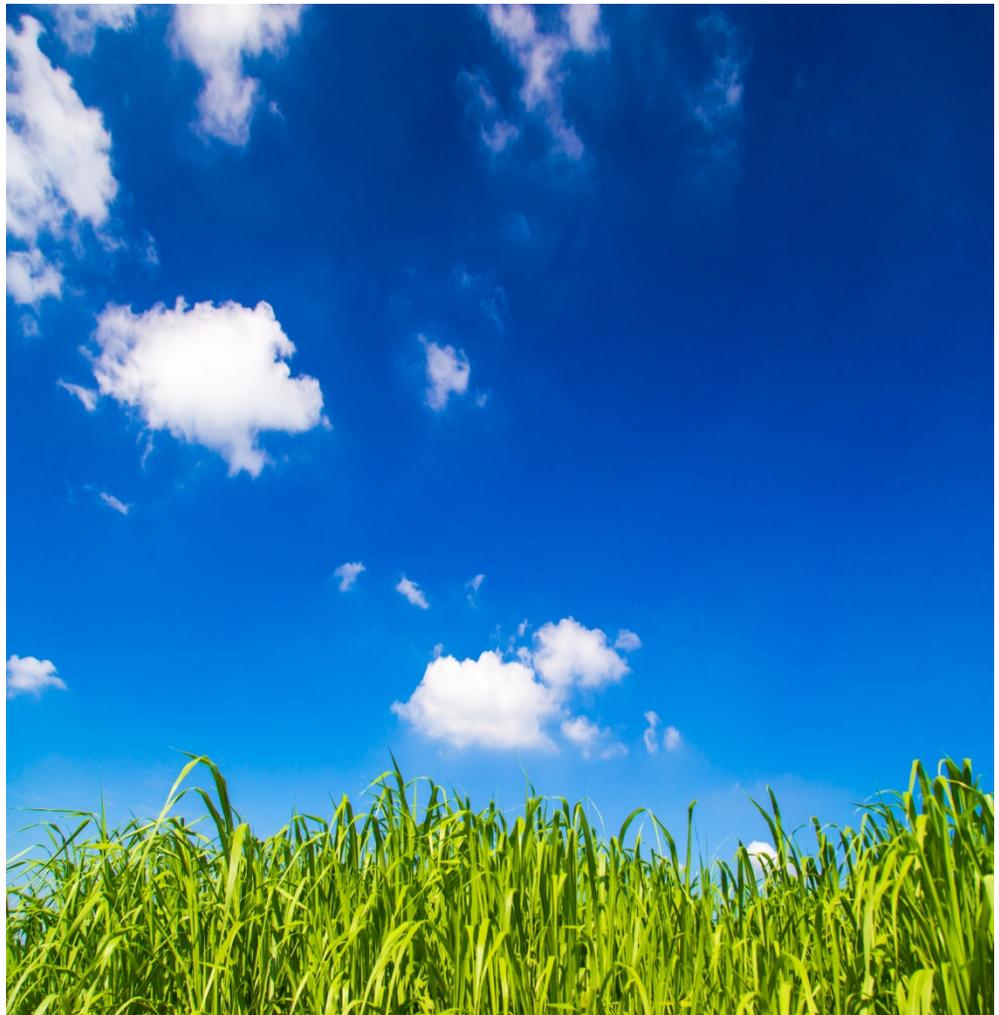


PALM BEACH COUNTY

2017 STATE LEGISLATIVE AGENDA

GENERAL GOVERNMENT PRIORITIES



Palm Beach County

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Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

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County Administrator

Rebecca J. DeLaRosa,
Legislative Affairs Director

PALM BEACH COUNTY

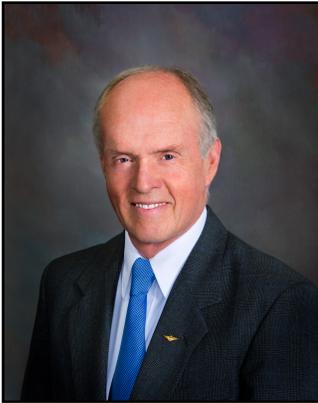
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ECONOMIC DEVELOPMENT

LEGISLATIVE PRIORITIES

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 provide economic development and job creation to the area. The County **SUPPORTS**:

