

PBC Legislative Update



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Happy "New" First Committee Week of the "Year"

END OF YEAR RECAP

NEW ADDITIONS TO THE COUNTY TEAM

Legislative Delegation Aide Melissa McKinlay was elected to the District 6 Seat on the Palm Beach County Board of County Commission, Commissioner Steven Abrams and Commissioner Paulette Burdick were re-elected to office.

Commissioner McKinlay served the past four and a half years as the Legislative Delegation Aide to the County's Legislative Affairs office and the County's Legislative Delegation. While we are sad to lose Melissa working in that capacity on a day to day basis with our office, we are excited about her serving the County in her new capacity and look forward to her continued engagement in supporting the County's legislative priorities in Tallahassee and Washington DC.

Joseph Sophie was hired to replace Melissa. He most recently worked for U.S. Senator Bill Nelson in the West Palm Beach office and interned for Rep. Mark Pafford. Welcome on board, Joseph!

LEGISLATIVE DELEGATION LEADERSHIP

The Palm Beach County Legislative Delegation elected a new Chair and Vice Chair. Congratulations to Chair Lori Berman and Vice Chair MaryLynn Magar on their election to lead the Delegation. A special thank you goes out to Past Chair Patrick Rooney Jr. who served during the past year with distinction as he led the Delegation to secure funding for the Lake Worth Lagoon and Loxahatchee River, for the Palm Beach State College Western campus, and for the construction of the new 4th DCA courthouse.

All of the members running for election in the Palm County Legislative Delegation were re-elected to their seats in the Florida Legislature this year. Congratulations and we look forward to another successful legislative session.

REMAINING DELEGATION PUBLIC MEETING SCHEDULE

The following two local meetings remain on the Legislative Delegation's schedule:

Public Hearing

Public Hearing
Tuesday, January 13, 2015,
9:30am -11:30am
470 East 1st Street, Pahokee

Workshop

Joint Meeting with the PBC School Board
Wednesday, January 14, 2015,
2:00pm - 3:30pm
Fulton-Holland Educational Services Center
3300 Forest Hill Blvd., West Palm Beach

STATE ISSUES

GOVERNOR AND CABINET SWORN IN JANUARY 6TH

On Tuesday, January 6th, Governor Rick Scott and Lt. Governor Carlos Lopez-Cantera were sworn into office at the State Capitol. Attorney General Pam Bondi, Chief Financial Officer Jeff Atwater and Commissioner of Agriculture Adam Putnam were also sworn into office after winning a second term. County Legislative Staff was present for the ceremonies and wishes the Governor and Cabinet much success over the next four years.

APPROPRIATIONS

The House Appropriations Committee heard from the State's top economist on Florida's Long Range Financial Outlook. She testified that due to the improving economy, there is no expectation of a budget shortfall for the 2015-16 Fiscal Year and that the State could meet its Constitutional requirement to pass a balanced budget while also keeping an estimated \$1 billion in reserves.

ENTERPRISE ZONES

The Senate Committee on Commerce & Tourism heard testimony from committee staff on the history of Enterprise Zones, which are set to expire this year if the Legislature does not act to extend the program this Session. Staff highlighted a 2014 OPPAGA report which found that Enterprise Zones were generally deficient in meeting Legislative goals, have a negative return on investment to the State, and did not appear to have improved economic benefits when compared to similar non-enterprise zone areas. Chairwoman Detert explained that she wanted to examine different ideas for addressing Enterprise Zones including limiting their responsibilities and changing the structure to a limited pot of money from which local governments can apply for grants. She stated that she felt Enterprise Zones were doing too much and that some local governments were being hurt by businesses choosing locations based on tax incentives. There is a split among committee members whether to allow the Enterprise Zone to sunset or continue in some form. Senator Bean commented that he is working on a bill to extend the zones and would work to include ideas addressed in the committee.

Findings of the OPPAGA Report

The OPPAGA report identified three options for revising the program:

Option 1: Require local governments to reapply for enterprise zone designation and periodically monitor performance goals.

Option 2: Create a tiered program with eligibility requirements and incentive amounts based on business size.

Option 3: Target program incentives to encourage job creation, i.e., eliminate all enterprise zone program incentives except jobs tax credits.

