

PALM BEACH COUNTY

2020 STATE LEGISLATIVE AGENDA

GENERAL GOVERNMENT ISSUES



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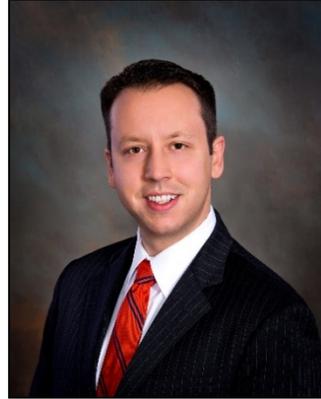
PALM BEACH COUNTY

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2020 STATE LEGISLATIVE ISSUES

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ECONOMIC DEVELOPMENT

GLADES REGIONAL INITIATIVES

In an effort to provide economic growth and stimulus to the region surrounding Lake Okeechobee, Palm Beach County has identified several legislative issues that will promote economic development and job creation in the Glades Region. Palm Beach County **SUPPORTS**:

- Legislative initiatives and funding to implement components of the Glades Region Master Plan
- The continuation and enhancement of Small County Outreach Program (SCOP) funding for road reconstruction and repaving
- Continuation of funding for the Everglades Restoration Agricultural Community Employment Training Program
- Funding for improvements to existing affordable housing units as well as the development of new affordable housing units
- Funding for storm water improvements to enhance economic and housing development as well as improve water quality and prevent flooding
- Funding to ensure that the Glades Region has appropriate shelter facilities for emergencies
- Funding for youth violence prevention programs
- Funding to help improve infrastructure surrounding agricultural communities
- Legislation to help farmers in their efforts to produce fruits and vegetables for our country and our community

FLORIDA'S FILM, TELEVISION, AND DIGITAL MEDIA

Florida's entertainment industry created thousands of new jobs for Florida workers, brought in substantial new money to our local communities, and spawns financial investment and tourism throughout the state.

In order to ensure the continued success of Florida's Film, Television, and Digital Media Industry, Palm Beach County **SUPPORTS** programs to retain Florida's professionals and new graduates in these industries, thereby building the confidence to stay in Florida and move onto gainful high-skill, high-wage employment.

Palm Beach County also **SUPPORTS** the Film and Television Commission's education initiative.

BIOMEDICAL RESEARCH FUNDING

Palm Beach County **SUPPORTS** new and recurring funding for educational programs produced by local universities and state colleges and their partnership such as Max Planck and Scripps of Florida. Biomedical research funding is beneficial to not only the residents of Palm Beach County, but to residents nationwide.

ENTERPRISE FLORIDA

Palm Beach County will continue to **MONITOR** the discussions regarding the future of Enterprise Florida. In an effort to continue the provision of resources to assist Palm Beach County’s Office of Housing and Economic Sustainability, the Business Development Board and the Florida Sports Foundation, the state’s economic development toolkit should be funded in a manner that supports continued economic growth and financial stability for regional businesses and those seeking to relocate to our area. Sports tourism should remain a key component of this support.

JOB GROWTH GRANT FUND

Palm Beach County **SUPPORTS** continued allocation of funds for the Florida Job Growth Grant Fund (Section 288.101, F.S.) to support the development of infrastructure and workforce training related to the expansion of economic development throughout the state.

VISIT FLORIDA

Palm Beach County **SUPPORTS** full funding for Visit Florida, and will also **MONITOR** discussions regarding the future of the program. Additionally, **SUPPORT** funding to help offset natural occurrences that may affect loss in tourism.

BLUEWAY TRAIL

Palm Beach County **SUPPORTS** the continued development of the Blueway Trail within the chain of lakes, and will **MONITOR** any state funding proposals to enhance the ecotourism project.

SOUTH FLORIDA FAIRGROUNDS EXPO CENTER

Palm Beach County **SUPPORTS** an appropriation for the Palm Beach County Special Needs Shelter and Expo Building. The Exposition Center will provide not only an additional 100,000 square feet of additional special needs shelter space, the space will provide an opportunity for an events facility, new jobs, and economic stimulus to the region.

SUBSTANCE USE AND MENTAL HEALTH

SUBSTANCE USE AND MENTAL HEALTH FUNDING

The human and economic costs of untreated substance use and mental illness in our state continue to rise. Often these issues arise as a result of unaddressed trauma. These costs include the criminalization of people with untreated mental illnesses, family erosion, substance use, job loss, domestic violence, homelessness, medical problems, crime and suicide. Florida must do more to invest and fund community-based and integrated mental healthcare and trauma informed care. Palm Beach County **SUPPORTS** increased funding for the region’s managing entity, the South East Florida Behavioral Health Network, to be utilized by care systems working collaboratively to reduce opioid overdose and addiction, reduce suicides especially in young people, raise awareness, and create overall safer communities.

If the state of Florida receives lawsuit settlement dollars related to opioid abuse cases, PBC encourages the state to set aside a portion of the settlement proceeds for a research and development grant program related to opioid use and addiction in general.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for additional beds and treatment programs for mental health and substance use disorders with an emphasis on youth services and expectant mothers.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for trauma informed care education and treatment, mental health awareness programs to reduce stigmatization and youth suicide prevention programs.

OPIOID USE

Palm Beach County **SUPPORTS** policy changes as well as appropriations to support providing life-saving interventions, medically-assisted detoxification programs, location for expectant mothers to decrease the risk of complications and birth defects due to opioid addiction, and diversions from the criminal justice system for those suffering from opioid addiction.

SOBER HOMES

The Palm Beach County Sober Homes Task Force (TF) was created in 2016 to monitor operation of unregulated “sober homes”, prosecute fraudulent treatment and marketing practices and recommend changes to laws and regulations for the protection of vulnerable people in recovery. In 2017, there were 642 opioid overdose deaths, according to figures released by the Palm Beach County Medical Examiner. Through efforts of the Task Force, in 2018, based on preliminary numbers from the Medical Examiner, opioid overdose deaths have declined approximately 40%. PBC Fire Rescue OD responses similarly declined by 40%. In the first 6 months of 2019, the Medical Examiner indicated an additional 20% decline. In addition, the TF was instrumental in the passage of landmark legislation addressing the treatment industry in 2017 and 2019.

Operation of sober homes with no oversight or regulation can lead to, among other things, homelessness and relapse for those suffering from substance use. Fraudulent marketing and treatment practices can also have devastating effects on the lives of individuals who come to Palm Beach County for treatment. Palm Beach County **SUPPORTS** the Sober Homes Task Force, and their recommended statutory changes for the 2020 session.

HEALTH & HUMAN SERVICES AND HEALTHCARE

AFFORDABLE HOUSING

In 2019, the legislature appropriated \$47M of the available \$247M in Housing Trust Funds to the State Housing Initiatives Partnership Program (SHIP) for affordable housing statewide. Palm Beach County was allocated \$1.4M for SHIP. Because Hurricane Michael relief was a high priority in 2019, approximately \$115 million of housing monies was dedicated to the disaster. This is the 12th consecutive year that the William E. Sadowski Trust Funds has been swept to fill gaps in the budget. This year, over \$125 million was diverted from the trust funds.

Palm Beach County **SUPPORTS** efforts to increase funding and ensure the Sadowski Housing Trust Funds are fully funded for affordable housing projects and not rolled into General Revenue.

Palm Beach County **SUPPORTS** an audit of the Belle Glade Housing Authority and all rural housing authorities utilizing USDA funding by the Joint Legislative Auditing Committee.

HOMELESSNESS

Palm Beach County **SUPPORTS** efforts by members of the Legislature to identify and fund programs for the homeless. The County is experiencing a growing problem with homeless students, seniors, and veterans. The County proposes the following:

1. Sober homes legislation that will provide options to prevent individuals who are forced to leave a home from becoming homeless.
2. Full-funding of the State Apartment Incentive Loan (SAIL) program from the State Housing Trust Fund.
3. Funding for Challenge Grants that provide continuum of care wrap around services for homelessness.
4. Support mental health funding.
5. Support Affordable Housing Task Force recommendations.
6. Support additional funding to prevent college and university students, youth aging out of foster care, and unaccompanied minors from becoming homeless.
7. Support creation of and funding for the Poverty Council first proposed in 2016 under SB 556, which would conduct a review of policies and programs that move people out of poverty, develop strategies to address the causes of poverty in the state, and develop recommendations to reduce the percentage of people living in poverty in the state.

