

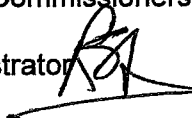


OFFICE OF THE COUNTY ADMINISTRATOR

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M E M O R A N D U M

TO: The Honorable Chairman and Members of the  
Pinellas County Board of County Commissioners

FROM: Robert S. LaSala, County Administrator 

DATE: October 20, 2009

SUBJECT: Proposed 2010 State Legislative Priorities

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Please find attached for the Board's review and discussion the proposed legislative priorities for the 2010 Legislative Session. They will be returned to the Board for action at your November 3<sup>rd</sup> meeting.

Due to minimal staff presence in Tallahassee during Interim Committee Meetings and the upcoming Session, the proposed issues will be managed by our state lobbying team. The priorities are limited and focus on those issues that currently have/may have the greatest fiscal and policy impact on Pinellas County government.

The state legislative process is dynamic and evolutionary; hence there may be other issues which may draw the County's attention. The Board's positions on issues that are not priorities are determined by existing county policy and by assessment of the potential operational or fiscal impacts of the proposals. The position statements adopted by the Board in November 2008 will be used as guidance in those matters (see page 3).

**PINELLAS COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**PROPOSED 2010  
STATE LEGISLATIVE PRIORITIES**

**POLICY ISSUES**

**Offshore Oil and Gas Drilling**

**OPPOSE** any efforts to allow offshore oil and gas drilling in any area in the Eastern Planning Area that is within 125 miles of the coastline of the State of Florida.

**SUPPORT** establishment of a special task force or study committee to study the short and long term implications of oil and gas drilling and other alternative energy sources including effects on the economy of the state and its local governments, coastal communities, and fish and wildlife with a report of the findings to a future session of the Florida Legislature.

**Department of Juvenile Justice Billing Practices and Prevention Strategies**

**SEEK** legislation that states a clear definition of a county's funding responsibilities for pre-detention costs and provides a fixed per diem rate and a statewide billing reconciliation process.

**Tourist Development Taxes**

**SUPPORT** legislation that ensures equitable tax treatment for online travel companies regarding the remittance of tourist development taxes to the state and local taxing authorities.

**Taxpayer Bill of Rights (TABOR)**

**OPPOSE** legislation that enacts any aspect of the so-called Taxpayer Bill of Rights (TABOR) which would legislatively or constitutionally impose caps on a county's authority to determine local revenues and expenditures.

**APPRORIATIONS**

**Beach Erosion Projects**

- |                    |             |
|--------------------|-------------|
| • Sand Key         | \$3,570,000 |
| • Honeymoon Island | \$1,875,000 |
| • Long Key         | \$ 115,400  |
| • Treasure Island  | \$ 11,900   |

# LEGISLATIVE POSITION STATEMENTS PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS

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**Affordable Housing** - Support retaining the full amount of dedicated documentary tax revenue towards affordable housing programs.

Support amendments that will allow for ALL charter counties to levy a discretionary surtax on commercial property documents for the purpose of financing, constructing, rehabilitating, or purchasing affordable housing.

Oppose efforts to divert use of housing trust fund monies to other uses.

**Animal Control** – Support legislation which protects public health and safety, addresses animal welfare and overpopulation issues, and encourages responsible pet ownership.

Support amendment(s) to Chapter 767, F.S., which allows animal services or an owner to take a case directly to county court for a de novo hearing and requires owners to pay for the boarding of animals.

**Annexation:** Support continued improvements to laws (Chapter 171, F.S.) regulating annexation according to the policy parameters of the Pinellas Board of County Commissioners.

- Include a fiscal element in incorporation criteria; a per capita value range could be established for this purpose
- Subject voluntary and involuntary annexation to the same policy considerations and criteria
- Protect the power of charter counties to control voluntary annexations
- Encourage efficient city and unincorporated area boundaries, where possible
- Allow counties to exempt from annexation properties of metropolitan significance, i.e. airports, ports, etc
- Provide for the opinions of unincorporated residents regarding future incorporation of unincorporated areas
- Preserve the continuity of neighborhood character, whenever possible
- Specify that property must be annexed by June 1, in order to be subject to a municipality's taxation in the current tax year

**Article V Refinements:** Support clarification of the definition of communications services to better delineate county versus state financial responsibilities.

Support revisions to the budget procedures for the Clerk of the Court that address the limitations of the revenue projection model to consider such issues as rising personnel, health insurance, and retirement costs

Support the continuation and enhancement of the \$2 recording fee distributed to counties for use in funding the court-related technology of the state attorneys, public defenders, and state trial courts

**Beach Erosion Control** - Support maintaining the \$30 million annually for state wide beach management and preserving the dedicated source of revenue from the documentary tax

**Cellular Facility Siting:** Oppose any additional restrictions on the current county regulatory authority over cellular facility siting

**Charter County Authority:** Oppose efforts that seek to erode charter counties' home rule authority

Support the power of a charter county provision to control land use and regulatory issues on a countywide basis

**Community Redevelopment Agency (CRA):** Support an amendment to FS 163.387 to allow all charter counties to have the flexibility of choosing an increment that would capture anywhere from 50% to 95% of the property tax increase in a CRA

Oppose any reduction of a charter county delegation authority relating to a Community Redevelopment Agency

Support a revised timetable for local government payments of Tax Increment Financing (TIF) funds to CRAs which reflects that many tax rolls are not finalized by the current payment deadline of January 1.