- Legislative initiatives to implement components of the Glades Region Master Plan
- The continuation and enhancement of SCOP funding for road reconstruction and repaving
- Funding for improvements to existing affordable housing units as well as the development of new affordable housing units
- Funding for improvements to the Pahokee Marina: \$1.2 million is being requested for repairs and renovations to the Marina, Campground, and Public Side to enhance economic tourism
- Funding for storm water improvements to enhance economic and housing development
- Funding to ensure that the Glades Region has appropriate shelter facilities for emergencies
- Economic Development Incentive and Transportation funding for the Glades Region Inland Logistics Center (formerly known as the Inland Port)
- Funding for youth prevention programs
- Facility improvements at West Tech to accommodate expansion of career academy programs

EXPANSION OF GAMING AT PARI-MUTUEL FACILITIES

In 2004, voters of the state passed an amendment that paved the way for expansion of gambling at pari-mutuel facilities in Broward and Miami-Dade Counties. Since that time, gambling facilities at several locations throughout the state have been allowed to expand their operations. The ability for these facilities to expand their operation has placed Palm Beach County pari-mutuels at an unfair competitive disadvantage. Legislation may prevent Palm Beach facilities from being able to expand gaming to compete with existing and future gambling facilities in Miami-Dade and Broward County. This could result in the demise of the Palm Beach Kennel Club, a local business that employs 624 people and attracts over 750,000 people a year.

In November 2012, voters in Palm Beach County approved a ballot question asking voters if they would like to allow slot machines in existing pari-mutuel facilities.

OPPOSE legislation that would place Palm Beach County pari-mutuel facilities at an unfair competitive disadvantage as it relates to the expansion of gambling in the state and support legislation providing for the inclusion of slot machines in Palm Beach County pari-mutual facilities.

FLORIDA’S FILM, TELEVISION AND DIGITAL MEDIA INVESTMENT PROGRAM

Florida’s Entertainment Industry Financial Investment Program created thousands of new jobs for Florida workers, brought in substantial new money to our local communities, and spawned financial investment and tourism throughout the state.

Since 2004, Florida has had a statewide program in place to attract film, television and digital media production. First, this came in the form of a rebate program from 2004-2009, and was reissued as a tax incentive program in 2010. During the 2012 legislative session, the program was allocated an additional \$42 million in tax credits and extended an additional year. During the 2014 through 2016 legislative sessions, Florida’s Entertainment Industry Financial Investment Program was not allocated additional tax credits and as a result the program sunset June 30, 2016.

In order to ensure the continued success of Florida’s Film, TV and Digital Media Industry, the County **SUPPORTS** the following:

1. Create and support a long-term investment and growth program that will report a “Return on Investment” that is easily definable and includes tourism benefits of film and television programs.
2. The restoration of adequate funding for the State’s Office of Film & Entertainment to reinstate full funding for the LA office and continue to properly oversee, administer and market Florida as an ideal destination for production.
3. Contract with Film Florida, Inc. (FL’s lead trade association) to provide consistent leadership for Florida’s entertainment production industries by 1) marketing the State’s industry resources; 2) aligning and building the State’s regional industry clusters; and 3) insuring that steps are being taken to protect Florida’s current and future investment in the entertainment production industries.
4. It is highly recommended that the State’s Office of Film & Entertainment implement an economic and job impact study to account for the true value of the industry in FL. The study should include the impact of film during the existence of incentives, assessments of any reduction of economic and job benefits or rate of economic or job growth that can be directly attributed to the loss of incentives.

SCRIPPS, MAX PLANCK AND BIOMEDICAL RESEARCH FUNDING

Current statute allows for a percentage of cigarette tax revenues to be deposited into the Alcoholic Beverage and Tobacco Trust Fund. For 2017-2018, it is estimated that \$359.4 million in tobacco settlement payments will be collected by the state. This is expected to be about \$16.3 million less than was earlier estimated due to an anomaly in calculation; the Attorney General’s Office is looking into ways to recover these dollars. One percent of those tax revenues is then placed into the Biomedical Research Trust Fund in the Department of Health for the purpose of establishing activities and grant opportunities in relation to biomedical research. Those funds have been solely appropriated to Sanford-Burnham Medical Research Institute. **SUPPORT** a revision of 210.20, F.S. to strike Sanford-Burnham and replace with Scripps.