HOMELESS RESOURCE FACILITY

Palm Beach County's first homeless resources center opened in 2012 in West Palm Beach with 20 beds for women and 40 for men. Several agencies have offices at the center to help residents find housing, medical care and jobs. In 2017, 1308 people were counted as homeless in the county. Palm Beach County has selected a location for a second Homeless Resources Facility to meet the unmet needs of this population. The cost to construct the facility is \$8 million and sales tax dollars have been allocated to fund the structure.

The County is requesting \$1 million from the State of Florida to assist in the construction of this facility.

TRANSPORTATION DISADVANTAGED PROGRAMS

Transportation Disadvantaged (TD) funding is an important funding source for Palm Tran, enabling Palm Beach County to provide the most economically challenged customers with public transportation when they are located outside of the fixed route service area and to provide discounted fixed route bus passes. To maintain the existing level of services and accommodate the needs of TD residents, Palm Beach County has annually supported the TD program efforts with additional funding. This year, the County's local contribution is \$3,254,476, of which \$347,833 is required.

Palm Beach County **SUPPORTS** attempts to increase the funding to the TD program and to prevent diversion of these dollars for other purposes.

Additionally, Palm Beach County **SUPPORTS** an appropriation for \$2 million to help offset the increase in local contribution made for the TD program.

PUBLIC RECORDS EXEMPTION FOR HOMELESS POINT IN TIME COUNT IDENTIFYING DATA

Federal law requires local homeless Continuums of Care to conduct a point-in-time homeless count every other year. These numbers determine funding levels for many of the homeless programs. An issue arose frequently when a newspaper reporter submitted a public records request for identifying information from the required survey. This is extremely sensitive because the homeless are often concerned during these surveys with their privacy being maintained. If there was concern about this information becoming public, homeless individuals would be less likely to participate in the survey. This, in turn, affects federal funding levels from HUD. Therefore, Palm Beach County **SUPPORTS** legislation that would allow identifying information such as name and date of birth to remain exempt from public record requests. Additionally, Palm Beach County **SUPPORTS** legislation that would keep youth information exempt from public record. In 2017, SB 1024 passed the Senate 36-0 but died in messages because HB 381 did not receive a hearing.

CHILD WELFARE

Palm Beach County **SUPPORTS** the following enhancements to Florida's statewide child welfare funding that together will improve the child welfare system in Palm Beach County and throughout the state.

Palm Beach County **SUPPORTS** the Florida Coalition for Children's (FCC) request for increased funding with recurring revenue for the agencies operating Florida's system of foster care and related services. The FCC is a statewide association of community-based care (CBC) lead agencies, which includes ChildNet Palm Beach and those agencies that directly serve Florida's abused, abandoned and neglected children. Since fiscal year 2013-2014, the number of children being removed from their homes throughout Florida because of verified abuse, abandonment and neglect has increased substantially. Annual increases in statewide child welfare funding have not been sufficient to meet the needs of this expanding population. The increased appropriation of funds will enable lead agencies and their subcontracted service providers, in Palm Beach and throughout the state, to deliver a comprehensive range of high quality services sufficient to consistently and effectively meet the needs of Florida's expanded foster care population.

Additionally, Palm Beach County **SUPPORTS** full funding for Guardian ad Litem (GAL).

Finally, Palm Beach County **SUPPORTS** recommended changes to the CBC equity allocation model currently described in Section 409.991, F.S. that will facilitate a more equitable distribution of any new core funding allocated to community-based care lead agencies throughout the state.

SENIOR WELFARE

Palm Beach County **SUPPORTS** the Area Agency on Aging's legislative priorities:

- **SUPPORT** funding for Florida's Aging & Disability Resource Centers client services workload under the Statewide Medicaid Managed Long Term Care Program to reduce the risk of nursing home placement for seniors and adults with disabilities;
- **SUPPORT** funding to serve at-risk seniors statewide on the Department of Elder Affairs waiting list for the Community Care/Home Care for the Elderly and the Alzheimer's Respite Care Programs;
- Appropriate 3.5 percent of administrative costs to the Department of Elder Affairs for Florida's Alzheimer's Disease Initiative programs; and
- Establish an Adult Protective Services within the Community Care for Elderly Program to pay for the cost of emergency services provided to Adult Protective Services high-risk referrals received from the Department of Children and Families.

ADULTS/STUDENTS WITH DISABILITIES

Palm Beach County **SUPPORTS** increased funding for rate increases for services provided through the Agency for Persons with Disabilities. Currently, the rate crisis is causing many agencies to go out of business and others find it extremely difficult to attract and maintain staff. An 11% increase will establish funding at the 2003 level in actual dollars.

RETINOBLASTOMA

Retinoblastoma is a disease that causes the growth of malignant tumors in the retinal cell layer of the eye and affects 1 in every 12,000 children. Most cases occur in the first two years of life, which is why it is important that screening of this disease take place between birth and 5 years of age. Worldwide, over 7,000 children die each year due to lack of early detection. Only the State of California has passed legislation that requires eye pathology screening of newborns and infants. In infancy, eye dilation is needed in order for an ophthalmoscope to detect 100% of the tumors. The use of a photograph of the child from parents and/or physicians can aide in the determination of utilizing eye drops necessary for eye dilation. This ten second exam will also detect other ocular diseases that affect newborns, infants and toddlers such as congenital cataracts.

The Palm Beach County Board of County Commissioners continues to issue an annual proclamation declaring December as "Joey Bergsma Retinoblastoma Awareness Month" to raise the awareness of this disease. In addition, the Board passed a resolution urging the Legislature to require exams for early detection of Retinoblastoma in newborns and infants.

Palm Beach County **SUPPORTS** SB 46 and HB 67 filed for the 2020 legislative session to **AMEND** Florida Statutes to "require the receiving of certain eye examinations that screen for retinoblastoma."

Additionally, Palm Beach County **SUPPORTS** development of an education handout by the Agency for Health Care Administration to educate parents.

DENTAL ACCESS

In response to a need for improved dental access and affordability, multiple states have introduced legislation including Florida. In 2018 and 2019, various pieces of legislation were introduced to put patients first because the state scope of practice laws govern the activities that healthcare practitioners may engage in when caring for patients.

Palm Beach County **SUPPORTS** efforts to make dental care more affordable and accessible. Palm Beach County continues to **SUPPORT** Palm Beach State College as they continue to expand their Dental Programs and help to improve access for vulnerable populations.

STUDENT HEALTH SERVICES

MONITOR Sen. Lauren Book (SB 234) and Rep. Michael Grieco (HB 123) legislation requiring school districts to ensure feminine hygiene products are available in public school bathrooms.

BUDGET & TAXATION POLICY

UNFUNDED MANDATES

The State Legislature has frequently passed legislation that compels local governments to provide a service, program, or benefit without providing the appropriate funding or a funding source. This compromises local governments' ability to provide services requested by their local communities by diverting resources to these state-directed, unfunded mandates or cost shifts. In addition, as more and more mandates are created, local governments are faced with the burden of using local tax dollars to finance functions that they have little control over.

If the state requires a local government to provide a service or a higher service with no additional funding, the state must do a better job of identifying costs to local governments when passing new legislation and must provide funding or a funding source for every legislative initiative that imposes a cost on counties. Palm Beach County **OPPOSES** new unfunded mandates and unfunded state to county cost shifts. Additionally, Palm Beach County **OPPOSES** any action by the state to preempt the home rule authority of local governments or to restrict local governments' ability to levy ad valorem taxes.

In 2019, over 15 mandate bills were filed that would have prohibited local governments from regulating businesses, professions, and occupations within their governments, and would have vested that power within the state. Palm Beach County continues to **OPPOSE** any such legislation.

ARTICLE V

The State should allow for the expansion of the \$65 mandatory court fee to be applied to civil cases in addition to its current application to criminal cases. Expansion of the fee would provide for additional revenue to fund the state court system. Palm Beach County **SUPPORTS** the continuation and enhancement of the \$2.00 recording fee to be distributed to counties to fund court-related technology needs. Palm Beach **SUPPORTS** full funding for statewide traffic hearing officer programs.

Under existing law, counties are required to increase funding for courts by 1.5% a year. In recent years, counties successfully obtained an exemption from having to increase annual funding for court-related functions by 1.5% under Section 29.008, Florida Statutes. **SUPPORT** eliminating the requirements of s. 29.008(4)(a), F.S. that require counties to fund this increase.