WATER AND AMENDMENT 1 FUNDING

The House Agricultural and Natural Resources Subcommittee heard testimony from the Department of Agriculture and Consumer Services (DACS) on water demand challenges facing the State and the Florida Department of Environmental Protection on State water policy and Numeric Nutrient Criteria implementation and litigation. DACS highlighted water demand by county, noting that Palm Beach County – with its high agricultural production- was among the counties with the highest demand. Agricultural production accounts for a full 57% of Palm Beach County's water demand according to the Department. Meanwhile, the Senate Committee on Environmental Preservation

and Conservation began discussions on the application of Amendment 1 funding which included ideas on water policy. The Constitutional Amendment approved by voters in November requires the State use 33% of doc stamp revenues toward environmental initiatives. The committee rolled out a website to provide background and take public comments on use of the funds. The Sierra Club testified on its recommended use of the funds, specifically encouraging the State to leave funding for local wastewater projects under the responsibility of local government.

The House Agriculture & Natural Resources Appropriations Subcommittee announced the deadline of February 7 for submitting water project applications for funding consideration by the House during the 2015 session. Water project applications need to be submitted through the House website by that date for consideration by the House.

AFFORDABLE HOUSING

The Florida Housing Finance Corporation (FHFC) provided an update to the Senate Committee on Community Affairs on use of the National Mortgage Settlement Funding, which included \$40 million for SHIP, \$50 million for SAIL, and \$10 million in Homeless Grants. Palm Beach County received \$1,450,575 of SHIP funding, funding for 99 beds/units from SAIL, and funding for 15 beds/units from Homeless Grants from the Settlement Funds. The FHFC also gave a brief update on the Hardest Hit Fund. Meanwhile, the Chairman of the Senate Appropriations Subcommittee on Transportation and Economic Development announced his intentions to feature affordable housing at their next scheduled committee meeting.

The Sadowski Coalition also met with Senate President Andy Gardiner this week and it was reiterated that affordable housing funds could suffer this year because of the implementation of Amendment 1.

INTERGOVERNMENTAL RELATIONS

The Florida Association of Counties presented along with the Florida League of Cities, the Florida Association of Special Districts and the Department of Economic Opportunity to the Local Governmental Affairs Committee with little discussion. The committee prepared a staff report on the structure and legislative authority of Florida's various political subdivisions as well as the local bill process.

FINANCE & TAXATION

The Chairman for the House Finance & Tax Committee laid out an ambitious workplan of tax policy and finance concepts that the committee could potentially tackle this year. The list included affordable housing, alternate financing for small businesses, bonding protocols, capital recovery, clerks of court, Special Districts, local government revenue, State debt service, water management, ad valorem taxes, the Communications Services Tax, the Corporate Income Tax, the Fuel Tax, geographically based programs such as Enterprise Zones and Brownfields, Insurance Premium Tax, Commercial Sales Tax cut, Sales and Use tax, Severance taxes, Sin taxes, Tourist Development, Pari-mutuel taxes, Pollutant taxes, and Utility Gross Receipt taxes. Specifically to local government revenues, the Chairman discussed ideas relating to audit committees, revenue utilization, and trends of the private sector absorbing local government functions. The workplan was meant as a starting point for discussion rather than a determined list that the committee must address. The committee will not meet during the next scheduled committee week in order to allow members time to formulate their ideas on what they would like to see proactively addressed by the committee.

ENERGY AND PUBLIC UTILITIES

The House Energy and Utilities Subcommittee heard testimony from the Department of Agriculture and Consumer Services on various energy incentives. The Department testified to the effectiveness and high ROI from incentive programs, estimating that a total of \$18.1 million investment into Renewable Energy Incentives generated a more than \$200 million economic impact and over 700 jobs.

COUNTY MEDICAID COST SHARE

Agency for Healthcare Administration Secretary Dudek testified to the House Health Innovation Subcommittee in response to a question on County Medicaid Cost Share that backlog discrepancy has been resolved. She commented that the Agency worked closely with each County to resolve the funding issues and that the backlog has been addressed in all "except maybe one" county.

MEDICAL MARIJUANA

Source: Lobby Tools/ The Times/Herald Tallahassee Bureau

Orlando attorney John Morgan Jan. 8, 2015, filed a revised version of his original proposal with the Florida Secretary of State's office.

Morgan told the bureau he would prefer that the issue be addressed by the Legislature, so that it is not embedded into the Florida Constitution, but because lawmakers have not shown a desire to act he will make one more try with a revised proposal.

