond industry over pretrial supervision programs by placing arbitrary statutory restrictions on pretrial supervision programs.

- **Lewd or Lascivious Behavior**: ***SUPPORT*** legislation that would expand the third degree felony currently in place for lewd or lascivious behavior in state or private jails to county detention centers of jails.

- **Cellular Phones as Contraband:** ***SUPPORT*** legislation that would include cellular phones in the statute that defines contraband.

- **Limited Arrest Authority**: ***SUPPORT*** legislation that allows correctional officers limited arrest authority within detention facilities.

- **Department of Corrections Certification:** ***SUPPORT*** legislation that would prohibit county detention facilities to receive periodic state certification from the Department of Corrections.

Cultural Affairs

- **Cultural Affairs Grants**: ***SUPPORT*** an increase to the statewide budget allocation for cultural affairs grants.

DERM

- **Beach Erosion**: ***MAINTAIN*** a dedicated funding source for statewide beach erosion control activities.

- **Inland Protection Trust Fund**: ***MAINTAIN*** full funding from the Inland Protection Trust Fund for the Florida Petroleum Cleanup Program to remediate contaminated sites.

- **Title V:** ***MAINTAIN*** full funding from the Air Pollution Control Trust Fund to approved Local Agency Air Programs for the Title V Program and ***SUPPORT*** legislation that requires direct pass-through funding of Title V Air Permit Fees to Local Agency Air Programs.

- **Contamination of Water Wells**: ***MAINTAIN*** sufficient funding to investigate contamination of private drinking water walls and to respond to contamination.

- **Southeast Florida Regional Climate Change Compact**: SUPPORT state policies as listed in the South Florida Regional Climate Change Compact signed by Miami-Dade, Broward, Palm Beach and Monroe Counties."

Elections

- **Absentee Ballot Security Envelopes:** ***SUPPORT*** legislation that would allow counties to utilize security-enhanced envelopes for absentee ballots.

- **Election Audit Rules**: : ***SUPPORT*** legislation that would allow Supervisors of Elections to audit at least 1 percent but not more than 2 percent of randomly selected precincts and/or voting units in a particular election.

- **Community Development District Elections**: ***SUPPORT*** legislation that would allow for Community Development District elections to be conducted by mail.

- **Early Voting Sites**: ***SUPPORT*** legislation that would expand the allowable facilities eligible for use as early voting sites.

Film and Entertainment

- **Industry Incentives:** ***SUPPORT*** legislation that would reinstate industry incentive language in an effort to attract high-impact television production.

General Services Administration (G.S.A.)

- **Repackaged Drugs**: ***SUPPORT*** legislation that would limit the reimbursement of relabeled and repackaged drugs distributed by physicians in workers compensation cases.

Homeless Trust

- **Gap Funding**: ***SUPPORT*** funding to continue the Gap Funding Project to assist homeless individuals served by the Eleventh Judicial Circuit Criminal Mental Health Project's Jail Diversion Program.

- **Crisis Outplacement Beds:** ***SUPPORT*** funding to continue the Crisis Outplacement Bed Program to assist homeless individuals served by the Eleventh Judicial Circuit Criminal Mental Health Project's Jail Diversion Program.

Housing and Community Development

- **State Housing Initiatives Partnership Program:** ***SUPPORT*** the preservation of the SHIP program within the Department of Housing and Community Development and maintain or increase current levels of funding.

- **Community Development Block Grant:** ***SUPPORT*** the preservation of the CDBG program and maintain or increase current levels of funding.

- **HOME Investment Partnership Program:** ***SUPPORT*** the preservation of the HOME program and maintain or increase current levels of funding.

Human Services

- **Elderly High-Risk Meals**: ***SUPPORT*** funding for the elderly high-risk meals program.

Library

- **State Aid to Libraries**: ***SUPPORT*** funding for the State Aid to Libraries program at $31 million, which would allow for a match of approximately 4 cents on the dollar, or an estimated $3.2 million

Metropolitan Planning Organization

- **Grade Separation Project:** ***SUPPORT*** funding for a grade separation project on SW 107 Avenue and 8 Street.

Office of Countywide Healthcare Planning

- **Miami-Dade Premium Assistance Program**: ***SUPPORT*** funding under the LIP program for the Miami-Dade Premium Assistance Program-Health Insurance Utilization Program.

- **Center for Health Insurance Education and Primary Care Access:** ***SUPPORT*** funding through the Legislature and support through the Office of

Insurance Regulation for development of the Miami-Dade County Center for Health Insurance Education and Primary Care Access.

- **Liberty City Clinic Capital Construction**: ***SUPPORT*** funding for a new healthcare facility to be located in Liberty City.*

- **Miami-Dade County Health Department Main Complex**: ***SUPPORT*** funding for the New Clinic Tower and a parking garage to be located at the Health Department Main Complex.*

  *The second two items were submitted by the Miami-Dade County Health Department.