SUPPORT an increase in the percentage of cigarette tax net collections that will be deposited into the Biomedical Research Trust Fund, or a direct appropriation of \$5 million per year to Scripps, to enhance biotechnology research within the state. Efforts should be made to continue to enhance the Trust Fund to allow other research institutes to compete for funding.

SUPPORT new and recurring funding for educational programs produced by the Max Planck Florida Institute for Neuroscience and Florida Atlantic University's STEM and Life Sciences program at the Jupiter campus, such as the FAU/Max Planck Florida Scientific Fellowship Program, the Sunposium Global Neuroscience Conference, and the FAU/Max Planck joint PhD degree programs.

ENTERPRISE FLORIDA FUNDING

Palm Beach County will continue to monitor the discussions regarding the future of Enterprise Florida. In an effort to continue expanded resources to assist Palm Beach County's Office of Economic Sustainability and the Business Development Board, 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.

BUDGET & TAXATION POLICY

LEGISLATIVE PRIORITIES

UNFUNDED MANDATES/MEDICAID COST SHIFTS

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.

The state must do a better job of truthfully 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.

ARTICLE V

The State should allow for the expansion of the \$65 mandatory court fee to be applied to civil cases in addition to the already allowed criminal cases. This fee would allow for additional revenue to fund the state court system. The 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

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. Additionally, the Federal Government should enact provisions that allow for the interstate collection and remittance of sales taxes paid on taxable goods that are purchased from businesses in said states.

TOURIST DEVELOPMENT TAXES

The Palm Beach County Tax Collector is requesting that Chapter 212.03 (1)(a) Transient rentals tax be **AMENDED** 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 to rent for less than six months. These rentals range from \$500 per night to \$59. This will enable Palm Beach County to amend their County Ordinance 95-30 to begin collecting bed taxes.

TRANSPORTATION & INFRASTRUCTURE

LEGISLATIVE PRIORITIES

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. **SUPPORT** 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. The County additionally **SUPPORTS** efforts to strengthen intergovernmental coordination so land use decisions of one jurisdiction do not negatively impact 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. The County **SUPPORTS** amending state law to require **any** project impacting an over capacity road to contribute an amount equal to their impact/use of the capacity they are absorbing.

Additionally, the County **OPPOSES** legislation that preempts the legislative and policy making powers of counties used to regulate land use and implement local zoning controls 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.

DMV FACILITY SERVICE/MOUNTS BOTANICAL GARDEN

Currently, the former Department of Motor Vehicles licensing building is located on a parcel of land that sits on the northeast corner of The Mounts Botanical Garden of Palm Beach County. The Garden exists to support the educational mission of the Palm Beach County Cooperative Extension Service whose office is adjacent to the Garden and the DMV facility. The Garden has extensive collections of native and exotic trees, shrubs, flowers, and grasses that are used for teaching, display, research and conservation. More than 2,000 species of tropical and subtropical plants are cultivated to educate and inspire the public and provide opportunities for people of all ages and backgrounds to learn the art, science, and joy of gardening. Additionally, it promotes a meaningful experience within nature, environmental stewardship, and sense of place within Palm Beach County.

In 1991, a design team was asked to prepare a master plan, which was revised in 2004, for the Botanical Garden that would enable it to expand and be used as an important teaching and research arm for the horticultural and agricultural community. Under this plan, the current site of the DMV office would become an integral part of the future Education Center.

DMV service at the Military Trail site ceased in June 2015. The County **SUPPORTS** future integration of the Military Trail DMV Office into the Mounts Botanical Garden Master Plan.

PUBLIC SAFETY

LEGISLATIVE PRIORITIES

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. The County **SUPPORTS** efforts to restore rights to felons and to provide resources to ensure successful re-entry into the regular workforce. Palm Beach County also continues to **SUPPORT** corporate tax credits and bond

protection for businesses that hire non-violent felons as part of a re-entry program. In addition, Palm Beach County **SUPPORTS** the criminal justice reform described below:

Modify FS 1011.80

During the 2013 Legislative Session, Florida Statute 1011.84 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.