INTERNET SALES TAX

In 2018, the Supreme Court ruled in *Wayfair v. South Dakota* that states can require online merchants to collect sales taxes for online purchases. Palm Beach County **SUPPORTS** clarifying and enforcing the existing law relating to the collection of sales tax on taxable items purchased via Internet. Currently, individuals in the State of Florida are obligated to pay taxes on goods purchased online. The burden lies on the individual to remit to the Department of Revenue the tax incurred for online purchases unlike “brick and mortar” businesses where the business is required to collect and remit to the state. The Legislature should clarify law to require all businesses to collect and remit appropriate sales tax on goods purchased online.

SHORT-TERM RENTALS

Palm Beach County **SUPPORTS** the Palm Beach County Tax Collector's request for amendment of Section 212.03 (1)(a), F.S. regarding transient rentals tax to add vessels to the taxable list of entities renting for under six months. Currently, a number of on-line companies are now advertising vessels on their websites. One website has 17 vessel rentals for rent under six months. These rentals range from \$59 to \$500 per night. This will enable counties and municipalities to collect bed taxes consistent with other transient rentals.

VACATION RENTALS

In 2011, the Florida Legislature prevented municipalities and counties from regulating vacation rentals, unless such regulations were implemented prior to June 1, 2011.

In 2014, SB 356 loosened the broad preemption on regulation of vacation rentals but left in place language that prevents cities or counties from prohibiting vacation rentals or regulating their frequency or duration.

In 2019, SB 824 if passed would have further preempted local vacation rentals ordinances. The bill would have also invalidated ordinances that had been previously passed before 2011 and taken authority from Homeowners Associations (HOAs).

Palm Beach County **SUPPORTS** legislation to amend Section 509.032, F.S. to authorize local laws, ordinances, and regulations to regulate the duration and frequency of rental of vacation homes.

TOURIST DEVELOPMENT TAX

In 2018, the use of the Tourist Development Tax was expanded to include any related land acquisition, land improvement, design, and engineering costs required to bring public facilities into service. This includes major capital improvements that have a life expectancy of five or more years.

Palm Beach County **OPPOSES** further expansion of the Tourist Development Tax.

TRANSPORTATION & INFRASTRUCTURE

GROWTH MANAGEMENT AND INFRASTRUCTURE

Growth management laws should take careful consideration of and protect the distinct home rule authority and land use controls of local governments. Palm Beach County **SUPPORTS** changes that: 1) strengthen the intergovernmental review process; 2) ensure that the development impacts occurring outside the approving jurisdiction are adequately mitigated; 3) eliminate unnecessary duplication and expenses, and 4) support full funding of regional planning councils and **OPPOSE** legislation prohibiting or restricting the ability of a regional planning council to provide planning and technical service to its local governments. Palm Beach County additionally **SUPPORTS** efforts to strengthen intergovernmental coordination so land use decisions of one jurisdiction do not negatively affect another.

Current law requires “proportionate share” payments **only for the first project** to take a road segment from under capacity to an over capacity situation. Palm Beach County **SUPPORTS** amending state law to require **any** project affecting an over capacity road to contribute an amount equal to their impact/use of the capacity they are absorbing.

Additionally, Palm Beach County **OPPOSES** legislation that preempts the legislative and policy making powers of counties used to regulate land use and implement local zoning controls and/or fire codes and **OPPOSES** additional conversions of independent special districts under S. 165.0615. Further, **OPPOSE** legislative efforts that mandate minimum land use densities for properties that meet specific size, use and location characteristics.

SEMINOLE PRATT WHITNEY ROAD PAVING

Over the past several years the Florida Legislature has provided funding for the construction of a world class shooting range in northern Palm Beach County. The Florida Fish and Wildlife Commission has constructed the facility using a series of continual state appropriations. The access to the site is on Seminole Pratt Whitney Road and currently requires driving for almost 2 miles on an unpaved portion of the road. Palm Beach County requests \$1 million to match a similar local allocation for the paving of this stretch of road.

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) GRANT PROGRAMS

Palm Beach County is qualified for and has also been the recipient of various FDOT grant programs. Palm Beach County **SUPPORTS** attempts to increase funding to FDOT grant funding programs including, but not limited to the following:

- **Public Transit Service Development Program**—this program provides initial funding to public transit projects with new or innovative techniques to improve system efficiencies, ridership or revenue. Palm Tran’s Belle Glade Flex Pilot is qualified to receive funding from this grant program.
- **Transit Corridor Program**—this program is designed to relieve congestion and improve capacity within an identified transportation corridor by increasing the people carrying capacity of transportation systems using high-occupancy conveyances.

- **Park and Ride Lot Program**—this program provides for the purchase and/or lease of private land for the construction of park and ride lots, the promotion of these lots, and the monitoring of their use. Palm Tran has received funding from this program and would like to seek future opportunities to receive funding.

NATURAL GAS FUEL REBATE PROGRAM

Palm Beach County **SUPPORTS** the reinstatement of the Natural Gas Fuel Rebate Program. In FY16-17, \$6 million was awarded statewide. However, the Legislature did not fund the program in FY17-18 or FY19-20.

RAIL TRANSPORTATION

The Palm Beach County Board of County Commissioners remains dedicated to the goal of an integrated regional transportation system and new, dedicated funding for SFRTA will enable Palm Beach County to use existing funds to expand and enhance its transit needs.

SFRTA is committed, if successful in obtaining a dedicated funding source, to funding millions for projects identified by Palm Beach County's Transportation Planning Agency in its five-year plan for the Capital Improvements Projects within Palm Beach County and other identified plans in the region.

Palm Beach County **SUPPORTS** a dedicated funding source of annual revenues that provides support to transit operations and capital costs going to the SFRTA.

Palm Beach County continues to **MONITOR** state funding and other opportunities for rail transportation available in Palm Beach County including the expansion of service on FEC, CSX rail lines, and US 27 corridor rail lines.

AUTONOMOUS VEHICLES/TECHNOLOGY ADVANCEMENTS

In 2012, HB 1207 authorized the use of autonomous motor vehicles on public roads. In 2019, HB 311 prohibited local governments from imposing a tax, fee, or other requirement on automated driving systems or autonomous vehicles. The bill authorizes airports and seaports to charge autonomous vehicles providing passenger transportation services reasonable pickup fees. Finally, the bill authorizes the Florida Turnpike Enterprise to fund, construct, and operate facilities for the advancement of autonomous and connected innovative transportation technologies and enter into agreements with private entities to provide services and concessions to benefit the traveling public.

As the technology for self-driving cars grows and develops, Palm Beach County will **MONITOR** further legislation related to autonomous vehicles.

INVESTMENTS IN HYBRID AND ELECTRICAL BUSES

Palm Tran plans to invest in new and more sustainable transit buses in order to reduce its environmental impact. The new South County Palm Tran Facility, slated to open in late 2020, will feature infrastructure for electric bus charging stations.

Palm Beach County **SUPPORTS** initiatives and cost-share programs that aide transit agencies seeking to replace diesel buses with an electric/hybrid fleet.

TRANSPORTATION NETWORK COMPANIES (TNCs)

Transportation Network Companies (TNCs) have continued to expand their service throughout the state and have introduced new consumers to the concept of ride sharing. The Florida Legislature passed laws in 2017 to help facilitate the expansion of their services in the state. In 2019, legislation expanded TNC service to non-emergency medical transportation (HB 411). Palm Beach County seeks to ensure that TNCs continue to complement public transit and **SUPPORTS** legislation that expands safe transit options for our residents. **MONITOR** Legislative efforts to reclassify TNC drivers from contractors to employees.

5G INSTALLATION PRE-EMPTION

In an effort to protect property values, community standards and safety, Palm Beach County **OPPOSES** any additional pre-emption that would prohibit local governments discretion in permitting the design, color, aesthetics or installation standards of small cell node equipment in the implementation of 5G antennae installation.

VW SETTLEMENT TRUST FUND LAWSUIT

July 2019 - Florida Department of Environmental Protection released its Environmental Mitigation Action Plan. Florida's share of VW settlement funds are to be used for projects aimed at reducing NOx emissions and improving air quality. \$116.4 million (70%) has been allocated toward programs aimed at "School, Transit and Shuttle Buses."

Palm Beach County will **MONITOR** the allocation made to the State of Florida.