Parks and Recreation

- **Fit to Play Program**: ***SUPPORT*** funding of the Fit to Play Program, which is designed to help children achieve better health through physical activities and wiser eating habits.

- **Tamiami Basketball Pavilion:** ***SUPPORT*** funding to complete a four-court indoor basketball gymnasium at Tamiami Park.

- **Trail Glades Range Clubhouse:** ***SUPPORT*** funding to complete the Trail Glades Range Clubhouse.

- **Tree Island Park Development:** ***SUPPORT*** funding for the development of Tree Island Park and Preserve.

- **Exotic Wildlife Control**: ***SUPPORT*** funding for expansion of the exotic wildlife control program to expand the capability of the land managing division to coordinate with state and federal control programs, initiate local control programs for exotic wildlife, establish a trapping campaign using private contractors and educate the public.

- **Cultural Arts Center Bridge and Lighted Promenade:** ***SUPPORT*** funding to provide a link for the Black Creek Trail to the South Dade Cultural Arts Center.

- **Florida Recreation Development Assistance Grant Program (FRDAP)**: ***SUPPORT*** full funding for the FRDAP program by the Legislature.

Police

- **Adam Walsh Act:** ***SUPPORT*** legislation that would amend the Florida Statutes to align with the Adam Walsh Child Protection and Safety Act of 2006.

Procurement

- **Repeal of 511**: ***SUPPORT*** passage of a Memorial to Congress urging the repeal of section 511 of the Tax Increase Prevention and Reconciliation Act of 2005.

Public Housing Agency

- **45 Day Rule:** ***SUPPORT*** legislation that would exempt public housing agencies from Florida Statute 83.56(5), allowing them to comply with eviction processes outlined in federal regulations.

- **Homeowner's Associations:** ***SUPPORT*** legislation that would exempt public housing agencies and the tenants they serve from Florida Statute 718.116(11), 720.3085(8), and 719.108(10), or, in the alternative, require as a condition the homeowners or condo associations to enter into a Housing Assistance Payment Contract (HAP) with the public housing agency following a request by the owner to assign the HAP to the association.

Public Works

- **Venetian Causeway Bridges**: ***SUPPORT*** funding to complete replacement of the 12 bridges on the Venetian Causeway.

- **Tamiami Canal Swing Bridge:** ***SUPPORT*** funding for design and construction of a replacement of the Tamiami Canal Swing Bridge.

- **Advanced Traffic Management Systems**: ***SUPPORT*** funding to complete implementation and system enhancements to the advanced traffic management systems.

Seaport

- **Deep Dredge**: ***SUPPORT*** efforts to maintain funding allocated for the Deep Dredge Project in the Florida Department of Transportation's 2012-2013 Work Program.

- **Capital Development Projects:** ***SUPPORT*** efforts to maintain funding for critical crane/wharf strengthening project needed to complement the Deep Dredge.

- **Florida Ports Council**: ***SUPPORT*** the efforts of the Florida Ports Council.

- **Transportation Intermodal Issues:** ***MONITOR*** any bills or policies involving transportation intermodal issues, including the strategic intermodal system.

- **Perishables Protocol:** ***SUPPORT*** a partnership with the Department of Agriculture to develop new protocols that would allow for the importation of certain fruits and vegetables through the Port of Miami.

Solid Waste

- **Renewable Energy**: ***SUPPORT*** preserving waste-to-energy inclusion in applicable definitions of renewable energy and green energy, and provide incentives and other support for the production of such renewable energy..

- **Recycling**: ***MONITOR*** legislation related to the goal of the recycling of 75% of municipal waste by 2020.

- **Solid Waste Grant Programs:** ***SUPPORT*** equitable treatment of counties for funding of state solid waste grant programs for counties with more than 100,000 residents.

Sustainability

- **Energy/Renewable Energy**: ***SUPPORT*** a series of legislative initiatives which would bring Miami-Dade County energy efficiency and renewable energy generation in order to provide economic, environmental, and quality of life benefits to home and building owners.

- **Urban and Community Forestry Programs**: ***SUPPORT*** an increase in state funding for the Urban and Community Forestry Program, including Florida Department of Transportation funding to plant trees on state roads.

Transit

- **FDOT Funding:** ***MAINTAIN*** funding for various programs supported by the Florida Department of Transportation.

- **State Block Grant Funding:** ***MAINTAIN*** current funding level and formula distribution for the State Public Transit Block Grant.

Water and Sewer

- **Integrated Water, Wastewater, and Reclaimed Water Master Plan (Outfall Study)**: ***SUPPORT*** funding of the integrated water, wastewater, and reclaimed water master plan, as related to recently passed ocean outfall legislation.

- **Ocean Outfalls:** ***SUPPORT*** legislation that would provide more cost-effective compliance options to achieve the goal of phasing out the use of ocean outfalls for wastewater disposal.

Zoo Miami

- **Mission Everglades:** ***SUPPORT*** funding for the black bear and Florida Panther exhibit.