OPIOID ABUSE/SOBER HOMES

Palm Beach County **SUPPORTS** the Florida Association of Counties’ policy on opioid abuse to support providing life-saving interventions, medically-assisted detoxification programs, and diversions from the criminal justice system for those suffering from opioid addiction.

Additionally, **MONITOR** the discussions of the Sober Home Task Force for any recommended legislative changes during the 2017 session.

PRESUMPTION OF IMPAIRMENT WHILE UNDER THE INFLUENCE OF THC

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 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.

Several states where medical and/or recreational marijuana is permitted have already passed this type of legislation. In 2016, a bill (H.B. 161 – The Naomi Pomerance Victim Safety Act) was introduced to remedy this issue, but was not passed.

ELECTRONIC CIGARETTES

SUPPORT an amendment Florida’s Clean Air Indoor Act to prohibit “vaping”—or the use of electronic cigarette products—indoors in the same manner as tobacco products.

MENTAL HEALTH/SUBSTANCE ABUSE FUNDING

Increased community funding is required to meet the needs of persons residing in the Palm Beach County area who are mentally ill and often also have severe substance use disorders.

Additionally, the human and economic costs of untreated mental illness in our state continue to rise. Those costs include the criminalization of people with untreated mental illness, family erosion, substance abuse, job loss, domestic violence, homelessness, medical problems, crime and suicide. Florida must do more to invest and fund community-based and integrated mental healthcare. The County **SUPPORTS** increased funding for the region's managing entity, the South East Florida Behavioral Health Network, to be utilized to reduce mental health inmates in our jails and create overall safer communities.

FIRE RESCUE

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. The County **SUPPORTS** legislation and associated funding to encourage the installment of detectors in garages of new construction homes.

Fall Prevention

Nearly 20 percent of calls to Palm Beach County Fire Rescue are fall related injuries. Last year, upwards of 25,000 calls were documented involving falls and associated injuries. Palm Beach County seeks state resources to provide fall prevention education in the community and expand the existing fall prevention workshop program.

Preventative Medical Care

SUPPORT a legislative change to allow Fire Rescue to perform preventative medical care on discharged patients in non-emergency situations. This preventative action will reduce the deployment of critical resources arising from future calls, thus resulting in increased public safety.

Narcan

SUPPORT state efforts to reduce the financial burden on entities that must purchase Narcan for public safety.

DOMESTIC VIOLENCE

Domestic violence occurs in all races, 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 receive unemployment compensation or 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. 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), is likely to occur against the individual by a family or household member, as defined in s. 741.28.
 - c. Make reasonable efforts to preserve employment and lease by seeking a protective injunction prior to seeking a lease or voluntary employment termination.
2. If a victim successfully terminates a lease under the guidelines above, prior to a voluntarily termination of employment being granted, the victim must either attempt to relocate to a secure place or seek a reasonable accommodation from the employer, such as a transfer or different assignment, prior to being approved for unemployment compensation.

Palm Beach County also **SUPPORTS** a revision to Section 741.30(6)(a)(5), Florida Statutes that would **require** court-ordered intervention treatment for perpetrators of domestic violence. This change would be modeled after the Dupage County, Illinois Domestic Violence Program, a NACo award-winning program for Innovation. This intervention program is designed to treat the perpetrator by including a mandatory court-ordered assignment to this 26 week, 39 hour intervention program. The program fees are designed to accommodate indigent as well as full-fee payment.

EXPAND the allowable uses of the Domestic Violence Trust Fund articulated in Section 938.08, Florida Statutes 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.

CENTER FOR YOUTHFUL OFFENDERS

The County **SUPPORTS** urging the Florida Department of Corrections to open a Youthful Offender Facility 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 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.

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.

WAIVER OF PUBLIC RECORD FEES AND DISCLOSURES FOR CRIMINAL JUSTICE COMMISSIONS

The County **SUPPORTS** amending Section 28.24, Florida Statutes regarding service charges by clerk of the circuit courts, to add "criminal justice commissions" to the list of agencies exempt from being charged for public documents. Criminal Justice Commissions exist in Palm Beach and Sarasota counties. The impact to the Commissions as a result of lacking the exemption is approximately \$2000 a year.

The County additionally **SUPPORTS** amending Section 119.07(6), Florida Statutes to add Criminal Justice Commissions that are created by County Ordinances to the list of agencies in the cited section, which would enable the Commissions to receive information that is exempt from public records disclosures.