PUBLIC SAFETY

REENTRY FOR NON-VIOLENT OFFENDERS

Florida continues to house one of America's largest prison populations. More than 34,000 people return to their communities from prison each year with more than 1,200 of those coming to Palm Beach County. Palm Beach County **SUPPORTS** efforts to restore rights to felons and to provide resources to ensure successful re-entry into the regular workforce. In addition, Palm Beach County **SUPPORTS** the criminal justice reform described below:

Modify Section 1011.80, F.S.

During the 2013 Legislative Session, Section 1011.84, F.S. was modified to prohibit the use of state funding of educational programs for state prison and county jail inmates. This dramatically affects our local state college, Palm Beach State College, from educating inmates at reentry facilities, including Sago Palm. Palm Beach County **SUPPORTS** legislation aimed at increasing the successful reentry of state prisoners, including the ability of state colleges to provide coursework and training classes to inmates at reentry facilities.

During the 2019 Legislative Session, Palm Beach County's RESTORE: Re-entry program was appropriated \$150,000. Palm Beach County **SUPPORTS** continued funding of this program, which connects returning citizens from our local Palm Beach County Jail, the Florida Department of Corrections, and the Federal Bureau of Prisons to necessary services.

REGULATION OF DRONES NEAR CRITICAL COUNTY FACILITIES

During the 2017 Legislative Session, HB 1027 enacted the "Unmanned Aircraft Systems Act" (Chapter 330.41, F.S.) which vested authority to regulate drones in the State and prohibited local governments from enacting ordinances that regulate drones. The new law also makes it unlawful for a person to operate a drone over or near a "critical infrastructure facility". However, critical infrastructure facility was defined as electrical generation or transmission facilities, chemical storage facilities, mining facility, natural gas facility or pipeline, natural gas or propane terminal or storage facility, oil or gas pipeline, and wireless communications facilities. Many of the County's critical facilities are not covered by this definition such as jails, law enforcement facilities, courthouses and other government buildings. The County is concerned that without a prohibition of drones over or in the proximity of critical county facilities that the possibility of escapes, terrorism, and breaches in confidentiality increase significantly; all which impact public safety or potentially compromise the judicial and policy setting process.

Palm Beach County **SUPPORTS** an amendment to the definition of "critical infrastructure facility" in Chapter 330.41, F.S. to include jails, law enforcement facilities, courthouses, water and wastewater infrastructure, and buildings designated as the County Seat.

EMERGENCY MANAGEMENT PUBLIC RECORDS EXEMPTIONS

Disaster Response

Formerly, the American Red Cross managed the operations of emergency shelters, with Palm Beach County Emergency Management providing support. Currently, Palm Beach County Emergency Management operates and oversees emergency shelters, thus leaving identifying information open to public record and subject to public inspection during a vulnerable time. HB 7079 was introduced and had full support of both Chambers during the 2018 legislative session and would have exempted identifying data, but died in the final days of session.

Palm Beach County **SUPPORTS** legislation to amend Section 119.071(3), F.S.; to provide for an exemption for individual assessment data which is provided by our residents to emergency management agencies for the purpose of damage assessment.

Palm Beach County **SUPPORTS** legislation to amend s. 252.355(4), F.S.; to provide for an exemption for identifying data collected at county-run shelters.

Emergency Management Data

Emergency management agencies throughout Florida are using emerging technologies that enable a multi-agency, multi-jurisdictional coordinated response to disasters and to implement emergency response plans across multiple agencies in real-time. Technologies include the ability in real-time to prioritize critical needs, assign tasks and personnel, and allocate resources as required to implement emergency plans. Exempting this information minimizes the risk of security system plans becoming subject to disclosure and could compromise security systems and security plans during emergencies when limited resources are available.

Palm Beach County **SUPPORTS** legislation to amend s. 119.071(3), F.S.; to provide for an exemption for emergency management database platforms, applications, programs, software and all data and records contained therein, utilized to coordinate, plan, report, respond and recover from local and statewide emergencies and disasters.

After-Action Reports

Emergency management agencies throughout Florida compile after-action reports and quality assurance activities to evaluate disaster response and to further improve or modify response plans based on assessment results. In order to effectively conduct these quality assurance activities, the emergency management agencies rely on honest reports from stakeholders. Exempting this information will ensure that response partners and stakeholders will openly and candidly report without fear of retribution. Pursuant to s. 395.0193, 395.1055, 395.4025, F.S. healthcare and trauma agencies quality assurance records are exempt following the same logic.

Palm Beach County **SUPPORTS** legislation to amend s. 119.071(3), F.S.; to provide for an exemption for emergency management after-action reports and quality assurance activities to evaluate disaster response and to further improve or modify the quality of disaster response.

Marcy's Law Amendment

In order to effectively conduct active shooter and mass fatality incident response activities, emergency management agencies rely on personal identifying information, as well as, [minimal] healthcare data from first responders and healthcare providers. Currently, s. 401.30 and s. 960.0011, F.S. (Marcy's Law) prohibit the disclosure of this information to emergency management agencies. Allowing disclosure of personal identifying information, as well as, [minimal] healthcare data from first responders and healthcare providers to emergency management agencies in times of disaster will facilitate more effective family reunification and operation of family assistance centers.

Palm Beach County **SUPPORTS** legislation to amend s. 401.30, and s. 960.0011, F.S. (Marcy's Law) to permit disclosure of personal identifying information and healthcare data from first responders and healthcare providers to emergency management agencies in times of disaster.

PRESUMPTION OF IMPAIRMENT WHILE UNDER THE INFLUENCE OF THC AND OFFICER TRAINING

While it is unlawful to operate a motor vehicle or boat while impaired by alcohol or a controlled substance, there is currently no provision within state law that sets a presumptive level of impairment by marijuana, like there is with alcohol. This makes it difficult for judges and juries to determine if a defendant was impaired by marijuana, whether lawfully consumed or not, when a victim is either killed or seriously injured by the actions of the defendant. In light of the passage of the constitutional amendment allowing for the use of medical marijuana, and the Florida Legislature's past actions authorizing medical marijuana, Palm Beach County **SUPPORTS** amending Section 316.193 and 327.35, F.S., to create a standard for determining a presumptive level of impairment when a person is operating a motor vehicle or boat while under the influence of marijuana, and a victim is either killed or seriously injured by the actions of the driver.

In Colorado, the law specifies that drivers with five nanograms of active tetrahydrocannabinol (THC) in their blood can be prosecuted for driving under the influence (DUI). However, no matter the level of THC, law enforcement officers base arrests on observed impairment.

In addition, Palm Beach County **SUPPORTS** marijuana impaired driving detection training for law enforcement. The course will provide the line officer with specialized training on recognizing modern forms of cannabis as well as detecting the unique impairment clues that are presented by cannabis users. At the conclusion of training, line officers will be better prepared to detect drivers that are impaired by cannabis usage and how to investigate, document, and prepare effective cases for prosecution.

DOMESTIC VIOLENCE

Domestic violence occurs in all races and ethnic groups, across all economic classes and educational levels. Nearly all victims are female (94%), and 31% of the women murdered in the United States are killed by their significant others. Forty percent of homeless families in large cities are homeless because they are fleeing violence. Children whose mothers are abused are at a higher risk of also being abused. Furthermore, substance abuse is more likely to compound the risk of domestic violence. Locally, recent news reports of domestic violence victims dying at the hands of their abusers have raised the need to support further efforts to protect victims, treat abusers, and provide resources for families.

Therefore, Palm Beach County **SUPPORTS**:

1. Legislation that allows for a victim of domestic violence to terminate rental leases if the victim can prove that the discontinued employment or need to terminate a lease is a direct result of circumstances related to domestic violence as defined in s. 741.28, F.S. The victim must:
 - a. Provide evidence, such as an injunction, protective order, or other such reasonable documentation authorized by state law which reasonably proves that domestic violence has occurred.

- b. Reasonably believe that a future act of domestic violence, including being a victim of stalking as provided in s. 784.048(3), (4), or (5), F.S. is likely to occur against the individual by a family or household member, as defined in s. 741.28, F.S.
- c. Make reasonable efforts to preserve lease by seeking a protective injunction prior to seeking a lease.