He said the revised amendment makes four significant changes to the original version:

- Adds clarifying language that the Department of Health must verify parental consent before a doctor proscribes marijuana to a minor.
- Clarifies which debilitating conditions are eligible and rules out all non-debilitating conditions.
- Clarifies that doctors who prescribe marijuana cannot be arrested for prescribing marijuana but they are not immune to prosecution for negligence or malpractice.
- Clarifies that the Department of Health must establish quality standards for caregivers.

VOTING REFORM

Source: Lobby Tools

The Florida League of Women Voters says a bill that would let people sign up to vote electronically is one of its top priorities for the legislative session this year.

"It is far more accurate than somebody scribbling information onto a voter registration form and then trying to have someone read it. This way they're actually putting it into a document online. It's much more cost effective than the current paper system and it makes it more accessible to people and we see more people registering to vote," league President Deirdre Macnab says.

Sen. Jeff Clemens, D-Lake Worth, filed such a proposal (SB 228) Jan. 5, 2015. Rep. Alan Williams, D-Tallahassee, is expected to file a House version.

ECONOMIC DEVELOPMENT APPROPRIATIONS

Source: Lobby Tools

Members of the House Economic Development and Tourism Subcommittee were receptive to the Department of Economic Opportunity's plan to spend \$5 million promoting Florida as the "perfect climate for business."

"The governor, DEO and Enterprise Florida are doing the job and we're going to try to do whatever we can to increase the funding to help you guys out," said Rep. Frank Artiles, R-Miami, who chairs the committee.

Enterprise Florida and 19 organizations raised \$1.4 million for the branding initiative and directly contacted more than 2,300 business decision makers already, according to Enterprise Florida representative Melissa Medley, but said that the effort needs more support from the Legislature to succeed.

FEDERAL ISSUES

CONGRESSIONAL DELEGATION MEMBERS SWORN IN

Congressmen Deutch, Hastings, Murphy and Congresswoman Frankel were sworn in last week after all four were re-elected to another term in office. Activities are planned the week of January 12th in their districts for local swearing in ceremonies.

FLORIDA LAWMAKERS FILE BILL TO AUTHORIZE CENTRAL EVERGLADES PLANNING PROJECT (CEPP)

Florida lawmakers this past week renewed their push to win congressional action on a major Everglades restoration project that has been mired in bureaucratic red tape.

The bipartisan group of federal legislators – led by Sens. Bill Nelson (D-FL) and Marco Rubio (R-FL) and Reps. Patrick Murphy (FL-18) and David Jolly (FL-13) – filed a bill Thursday to authorize the Central Everglades Planning Project, or CEPP.

CEPP is designed to increase water flow south into the Everglades, thereby reducing harmful discharges to the St. Lucie and Caloosahatchee rivers and improving the entire ecosystem.

This important project was not included in the last water bill because the U.S. Army Corps of Engineers had not completed a key report approving the project. That report finally was released on Dec. 23, 2014.

"Now that the Corps has signed off, we can't waste any more time getting the money needed to restore an area that not only is at the heart of Florida's environment, but also is a source of clean drinking water for so many in the state," said Nelson, a longtime advocate for Everglades preservation and restoration.

Sen. Rubio added, "No single effort is more important to the future of the Everglades than the Central Everglades Planning Project, and I hope Congress will move quickly to approve it's authorization. It's not only a critical component to help ensure future generations can enjoy all the Everglades has to offer, but it is also a project that is essential to water management in Florida."

The CEPP project is a \$2 billion series of engineering projects intended to collect and channel water around Lake Okeechobee south into the Everglades. Usually

such a project would be included in a broader water resources bill Congress passes every few years but this legislation will allow the project to be expedited, the lawmakers said.

WHITE HOUSE UNVEILS TUITION-FREE COMMUNITY COLLEGE PROPOSAL

As released by the White House

Today, more than ever, Americans need more knowledge and skills to meet the demands of a growing global economy without having to take on decades of debt before they even embark on their career.