MARCHMAN ACT REVISIONS

The Marchman Act is a civil process established in Florida law 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.

The County **SUPPORTS** amending several sections of the Florida Statutes as follows:

397.697 Court determination; effect of court order for involuntary substance abuse treatment. -

The court may order the individual to attend a recovery residence upon completion of their treatment if it is recommended by the service provider and if additional funding is available. This allows the individual to reside in a supportive drug free environment with greater chances of continued sobriety.

Failure to complete treatment may result in a new protective custody order authorized by any duty judge. This will eliminate the process of filing an additional petition and allow a quicker reaction time for the individual to reenter treatment.

397.6977 Disposition of individual upon completion of involuntary substance abuse treatment. –

Notice from the service provider that an individual has satisfactorily completed treatment or extended treatment, the individual is automatically discharged. This allows input of the service provider’s professional opinion to be conveyed to the courts that the individual has successfully completed the treatment program.

A non-completion of the involuntary treatment or relapses within the twelve month timeframe by the individual, the court may retain jurisdiction over the individual. This allows for the courts to have the power to overrule in the best interest of the individual, returning him/her treatment.

397.6773 Dispositional alternatives after protective custody. –

If an individual is taken into protective custody, the individual may be held beyond the allotted statute timeframe, allowing for a petition to be filed through the court. This will allow the individual to remain in a safe, secure, and drug free environment until further actions are taken and implemented.

397.6799 Disposition of minor upon completion of alternative involuntary assessment. –

When a minor has been assessed, based on the assessment and the service provider, the minor may be held in the treatment facility while a petition for involuntary treatment has been filed through the court. This will allow the minor to be monitored in a structured treatment environment as an alternative of being released.

The County additionally **SUPPORTS** increased and appropriate funding for crisis mental health and substance abuse beds statewide. The 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. The County also **SUPPORTS** coordinated efforts to increase access to acute care behavioral health services for individuals and families.

In addition, the County **SUPPORTS** legislation to apply confidentiality to Marchman Act filings in the same manner they are applied to other health related record confidentiality under Section 392.65, Florida Statutes.

SUPPORT ISSUES

PRE-TRIAL RELEASE

The 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.

The 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. F.S. 790.25(3)(h) 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.

The 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. The County:

1. **Supports** maintaining this funding level as the minimum allocation for County Base Grants.
2. **Supports** an across the board increase in county base grants to reflect the increased demands on county emergency management programs.
3. **Opposes** any efforts to shift state funding of emergency management from counties to cities.

Additionally, the County **OPPOSES** any efforts to repeal 526.143, F.S., which requires gas stations to be prewired with a transfer switch to allow for an alternate generated power source in the event of a power failure caused by a disaster.

The County **SUPPORTS** efforts to increase the fee that the 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.

ZERO TOLERANCE POLICY REVISIONS

Schools continue to be a major source of referrals into the Juvenile Justice system. In order to expand the use of civil citations (or similar programs), zero tolerance statutes need to be revisited. Implemented in the early nineties to address the increasing juvenile crime rates, zero tolerance policies served a purpose at that time.

Over the years it has become apparent that the current statutory language ties the hands of teachers and administrators. Furthermore, it does not provide for a uniform way of addressing misconduct on school grounds as shown by the various policies even at schools within the same school district.

The County **SUPPORTS** legislation similar to that proposed in the 2012 Legislative Session (SB 1886), which revises zero tolerance statutes in a way that provides for a more equal treatment of juveniles on school grounds, greater ability for school administration to address issues on campus, protects victims and supports the needs of law enforcement. Additionally, the County **SUPPORTS** efforts to provide opportunities for greater parental engagement to help increase their children's achievement and success.

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.

SUPPORT 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 adjusting the state's graduated driver license program to restrict driver privileges for repeat offenders.

RENTAL CARS USED IN THEFTS

The Law Enforcement Planning Council of Palm Beach County continues to see a proliferation of rental cars being used to commit crimes. **SUPPORT** legislation that would increase penalties for individuals using rental cars in thefts and other crimes including making it illegal to tint windows on rental cars and to stiffen penalties for individuals who alter license plates on rental vehicles. Work with car industry on innovations to assist law enforcement to make it easier to locate vehicles used in committing crimes.