2. If a victim successfully terminates a lease under the guidelines above, the victim must attempt to relocate.

Palm Beach County also **SUPPORTS** the expansion of allowable uses of the Domestic Violence Trust Fund articulated in Section 938.08, F.S. to include programming for domestic violence victims. Some of the programs suggested are an in-house batterer's intervention program and support services for victims to assist getting restraining orders and case management assistance, as well as, funding for prevention, housing and treatment. Currently, these funds generated by fees are only used for law enforcement training for domestic violence issues and to offset the costs of incarceration of domestic violence offenders.

In recent weeks, Attorney's General in multiple states have sent cease-and-desist letters to companies selling at home rape kits, saying the evidence collection kits are no substitute for a professional forensic exam. Furthermore, the companies selling these kits can deter victims from seeking professional care and claims to collect evidence without knowing whether the evidence will be admissible in court.

Palm Beach County **SUPPORTS** an education campaign on at home rape kits.

VICTIMS' SERVICES

According to the Department of Justice, only 310 out of every 1,000 sexual assaults are reported to police. That means about 2 out of 3 go unreported.

Palm Beach County **SUPPORTS** legislation that would support survivors of sexual assault:

- Legislation that would extend the statute of limitations of reporting sexual assaults. Currently, prosecution for sexual assault or abuse has a statute of limitations that vary depending on the age of the victim and how the crime is classified. Capital and life felonies have no statute of limitations, however first degree felonies and lower carry statutes of limitations from 3-4 years.
- Legislation that would provide for Rape Kit tracking, which would allow access for survivors to track the status of their kits.
- Funding for state public awareness campaign spotlighting deficiencies with sexual assault home exam kits and their potential inadmissibility in court.

BATTERERS' INTERVENTION PROGRAMS (BIPs)

In 2012 the Florida Legislature eliminated formal certification of Batterers' Intervention Programs (BIP) statewide which were, at that time, overseen by the Florida Department of Children and Families (DCF). The amendment left the "identification" of these programs to counties. Certification under DCF entailed a

treatment and administrative review of providers. Every county in Florida is now struggling with how to “identify” providers, therefore:

Palm Beach County **RECOMMENDS** that The Office of Program Policy Analysis and Government Accountability (OPPAGA) evaluate the usage and effectiveness of BIPs across the State to determine whether the current 29-week psychoeducational model is being consistently ordered as envisioned and whether the curriculum is achieving the intended result of reducing repeat incidents of domestic violence.

Palm Beach County additionally **SUPPORTS** amending and revising Section 741.325, F.S. to:

1. Require BIP providers to submit program and participant data including, but not limited to, number of participants, client outcome status, fees imposed and collected, sliding fee scales, program curriculum, demographic information, and similar reporting and data metrics for the purpose of evaluating program efficiency and compliance.
2. Amend BIP requirements to include minimum provider training and education, reduced program duration, acceptable program content to include alternative program models, and data collection and reporting requirements.
3. Authorize each local jurisdiction to utilize alternative BIP models for the community in cooperation with the local participants in the justice system as well as social service agencies at the community level. These alternative programs may include programming for children of domestic violence victims or perpetrators.

CENTER FOR YOUTHFUL OFFENDERS

Palm Beach County **SUPPORTS** urging the Florida Department of Corrections to open a Youthful Offender Facility in South Florida. A Youthful Offender center can be created within an existing structure here in South Florida. Such facilities house inmates up to 24 years of age whose crimes were committed before they turned 21 and whose sentences are ten years or less. A vital component to the rehabilitation of youthful offenders is being close to their families. However, the closest facility to Palm Beach County is in Sumter County. In 2012, a facility in Indian River County was closed down due to budget cuts in the Department of Corrections.

JUVENILE DETENTION CENTER

The Palm Beach County Juvenile Assessment Center (JAC) and Detention Center opened in November, 1998 with the goal of providing a 24/7 one-stop intake and assessment center for youthful offenders’ initial entry into the Juvenile Justice system for the purposes of comprehensive case planning. By Statute, JACs are a local option spearheaded by the Department of Juvenile Justice in partnership with law enforcement and other community criminal justice entities. In Palm Beach County, this includes the State Attorney, School District Police, Palm Beach Sherriff’s Office and other local service providers. Over its existence, the facility has fallen into disrepair, and is in dire need of refurbishment and major repair.

Palm Beach County **SUPPORTS** funding for the Palm Beach County Juvenile Justice Assessment and Detention Center for maintenance and repair.

DEPARTMENT OF CHILDREN AND FAMILIES GLADES REGION FACILITY

The Department of Children and Families Glades building was constructed over twenty years ago. Because this facility receives a lot of foot traffic, it is important to keep up the maintenance of the building. Recently, the General Services Director determined that the building is in need of structural improvements, attention to handicap bathrooms, rodents, etc.

Palm Beach County **SUPPORTS** funding to help with maintenance and repair of the Glades Region Department of Children and Families facility.

MARCHMAN ACT REVISIONS

The Marchman Act is a civil process established in Chapter 397, F.S. that provides for the involuntary or voluntary assessment, stabilization, and treatment of a person abusing or addicted to drugs or alcohol.

The Marchman Act involves a two-step process of assessment and then treatment. The most common way Marchman cases are initiated is with the filing of a petition for involuntary assessment in the county where the substance abuser is located. The criteria for the Marchman Act petition requires a demonstration that the individual has lost the power of self-control with respect to substance use and either (a) the individual is in need of substance abuse services and is incapable of making a rational decision in regard to receiving services or (b) is likely to suffer from neglect or has inflicted or threatened or attempted to inflict physical harm on oneself or another, or is likely to do so unless admitted.

Palm Beach County **SUPPORTS** the amendment of the Marchman Act to:

- Clarify the definitions of access center, designated receiving facility, and triage center to define functionality and the ability to receive and hold involuntary patients.
- Provide flexibility for courts to retain jurisdiction over an individual who fails to complete involuntary treatment or relapses within 12 months, and to order individuals to be transferred to licensed recovery residences upon completion of treatment if recommended by a service provider and if additional funding is available.
- Provide for circumstances under which an individual may be held in protective custody to allow for additional petitions to be filed in state court, and to allow minors to be held in treatment facilities until a petition for involuntary treatment is heard in court.

Palm Beach County additionally **SUPPORTS** increased and appropriate funding for crisis mental health and substance abuse beds statewide. Palm Beach County **SUPPORTS** increased funding for public receiving facilities and maintaining funding for public facilities if new state general revenue is provided to private receiving facilities. Palm Beach County also **SUPPORTS** coordinated efforts to increase access to acute care behavioral health services for individuals and families.

LIFEGUARD CERTIFICATION AND TRAINING

Coastal/open water lifeguards are employed by local governments around the state to provide effective injury prevention and emergency medical/rescue services. In emergency circumstances, pre-hospital

medical care at Florida's public bathing places is necessary. In an effort to ensure minimum standards for rescue and pre-hospital medical care with transport providers, Palm Beach County **SUPPORTS** legislation or regulatory action that would license and/or certify coastal/open water lifeguard agencies under the United States Lifesaving Association - Agency Certification program.

PRE-TRIAL RELEASE

Palm Beach County **SUPPORTS** maintaining county ability to provide non-monetary pre-trial release services that ensure the safety and welfare of local communities and oppose legislation that would limit the discretion of first appearance judges to prescribe pre-trial options for defendants.

Palm Beach County **SUPPORTS** the expansion of state resources to assist treatment-based drug court programs. Eligible drug-addicted persons may be sent to Drug Court in lieu of traditional justice system case processing. Drug Courts keep individuals in treatment long enough for it to work, while supervising them closely.

REGAIN LOCAL ABILITY FOR LIMITED GUN REGULATION

During the 2011 Legislative Session, HB 45 was enacted, which created stiff financial penalties for counties and elected officials that pass local ordinances and administrative rules that regulate firearms or ammunition. These fines range from \$5,000.00 for individuals to \$100,000.00 for repayment of attorneys' fees. In addition to financial penalties, employees acting in an official capacity that knowingly violate these provisions can be subject to immediate termination. The two exceptions to the provision of law are ordinances or rules that enact waiting periods or criminal background checks.

Palm Beach County **OPPOSES** Chapter 2011-109 Laws of Florida on the grounds that it violates the County's Home Rule Authority. The County had four ordinances and two resolutions related to gun control that had to be either amended or removed from the books due to the enactment of the law. The local ordinances and resolutions related to gun possession in family daycares, sale or possession of firearms during declared emergencies, locations where weapon discharging was permissible, records and holding periods of firearms by secondhand dealers (pawn shops), and forbidding the use of firearms in natural areas. The County continues to maintain the position that it should be able to pass ordinances or local rules that it believes are in the best interest of its citizens and visitors without interference from the Legislature.