The President is unveiling the America's College Promise proposal to make two years of community college free for responsible students, letting students earn the first half of a bachelor's degree and earn skills needed in the workforce at no cost. This proposal will require everyone to do their part: community colleges must strengthen their programs and increase the number of students who graduate, states must invest more in higher education and training, and students must take responsibility for their education, earn good grades, and stay on track to graduate. The program would be undertaken in partnership with states and is inspired by new programs in Tennessee and Chicago. If all states participate, an estimated 9 million students could benefit. A full-time community college student could save an average of \$3,800 in tuition per year.

In addition, today the President will propose a new American Technical Training Fund to expand innovative, high-quality technical training programs similar to Tennessee Tech Centers that meet employer needs and help prepare more Americans for better paying jobs.

MCCONNELL SAYS SENATE WILL TARGET EPA WATERS OF THE U.S. REGULATION

New Senate Majority Leader Mitch McConnell (R-Ky.) promised to go after a proposed Clean Water Act jurisdiction rule this year, including it in an ever-expanding list of rulemakings Republicans plan to stop or impede.

At issue is a joint proposed rule from the EPA and Army Corps of Engineers that would clarify the scope of the Clean Water Act's jurisdiction over the nation's waters and wetlands (79 Fed. 22,188, April 21, 2014; 23 EDDG 26, 4/17/14). Republicans and some Democrats have called the proposal a radical expansion of the agency's authority and warned it could cripple agricultural, ranching and other industries.

The new Senate leader already had voiced strong disapproval of the Clean Water Act regulation. In July, after meeting with EPA Administrator Gina McCarthy, McConnell said the proposed rule would "essentially regulate every ditch and pothole in our state" and warned it would have a "devastating impact" on jobs and the local economies.

DC THIS WEEK UPDATE

By: Becker and Poliakoff

This week, Republicans took control of the Senate and will have an expanded majority in the House. The Congressional session opened with ceremonies and work began on the energy and health-care agendas.

The new chairmen of the Congressional Budget Committees, Representative Tom Price (R-GA) and Sen. Mike Enzi (R-WY) may soon announce their choice to lead the Congressional Budget Office now that Director Doug Elmendorf's term has expired. Under the law, Director Elmendorf will remain until a successor is chosen.

THE SENATE: Starts out with their opening ceremony where the new GOP leadership is planning the first floor votes on legislation as early as next week.



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Mary Lou Berger, Vice Mayor

Hal R. Valeche

Paulette Burdick

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

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Sen. Mitch McConnell (R-KY) will take over as majority leader with the chamber's partisan makeup shifting to 54 Republicans, 44 Democrats and 2 independents caucusing with the Democrats. Sen. Harry Reid (D-NV) will now become the minority leader.

The Senate Energy and Natural Resources Committee has scheduled a hearing and a markup on a draft bill to approve the Keystone XL pipeline, sponsored by incoming chairwoman Sen. Lisa Murkowski (R-AK). The measure to be considered is virtually identical to S. 2554 in the 113th Congress, which the committee approved last June. Back in November, the Senate fell one vote short of the 60 votes needed to advance another Keystone approval bill, S. 2280. With Republicans in the majority, the measure should have the votes to close debate although not necessarily the two-thirds supermajority needed to override the bill should President Barack Obama veto the measure, as indicated this week.

THE HOUSE: The new House, with 246 Republicans and 188 Democrats, voted on the formal re-election of John Boehner as speaker and on a rules package that would change the way the Congressional Budget Office and Joint Committee on Taxation estimate the cost of major legislation. Two Florida Congressmen, Rep. Ted Yoho (R-FL) and Rep. Daniel Webster (R-FL) announced that they would be challenging Rep. Boehner, who already won an internal endorsement by the majority conference.

The House will vote on its rules package, H.Res. 5. The draft resolution, which could be changed, has a provision that requires dynamic scoring of major legislation, which would make it easier for Republicans to pass a tax revision package that would reduce revenue. Republican leaders rejected a bipartisan proposal that would have required House members to have mandatory ethics training.

The House proposed a bill that would modify the Affordable Care Act to change the definition of full-time employment to determine whether employers have to provide health insurance for employees. The bill changes the definition of full-time employment to forty hours a week from thirty in the current law.

NEXT WEEK: After House Republicans have their strategy conference meetings, a decision will be made about whether to bring the Department of Homeland Security appropriations bill to the House floor. Scheduling a vote for the second week of the session would mean renewing the debate over deferred deportations and President Obama's immigration policy, days before his State of the Union address, which is scheduled for Jan. 20.