HEALTH & HUMAN SERVICES AND HEALTHCARE

LEGISLATIVE PRIORITIES

TRANSPORTATION DISADVANTAGED PROGRAMS

Palm Beach County is requesting an additional \$2 million to continue providing paratransit services to the Transportation Disadvantaged (TD). In FY 2016 the total expenditures for this program totaled \$4.5 million, the State of Florida providing \$2,732,998; these funds provided 38,992 discounted fixed route bus passes and 86,406 trips to TD individuals residing beyond ¾ of a mile distance from fixed route. 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 \$2,151,354 million, of which \$326,894 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.

HOMELESSNESS

Dedicated Revenue Stream

Palm Beach County currently **SUPPORTS** efforts by members of the Legislature to identify a dedicated revenue stream to fund programs for the homeless. The County is experiencing a growing problem with homeless students, seniors, and veterans. For example, there are approximately 3200 homeless students in PBC public schools, with 3000 homeless Palm Beach State College students living in their cars. Three possible sources are being considered at this time:

1. Streamlining Challenge Grants

Challenge Grants have been funded the last two sessions. Chapter 420.622, Florida Statutes establishes the Challenge Grant Program and establishes criteria for local grant awards, competitively procured by the State Office on Homelessness. Palm Beach County supports providing a sustainable funding source for Challenge Grants. The County also supports a simplification of the Challenge Grant award process. Recommendations for simplification include:

- Revise qualifications for the Challenge program to the Lead Agency of the Homeless Continuum of Care to include an allocated funding level based on having and implementing a Long Range Strategic Plan;
- Creating and ensuring a coordinated assessment/central point of access; and
- Demonstrated ability of the CoC to provide quality services to homeless persons, with annual renewal of HUD SHP Grant.
- Preference given to lead agencies in Continuums with the greatest need for provision of services to the homeless relative to the population of the area.

The Lead Agency receiving Challenge program funds would establish a local process for priorities and award based on Continuum goals and needs. The Lead Agency would continue to be responsible for monitoring the recipient and submitting required reports to DCF.

2. Gaming Revenues

If the Legislature passes legislation related to gaming in Florida, Palm Beach County supports the designation of revenues resulting from an expansion of gaming or a renegotiated compact with the Seminole Tribe of Florida for homeless services.

3. Local Discretionary Sales Surtaxes

Palm Beach County supports a statutory change that would add a ninth category to the local discretionary sales surtax or an expansion of existing categories to fund homeless services through local referendum.

The County **SUPPORTS** legislation that would include a combination of any of these three potential revenue sources.

Additionally, **SUPPORT** a legislative tweak to the sober homes legislation that will provide options to prevent individuals who are forced to leave a home from becoming homeless.

AFFORDABLE HOUSING

Palm Beach County **SUPPORTS** efforts to ensure that funds within the Sadowski Housing Trust Fund are fully appropriated for affordable housing projects and not rolled into General Revenue. Palm Beach County received \$6.6 million for affordable housing during the 2016 session.

Furthermore, the Legislature should provide more flexibility in the use of housing dollars for administrative purposes. Currently, Palm Beach County has 1,750 SHIP mortgages and is required to monitor them ranging from 15-30 years. The current 10% administrative cap should be adjusted based on population to allow for 20% for counties with over 1 million population and 15% for counties between 500,000 and 1 million population.

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. SB 552 passed the Senate 40-0 during the 2015 session but died in messages since HB 535 only cleared one of its three House committees.

CHILD WELFARE

Palm Beach County **SUPPORTS** the Florida Coalition for Children's appropriation request seeking increased funding for the agencies operating Florida's system of foster care and related services. The Florida Coalition for Children (FCC) is a statewide association of Community-Based Care lead agencies, such as ChildNet Palm Beach, and those agencies that directly serve Florida's abused, abandoned and neglected children. These funds will be used, both here in Palm Beach County and throughout the state, to provide a range of services including foster care, case management, adoption and family strengthening and support.

Since FY2013/14, 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. ChildNet Palm Beach has had to rely upon "emergency" one-time funding through vehicles such as the Legislative Budget Commission and the CBC Risk Pool to address its resulting shortfalls. The goal of this year's FCC

appropriation request is to provide annual funding sufficient to enable lead agencies and their subcontracted service providers to consistently and effectively meet the needs of Florida's expanded foster care population.