Additionally, there has been concern over members of the public open carrying firearms at Juno Beach Fishing Pier. Section 790.25(3)(h), F.S. allows a person to open carry when the person is "engaged in fishing, camping or lawful hunting or going to or returning from fishing, camping, or lawful hunting expedition." **AMEND** the statute to clarify that open carrying of firearms is permitted while fishing on a boat, not on a public fishing pier.

EMERGENCY PREPAREDNESS ISSUES

The Emergency Management Preparedness and Assistance Trust Fund (EMPA) was created within Ch. 252, F.S. Since inception of the Trust Fund in 1993, it has remained at the same funding level despite a substantial

increase in demands on county and municipal emergency management. The EMPA is administered under the oversight of the Executive Office of the Governor. An annual surcharge of \$2.00 per residential property insurance policy and \$4.00 per commercial property insurance policy is currently imposed. A recent LCIR study suggests that changes in the insurance industry since the 1994 inception of the surcharge may be responsible for unintended “loopholes” in surcharge assessments. It is important to note that the fees or types of policies this surcharge affects have not been modified since the trust fund’s inception.

Palm Beach County **SUPPORTS** an examination of methods to correct the deficiencies in surcharge collection and the application of the surcharge to the number of units or parcels included for coverage in a commercial or residential insurance policy.

Prior to 2003, proceeds from the EMPA trust fund were distributed based on a fixed allocation formula in the statute and authorized each year by the Legislature. Since then, the annual appropriation levels for base grants to county emergency management programs have equaled \$7.1 million, a historical level representing approximately 44 percent of the annual trust fund proceeds. Palm Beach County:

1. **SUPPORTS** maintaining this funding level as the minimum allocation for county base grants.
2. **SUPPORTS** an increase in county base grants to reflect the increased demands on county emergency management programs.
3. **OPPOSES** efforts to shift state funding of emergency management from counties to cities.
4. **SUPPORTS** maintaining the EMPA program administered by the Florida Division of Emergency Management (DEM) consistent with the original statutory intent (i.e., Section 252.373, F.S.).

Palm Beach County **SUPPORTS** efforts to increase the fee that the Florida Division of Emergency Management can charge to review Comprehensive Emergency Management Plans to better balance the costs incurred by the County for staff to conduct the reviews. Currently, DEM can charge \$31.25 per hour.

BRITTANY’S LAW - DRIVER SAFETY FOR MINORS

In April 2015, a 17-year-old was accused of running a stop sign and killing 18-year old Palm Beach County resident Brittany Baxter. At the time the 17-year-old had been charged with eight traffic citations in the 33 months he was authorized to drive.

Palm Beach County **SUPPORTS** legislation that would create enhanced driver safety by either increasing points assigned for repeat driving infractions incurred by drivers under the age of 18 and/or adjusting the state’s graduated driver license program to restrict driver privileges for repeat offenders.

LICENSING PUBLIC RECORDS EXEMPTION

Palm Beach County started licensing adult entertainers in 1999 to stop the exploitation of minors. However, now the identifying information of adult entertainers are open to public records requests. This could leave many open to the dangers of human traffickers who use the lists to source victims.

Palm Beach County **SUPPORTS** legislation that would exempt personal and identifying information of adult entertainers from public records requests.

FIRE RESCUE

In February 2020, Palm Beach County expects a development to convey a civic parcel for a fire station at the corner of Lyons Road and Flavor Pict Extension. This new station will serve a new and existing development in the central part of the Ag Reserve.

In order to meet National fire protection standards, recommendations uphold the belief that such standards reduce average response time and injuries. If this station opened today, it would serve seven large residential communities many of which are 55 and older communities and cover over 600 medical calls a year with an average response time of 10:02 (77% of those calls have a response time over the County's standard of 7:30).

Therefore, the proposal will maximize the existing public services in the area. Palm Beach County **SUPPORTS** funding to help offset costs for the new fire station.

CARBON MONOXIDE DETECTORS

Several times a year, the Palm Beach County Fire Rescue handles fatalities that have occurred because running car engines in garages have emitted toxic levels of carbon dioxide. If more homes were constructed with carbon monoxide detectors, these incidents could be eliminated. Palm Beach County **SUPPORTS** education to encourage the installment of detectors in garages of new construction homes.

MOBILE INTEGRATED HEALTH

Mobile integrated healthcare (MIH) is an overarching term that captures the concept of a new type of Emergency Medical Services (EMS) delivery system. In most cases, MIH is a more cost-effective and more efficient method of providing appropriate care to the ever-growing population of 911 callers who have a medical issue that should be dealt with but doesn't constitute an emergency as well as callers who don't need a quick emergency response. Palm Beach County **SUPPORTS** change in statute to allow for MIH-CP to bill insurance for non-emergency transport and care.

FIRE CODE ENFORCEMENT

Palm Beach County **OPPOSES** any effort by state government to infringe upon home rule authority by attempting to mandate change to Palm Beach County's established Fire Code and Enforcement practices.

PUBLIC LAND REMEDIATION

Phase Land II Environmental Site Assessments (ESAs) completed for the Tepper Parcel by Eco Advisors, LLC, recognized environmental conditions (RECs) identified on the subject property consisted of agrichemical impacts to soil and groundwater from historic agricultural activities dating back at least 65 years. The identified soil and groundwater issues will be addressed through the Florida Department of Environmental Protection (FDEP) using remedial actions and/or closure options to achieve a Site Rehabilitation Completion Order (SRCO) or Conditional SRCO using engineering and/or institutional controls.

Palm Beach County **SUPPORTS** an appropriation for remediation costs for Tepper Parcel located in Delray Beach.

ANIMAL CARE AND CONTROL

HEALTH CERTIFICATES

Palm Beach County **SUPPORTS** a modification to Section 828.29, F.S. to remove the health certificate exemption for non-profit animal rescue groups. Current situation allows these groups to saturate our local communities with dogs from all over the country and beyond. There is no assurance that these animals are free from disease or were medically healthy prior to beginning their journey to our local communities.

DANGEROUS DOGS

Palm Beach County **SUPPORTS** a modification to Section 767.12, F.S. to provide criminal consequences for people who conceal or lie about the whereabouts of a dog following a severe attack on a human or other domestic animal. Palm Beach County has had numerous examples of dogs inflicting severe injury; however, an owner can falsely claim the dog ran away in the moments prior to County staff arrival. There is no remedy in law for such situations.

COLLECTION OF CIVIL CITATIONS

Currently, Animal Care and Control citations that are not paid or are unsuccessfully appealed get reduced to a Final Judgment for the amount owed, which gets recorded and becomes a personal lien against the violator. Unfortunately, 56% of the Division's 1,572 citations that were reduced to Final Judgement in 2017 remain unpaid (\$163,875 not including court costs) as well as 57% of the 1,495 citations reduced to Final Judgements in 2018 (\$165,375 not including court costs). Many of these citations were issued for animal neglect and/or public safety related violations.

Section 828.27, F.S. allows the imposition of a civil fine against the violator; however, there are no repercussions if the fine is not paid other than the recording of Final Judgement as a lien, which has proven ineffective as a means of deterrence and achieving compliance. Additional steps should be taken to ensure accountability for these violations as an incentive for violators to comply with the Animal Care and Control Ordinance.

Palm Beach County **SUPPORTS** a collaboration between the Clerk of the Court and the County to enforce stiffer penalties, for those who disregard civil citations to ensure accountability measures are enforced for animal neglect and other animal related violations.

SOCIALLY CONSCIENCE ANIMAL SHELTERING

Socially Conscious Animal Sheltering practices have been developed in response to the negative consequences of many operating practices that have been repeatedly reported across the country. In order to meet an artificially established live release rate of animals, many no-euthanasia practices require or pressure agencies to refuse admission to animals they cannot subsequently offer for adoption because of unsound behavior, age, breed, illness or injury, thus denying these animals a safe haven and possible humane release from suffering. This pressure causes open admission shelters to overcrowd their facilities with resulting disease outbreaks and suffering; and release dangerous dogs for adoption into the community in order to meet the statistical live release goals, seriously jeopardizing public and animal safety. Many animal

welfare organizations, including People for the Ethical Treatment of Animals (PETA) have expressed deep concern over the negative results of these no-euthanasia practices.