Extended Foster Care Funding

The Legislature made positive modifications to the Independent Living Program during the 2013 Session and also provided for Extended Foster Care in the state of Florida; however, the unfunded mandate known as the My Future My Choice Program requires the following additional services from Community-Based Care lead agencies (CBCs):

- Full case management services for youth ages 18 to 22 in Extended Foster Care.
- Supervised living arrangements, with CBCs paying rent and utilities directly to the landlord or provider, for youth ages 18 to 22 in Extended Foster Care.

ChildNet has historically carried a deficit related to Extended Foster Care, and, with this unfunded mandate, the deficit is currently at \$1.6 million for ChildNet Palm Beach. Therefore, the County **SUPPORTS**:

- Revisions to existing statutes and associated regulations to adjust the language to clarify roles and responsibilities in serving youth over the age of 18 that opt to extend care.
- Allocating additional funding to cover ChildNet's costs associated with implementing the independent living legislation.

SENIOR WELFARE

Palm Beach County **SUPPORTS** the Area Agency on Aging's legislative priorities: 1) 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; and 2) support funding to serve 1,287 most 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.

ADULTS/STUDENTS WITH DISABILITIES

Palm Beach County **SUPPORTS** restoring the statewide funding for the Adults with Disabilities Program to \$10 million. More than 13,000 Floridians with physical and learning disabilities use programs that are funded through the AWD program. However, in the 2015 /16 budget, funding was slashed to \$750,000 statewide. Five agencies in Palm Beach County serving people with disabilities lost a total of \$709,481 in funding for programs, leading not only to staff layoffs but also causing disabled adults to lose their jobs and training opportunities. These providers include Palm Beach Habilitation Center, Boca Raton Habilitation Center, Seagull Services, ARC of Palm Beach County and Jeff Industries.

The County **SUPPORTS** legislation similar to SB7030 filed during the 2015 legislative session that creates a pathway for funding and opportunities for post secondary training for students who are intellectually disabled and encourages career paths and adult transition.

SUPPORT ISSUES

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 10 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.

Legislation should **AMEND** Florida Statutes to “require the dissemination of information at prenatal, newborn, and preschool or kindergarten child exams to educate parents about the importance of receiving certain eye examinations that screen for retinoblastoma. Such information should also include instructions on how the exam should be conducted.”

CONSUMER SERVICES

LEGISLATIVE PRIORITIES

TOWING BILL

The 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 specifically 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.

REGULATION OF TRANSPORTATION NETWORK COMPANIES (TNCs)

SUPPORT uniform statewide insurance requirements that would apply to both taxi and TNC companies such as Uber and Lyft. Additionally, **SUPPORT** uniform statewide regulations, including Level 2 background checks, which would govern the TNC industry and their drivers. Any statewide regulation of TNCs should require that drivers of TNC-operated paratransit services also be subject to Level 2 background screening.

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, **SUPPORT** 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.

LOCAL GOVERNMENT/ADMINISTRATIVE

LEGISLATIVE PRIORITIES

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, the filing fee should be raised to \$50 to cover the anticipated increasing costs to process them.

PUBLIC RECORDS AMENDMENT

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** s. 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. **SUPPORT** 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.

RESIDENCY OF ELECTED OFFICIALS

Controversy over the creation of Westlake has raised questions over its governance, as its charter does not require its council members to live in the municipality. In fact, Westlake's charter states that only two of its five council members must live within Palm Beach County, and there is no requirement that they live within the city itself. Palm Beach County **SUPPORTS** legislation that requires elected officials of local municipalities to live in the districts they represent.

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.

BUILDING CODE ADVISORY BOARD

The current language in Chapter 2001-323, Section 6, of the Laws of Florida requires that seven (7) industry representatives must be nominated by the Construction Industry Management Council of Palm Beach (CIMC) to the Building Code Advisory Board of Palm Beach County (BCAB). The CIMC was last active in 2014 and was dissolved administratively in 2016 by the Florida Division of Corporations. As a result, County staff is unable to secure nominations to fill vacant industry seats on BCAB. Because two (2) industry seats are currently vacant, industry representation on BCAB is lessened, and it has become difficult to establish a quorum in order for BCAB to hear issues, or to offer technical advisories, evaluate products, or offer interpretations. **SUPPORT** a revision to Chapter 2001-323, Section 6, of the Laws of Florida to allow the seven industry representatives to be nominated by existing local chapters of national or regional construction industry trade associations.