Palm Beach County **SUPPORTS** legislation that establishes Socially Conscious Animal Sheltering as a statewide policy but provides local government animal control agencies the flexibility they need to protect public health and safety and animal welfare.

ANIMAL CARE AND CONTROL PUBLIC RECORDS EXEMPTIONS

Currently personal information for those who adopt animals is public record; however, many public shelter animals come from criminal animal cruelty cases where the offender would like to retrieve their pet.

Palm Beach County **SUPPORTS** protecting the new adopter's personal information by exempting it from public record.

Palm Beach County additionally **SUPPORTS** an exemption for personal information of euthanasia techs at publically run shelters. Personal attacks on shelter workers are becoming common on social media and other platforms.

CONSUMER SERVICES

TOWING BILL

Palm Beach County **SUPPORTS** the following changes to Florida Statute to provide additional consumer protection:

Section 715.07, Florida Statutes implies but does not require the direct and express authorization from a property owner to have a towing company remove an illegally parked vehicle. Amend statute to define "express authorization" so that only a property owner or their specific designee can authorize the towing of inappropriately parked vehicles or vessels on private property and should include a signature, printed name, and telephone number.

Section 715.07, Florida Statutes provides no guidance or definition as to what documentation is required for owners of impounded vehicles or vessels to prove they are the actual owners. Right now, some Florida DMV and County websites state that the ownership status will not change until the buyer applies for and is issued a Certificate of Title which must be filled out by the buyer and signed by both the seller and buyer before then being submitted to the a local Tax Collector's Office. The statute should be amended to define the required documentation that towing companies must accept to prove that a person owns an impounded vehicle or vessel. If the required documentation that towing companies must accept "shall include but not be limited to" several other ownership documents (i.e. Bill of Sale property endorsed, Power of Attorney, a Trust, etc.), this would save the consumers considerable dollars in compounding storage fees and give towing companies direction in requiring specific types of ownership documentation.

Previous legislation filed in the Florida Legislature would have provided certification and training for wrecker operators and require at least two forms of payment, including cash, to be accepted but did not pass. Require towing companies to accept payment for towed vehicles/vessels beyond cash to include valid checks and credit cards.

A towing business' hours of operation currently defined in Section 715.07, Florida Statutes as between 8am and 6pm should also be defined in Section 713.78, Florida Statutes to provide consistency in Florida law and provide consumer protections from being required to pay excessive fees.

Additionally, a cap on towing mileage radius should be provided for in statute for certain regions of the state to ensure vehicles are not towed so far from the original destination so as to overly burden the car owner.

Palm Beach County **OPPOSES** being prohibited from creating an ordinance or rule that would impose a fee on an authorized wrecker operator or a towing business for towing, impounding, or storing a vehicle or vessel.

MOBILE HOME DISCLOSURE

State law does not require mobile home owners to disclose to potential buyers of their homes that a developer has purchased the mobile home park, presumably for redevelopment. However, Chapter 723, Florida Statutes (Mobile Home Park Lot Tenancies) requires that a mobile home park owner must disclose certain zoning and land use information governing the park before entering into a rental agreement for a mobile home lot. It is unclear whether a buyer would receive such disclosure prior to closing on the purchase of a mobile home from a private seller. Therefore, Palm Beach County **SUPPORTS** clarifying Chapter 723, Florida Statutes to require a mobile home park owner to notify a buyer before closing on the purchase of a mobile home from a private seller, of any change in ownership of the mobile home park and/or any definite future plans for changes in the use of the park six months prior to the change of ownership in the park.

LOCAL GOVERNMENT/ADMINISTRATIVE

VALUE ADJUSTMENT BOARD

The Palm Beach County Value Adjustment Board received a record 19,800 petitions in 2009 from residents who pay a \$15 filing fee in comparison to the approximate \$114 in costs to the County to facilitate a petition. In 2015 while the number of petitions filed has decreased significantly, the cost ratio to conduct the hearings has remained consistent. The current filing fee has been in effect since 1988. With the changes in law coupled with the vast number of petitions filed and expected to grow, Palm Beach County **SUPPORTS** raising the filing fee to \$50 to cover the anticipated increasing costs to process them.

DISCRIMINATION PUBLIC RECORDS EXEMPTION

Currently, state law allows for local government agency exemptions from inspection or copying of public records relating to complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, sale or rental of housing, the provision of brokerage services, and the financing of

housing. **AMEND** Section 119.0713, F.S. to include familial status. Also, include language stating that all records created or received in the course of conciliation with any unit of local government to resolve complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, familial status, sale or rental of housing, the provision of brokerage services, and the financing of housing are confidential and exempt from s.119.07(1) and s. 24(a), Article I of the State Constitution. Palm Beach County **SUPPORTS** a statement of finding from the legislature that this exemption is necessary to encourage the resolution of complaints of discrimination and the effectiveness and efficiency of the conciliation process.

PUBLIC RECORDS EXEMPTION FOR SOLICITATION OF GOVERNMENT EMPLOYEES

In recent years, there have been a growing number of public records requests of county government from individuals and companies looking for employee contact information for the purpose of solicitation of goods and services. Palm Beach County **SUPPORTS** a request to exempt government employee contact information in situations where it is being requested for the blanket solicitation of goods and services.

SOVEREIGN IMMUNITY

As the State of Florida continues to experience dramatic growth in population, so does the demand for recreational facilities to serve the populace. One recurring issue has been the reluctance of public agencies to allow or permit recreational activities on their property due to an unacceptable level of tort exposure.

Palm Beach County **SUPPORTS** an amendment to Section 768.23, F.S. to provide sovereign immunity for any public property intended or permitted to be used for recreational purposes.

PUBLIC RECORDS EXEMPTION FOR COUNTY ATTORNEY'S AND COUNTY ADMINISTRATORS

HB 63 was filed to create a public records exemption from public records requirements for personal identifying and location information of current and former county attorneys and assistant county attorneys. Because county attorney's and county administrators both review a full range of procedures, documents and services, Palm Beach County **SUPPORTS** a public records exemption for county attorney's, assistant county attorney's and county administrators.

Furthermore, in *State v. City of Clearwater*, 863 So. 2d 149, 151 (Fla. 2003), the Florida Supreme Court was presented with the question "whether personal emails are considered public records by virtue of their placement on a government-owned computer system." The court reviewed the history and intent of Florida's public records policy and opined that "it cannot merely be the placement of the emails on the city's computer system that makes the emails public records. Rather, the emails must have been prepared 'in connection with official agency business' and be 'intended to perpetuate, communicate, or formalize knowledge of some type.'"

PUBLIC RECORDS REQUESTS ABUSE

The public records laws in Florida have granted the people rights without responsibility. People can, and do, misuse these laws, seemingly immune from consequences. Palm Beach County **SUPPORTS** state public

records laws that maintain a meaningful public right of access while reducing the potential for mischief and misuse that are relevant to the realities of modern communication.

TESTIMONIALS FOR PUBLIC OFFICIALS

Palm Beach County **SUPPORTS** a revision to Section 111.012, F.S., to clarify that the statute's provisions apply only to testimonials that are held to raise funds on behalf of any elected public officer. Presently, the statute applies to testimonials that are held to honor public officials, even if no funds are raised.

EDUCATION

HIGHRIDGE FAMILY CENTER IMPROVEMENTS

Highridge Family Center is a 3 month, Monday through Friday, trauma-informed residential treatment program for Palm Beach County youth. The County provides services to families with youth ages 11 through 16 years, who are experiencing problems at home, school, with friends, and in the community.

The facility is a residential setting where program participants stay in a dormitory style "house" of up to 12 youth per dorm. The building contains five dorms comprised of 3 male and 2 female dorms that have twenty-four (24) hour supervision. There are also indoor/outdoor recreational areas and the Palm Beach County School District has an on-site school facility to ensure academic progress while participants are in the program.

Major facility improvements are necessary for some of the indoor and outdoor recreational areas, as well as, funding for upgrades to the school facility structures, which include a number of portable classrooms and an older gymnasium. Palm Beach County **SUPPORTS** an appropriation for \$1.5 million to help facilitate upgrades to the family center.

STUDENT HEALTH SERVICES

SB 234 and HB 123 have been filed for the 2020 Legislative Session creating a 'Learning with Dignity Act' requiring school districts to make feminine hygiene products available, at no charge, in female restroom facilities of public school buildings.