EDUCATION

LEGISLATIVE PRIORITIES

STATE LIBRARY FUNDING

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 decreased **State Aid to Public Libraries** by \$5,110,989, to \$22,298,834 in the 2015-16 budget and kept it at that level in 2016-2017 budget. Palm Beach County and The Florida Library Association strongly **SUPPORTS** the restoration of the State Aid to Public Libraries program to at least **\$33,400,000**. This level of funding was last appropriated in FY 2001.

Currently 51% of Floridians have a library card and they checked out an average of 6 books per person in 2013. Floridians visited their public library 78.5 million times in person and made 94.8 million virtual visits. **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.

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. Each grantee is awarded up to \$400,000 but it requires a ten percent cash match of local funds. The Legislature funded the Library Cooperative Grant program for the state's five multi-type library cooperatives (MLCs) at \$2 million in 2015-16 and Palm Beach County **SUPPORTS** an appropriation of the same amount in 2016-17. 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.

PALM BEACH STATE COLLEGE FUNDING

The County **SUPPORTS** the allocation of additional construction funding (Public Education Capital Outlay, PECO) for new buildings on Palm Beach State College's campuses.

Also, the County **SUPPORTS** efforts to increase opportunities for PBSC and the School District to collaborate on programs to ensure that students are college and work ready.

FLORIDA ATLANTIC UNIVERSITY FUNDING

SUPPORT Florida Atlantic University as it pursues its goal of becoming the country's fastest-improving public research university.

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. **SUPPORT** FAU's funding request to construct a 72,000 gsf facility that will provide research and instructional space to support the recruitment/retention of new research faculty and the program's student enrollment growth.

STEM LIFE SCIENCES INITIATIVE AT JUPITER

SUPPORT the continued funding and development of FAU's STEM Life Sciences Initiative that partners with Max Planck Florida Institute, and Scripps Research Institute to train the scientific leaders of tomorrow by allowing students to work, study, and conduct research alongside some of the world's leading scientists.

TECH RUNWAY

SUPPORT funding for FAU's Tech Runway. Since its inception in 2014, Tech Runway has successfully developed twenty-nine technology start-ups, which collectively have raised \$17.976 million in capital and created over 239 jobs.

KISSIMMEE RIVER RESTORATION PROJECT

SUPPORT funding to expand FAU's cyber-intensive, Indian River Lagoon monitoring network to the Kissimmee River to allow FAU to further establish itself as a regional resource and a global leader for monitoring, managing, and restoring water bodies while simultaneously catalyzing a new restoration economy in Florida.

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, the 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.

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. During FY 2014-15 and 15-16, all of the projects on these four grant lists were funded by the Florida Legislature. Palm Beach County organizations benefitted from receiving over \$5 million of the overall funding allocation in both years. **SUPPORT** the FY 16/17 Cultural Grant application list as approved by the DCA.

SUPPORT Small Matching Historic Preservation Grant funding of at least \$670,645 to ensure that the DuBois Park Historic Preservation Plan (for \$48,000), which is ranked 21st out of 71 projects, is funded.

AGRICULTURE

LEGISLATIVE PRIORITIES

LOCAL AGRICULTURE

Palm Beach County is called the “Winter Vegetable Capital of the United States.” When it’s too cold to grow vegetables in much of the country, Palm Beach County farmers grow 26 major crops, such as sweet corn and sugar cane. During the 2006-07 season, 467,480 acres were used for agriculture in the county, more than any other county in the state.

From the planting of the seeds to the selling of the food in the stores or serving the food in restaurants or at home, thousands of jobs depend on Palm Beach County agriculture. The County’s approximately 1,400 farms generate \$1 billion in crop sales at the farm level, with a total economic impact of \$10 billion. Local farmers donate 40 percent of the 5 million pounds of food per year that the Palm Beach County Food Bank distributes.

SUPPORT farmers in their efforts to produce fruits and vegetables for our country and our community.

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. **SUPPORT** legislation that would assist in integrating locally grown produce into school meals.