Palm Beach County **SUPPORTS** making feminine hygiene products available, at no charge, in female restroom facilities of public school buildings.

STATE LIBRARIES

Local governments receive State support for libraries through three different programs: the State Aid program, the Regional Multi-type Library Cooperative Grant program, and the Public Library Construction Grant program. Continuation of these funding sources will ensure that the State will play an appropriate role in enhancing public library service by matching local library expenditures, enhancing consortia services to area libraries, and providing needed dollars for the construction of new public libraries.

The Legislature increased **State Aid to Public Libraries** by \$1.5 million to \$21.8 million in the 2019 Legislative Session. Palm Beach County strongly **SUPPORTS** the restoration of the State Aid to Public Libraries program to at least **the 2017 level of \$23 million**.

Approximately 51% of Floridians have a library card, visiting our libraries 75.1 million times in person and 97.3 virtual visits to library websites. **A strong fiscal foundation for our public libraries is critical to the state's economic and educational success.**

Florida's State Aid grant program has been the cornerstone of public library support in our state since 1963 and is a national model. **State Aid grant funding assists Floridians with:**

- Economic development resources to small businesses and job seekers.
- Access to government services, especially e-government – public libraries are the “go to” place when Floridians need to access the Internet and the vast array of services and products online.
- Education and reading – libraries are the safety net that insures school success for students of all ages.

For every \$1.00 invested in public libraries, the return on investment is \$10.18, Gross Regional Product increases by \$13.23, and income (wages) increases by \$28.42. For every \$2,574 spent on public libraries from public funding sources in Florida, one job (in the economy, not just in libraries) is created.

Library Technology Grants

For some citizens, Public Libraries are the only way to access a computer for things like: school work, and employment searches.

Palm Beach County **SUPPORTS** the restoration of Library Technology Grants that enable libraries to improve the technology services they can offer to citizens statewide.

New Library Construction Grants

The addition of new libraries would assist even more residents with getting access to the invaluable services provided by our library systems. Last year, \$1 million in grant funding was allocated. Palm Beach County **SUPPORTS** full funding of \$11 million to support all eligible applications for grant funding.

Regional Multi-type Library Cooperatives

The Palm Beach County Library System is part of the regional multi-type library consortia known as the Southeast Florida Library Information Network (SEFLIN), which connects both public and private libraries of all types to one another and allows the community to be served more effectively through the joint use of technology, continuing education and training of library staff. Support for the Cooperatives was increased by \$500,000 to \$2.5 million. Each grantee is awarded up to \$500,000 but it requires a ten percent cash match of local funds. The Palm Beach County **SUPPORTS** an appropriation of the same amount. These funds are critical for Florida's five multi-type library cooperatives (MLC's). These funds are used to:

- Promote resource sharing so Floridians can easily obtain resources from other libraries using statewide delivery and reciprocal borrowing services

- Continuously upgrade the skills of library employees to improve the experience of Florida library customers
- Create connections between libraries to encourage adoption of technologies and services important to Floridians.

Smart Horizons Career Online School

Palm Beach County **SUPPORTS** funding for this program that allows 19-and-older out of school adults to complete a private high school diploma and career certificate through 35 participating library systems. No money was appropriated by the Legislature this past year. As of July 30, 2019, 600 students had graduated. This program makes a high school diploma more accessible to Floridians and prepares them for success in the workforce.

PALM BEACH COUNTY SCHOOL DISTRICT

Palm Beach County **SUPPORTS** the legislative agenda put forward by the School District of Palm Beach County covering different focus areas:

- Behavioral and mental health student supports
- School safety and security enhancements
- Investments in Voluntary Pre-Kindergarten (VPK) to ensure kindergarten readiness
- Base Student Allocation (BSA) increase
- Charter school accountability
- Flexibility to make decisions at the local level

PALM BEACH STATE COLLEGE FUNDING

Palm Beach County **SUPPORTS** increased funding for the Florida College System, which will assist the College with responding quickly to workforce training and industry needs in the County.

Palm Beach County **SUPPORTS** the legislature allocating \$27 million in (Public Education Capital Outlay – PECO) funding for PBSC’s proposed Dental & Medical Services Technology Building, which will be located on the Loxahatchee Groves Campus. The legislature appropriated \$5 million towards the project in 2017. The funding request is to construct an 80,000 square foot facility that will house the College’s Dental Hygiene, Dental Assisting, Surgical Technologist and Physical Therapy Assistant programs along with the Atlantic coast Dental Research Clinic.

Palm Beach County **SUPPORTS** the allocation of additional PECO funding for the renovation and maintenance of current buildings on Palm Beach State College’s campuses.

Palm Beach County **SUPPORTS** efforts to increase opportunities for PBSC and the School District to collaborate on programs to ensure that students are college and career ready.

FLORIDA ATLANTIC UNIVERSITY FUNDING

U.S. NEWS AND WORLD REPORT TOP 100

Palm Beach County **SUPPORTS** Florida Atlantic University as it pursues its goal to be a Top 100 (U.S. News and World Report) Public Research University. The university is requesting \$12.8 million dollars in recurring operational funding to assist in sustaining excellence and accelerate its progress along the journey to being a Top 100 institution.

Jupiter Research Building

The Jupiter Research Building is a component of FAU's Life Sciences Initiative, which is transforming the university's John D. MacArthur Campus into a hub of scientific inquiry, innovation, and economic development. Palm Beach County **SUPPORTS** FAU's funding request to construct a 72,000 gross square feet facility that will provide research and instructional space to support the recruitment/retention of new research faculty and the program's student enrollment growth.

A.D Henderson/FAU High University Lab School

Palm Beach County **SUPPORTS** funding for FAU's University Lab School. The University has committed to a 1:1 public/private match for this project. A.D. Henderson is a developmental research (lab) school established in 1968 to enhance instruction and research in specialized subjects to improve outcomes for all students in the country.

Career Education Funding

STEM, Science, Technology, Engineering and Mathematics, curricula has been predominantly taught in colleges or post-secondary institutions in Florida. Based upon the need for qualified candidates within the STEM fields, Palm Beach County **SUPPORTS** efforts to expand, enhance and provide adequate funding of STEM programs to public career academies, K-12 educational programs, and career programs in higher education.

Palm Beach County also **SUPPORTS** funding efforts to expand and enhance vocational training programs.

CULTURAL ARTS AND HISTORIC GRANTS FUNDING

The Florida Division of Cultural Affairs (DCA) at the Department of State recommends to the Legislature a ranked list of qualified grant applicants for Cultural and Museum Grants, Cultural Projects, Cultural Facilities, and the Cultural Endowment Program. Palm Beach County **SUPPORTS** full-funding of the Cultural Grant application list as approved by the DCA.

AGRICULTURE

FARM TO SCHOOL PROGRAMS

Integrated Farm to School programs have the ability to positively affect entire communities. One of the most valuable components of supporting Farm to School initiatives is the opportunity to increase access to fresh produce within a domestic food assistance program that services low-income families. Farm to School programs encourage a lifelong appreciation for healthy eating habits by creating an environment that

exposes children to a variety of fruits and vegetables. Aside from the nutritional benefits of increasing the availability of fresh produce in school meals, the local economy benefits from an additional marketplace and could indirectly promote job creation in the agricultural community. Palm Beach County **SUPPORTS** legislation that would assist in integrating locally grown produce into school meals.

HUNGER RELIEF PLAN

Hunger can — and does — exist in the midst of plenty. Nationally, more than 49 million Americans have trouble regularly putting nutritious food on the table. Despite its wealth, more than 200,000 residents in Palm Beach County struggle with hunger. People can't always feed themselves and their families because they have too little money, too little access both to federal nutrition programs and to sources of affordable healthy food, and too little information about how their challenges can be overcome. For over a decade, Palm Beach County partners increased the availability of fresh produce that would otherwise go to waste through gleaning events. Gleaning occurs from November through July, weather permitting. Support continued efforts to allow for gleaning activities.

According to Feeding America, 20 billion pounds of fruits and vegetables are discarded on farms or plowed under. The USDA has estimated that 35 million pounds of food are needed annually to feed the hungry in Palm Beach County.

Palm Beach County **SUPPORTS** legislation and funding to help support the Palm Beach County Hunger Relief Plan, local non-profits and local farmers.