**County Constitutional Officers:** Support legislation requiring an independent review of assessments on all properties in Florida in which county property appraisers have an interest

**County Facilities:** Support changes to F.S. 125.35 which gives the Board of County Commissioners flexibility to enter into no-bid short term lease agreements on county property in special circumstances.

**Economic Development:** Support efforts to identify a reliable source of state revenue for economic development programs and support the policy statements of the Florida Economic Development Council 2009 Legislative Agenda which are not contrary to the policies of Pinellas County

Maintain current law which ensures that Qualified Target Industry (QTI) incentives awarded to companies creating new jobs in Florida are not continued if those jobs are subsequently relocated outside of the state or country.

**Emergency Medical Services** – Support maintaining a countywide regulatory system for emergency medical services through the current certificate of public convenience and necessity (COPCN) process

Oppose legislation that preempts county authority to regulate use or register distribution of Automatic External Defibrillators (AED). Support a cost recovery mechanism if county provided training is mandated.

**Emergency Preparedness:** Support additional state funding for the hurricane shelter retrofit program

Support legislation that ensures that any additional sales tax revenues generate directly from hurricane reconstruction be used for hurricane recovery and relief purposes

**Emergency Radio Systems:** Oppose legislation that would shift funds away from or impede counties from building and maintaining an interoperable radio communication system as authorized by statute

**Environmental Management:** Support legislation which allows counties to establish a dedicated reserve to accumulate funds donated or paid as mitigation required for dock permit applicants for future public interest projects, including improvements to on-water law enforcement.

**Equal Rights Amendment:** Monitor legislative activity regarding the adoption of a resolution ratifying the Equal Rights Amendment to the United States Constitution.

**Firework Regulation:** Oppose legislation that undermines Pinellas County's fireworks ordinance.

**Fiscal Resources:** Support efforts to reform Florida's tax system that provide equitable and adequate revenue sources that include, but are not limited to the following:

- Enhances equity through an expanded tax base
- Produces revenue that is sufficient to fund government functions and expenditures
- Recognizes and preserves counties' authority to raise revenue
- Provides adequate state funding for mandated local programs
- Continues the state/county partnership of state shared revenues
- Does not increase local taxes or service responsibility
- Provides maximum flexibility in order for local governments to meet priority needs

Oppose efforts to cap county budgets or expenditures.

Support legislation which allows the discretionary sales surtax to be used for the operation and maintenance of facilities established with the proceeds of the surtax

**Florida Association of Counties** – Support the policy statements of the Florida Association of Counties' 2010 Legislative Program which are not contrary to the policies of Pinellas County

**Florida Code of Ethics - Non-Profit Boards:** Support changes to F.S. 112.313(7) and 112.316, which will allow a public officer or employee to engage in voluntary service on a non-profit entity's board

**Growth Management** – Support legislation that improves comprehensive planning by defining the role and interest of the state, promoting regional cooperation, ensuring citizen participation, and allowing greater local funding flexibility for infrastructure and its operation and maintenance.

**Impact Fees:** Oppose efforts to diminish or eliminate a county's home rule authority to impose impact fees

**Juvenile Justice Detention Facilities:** Support clear definition of County funding responsibilities with set funding guidance and statewide billing reconciliation process for juvenile pre-disposition housing.

Oppose legislation that transfers any of the operational and service responsibilities of the Department of Juvenile Justice to counties

**Libraries:** Support full funding for State Aid to Libraries. Support protection of Pinellas County's share of the statewide libraries' funding from further reduction

**Medicaid:** Monitor the Medicaid pilot program to protect the level of service capacity while avoiding unfunded mandates.

Oppose expansion of the Medicaid pilot project.

Oppose legislation increasing the county share for nursing home and inpatient hospital costs

Support legislative amendments that allow counties to re-direct the Medicaid match contribution to fund or expand local health care services and programs.

Support efforts to maximize intergovernmental transfers to draw down additional federal dollars

**Mental Health and Substance Abuse Services** – Support a review of the current method and formula used to calculate the local match portion of state funded alcohol, drug abuse, and mental health services to allow a more consistent and uniform application of rules.

**Photographic Traffic Control System:** Support legislation that authorizes local government to use photographic traffic control system and assess fines in the enforcement of red light running violators

**Pre-Trial Release:** Oppose legislation that will diminish the "first appearance" judge's authority to release inmates through the current non-monetary release program

**Property Tax Reform:** Support legislation that addresses the following:

- **Assessments:** Establish an equitable assessment system with standards and criteria that apply equally to all types of property and is based on the market value of the property's current use
- **Renter's Relief:** Assess affordable rental property that offers and covenants to continue to offer rents that meet HUD fair rent standards based upon the actual rental income of the property
- **Commercial and Recreational Working Waterfronts Relief:** Allow commercial and recreational working waterfront real property to be valued based upon the current use of the property by local option. Require that upon discontinuation of use of the property as a commercial or recreational working waterfront, the taxes that would have been due on the highest and best use of the property for the last three years become due
- **Truth in Millage Reform:** Revise the Truth in Millage process to provide a more simplified and informative document that includes the expenditures of constitutional officers to be individually stated

- **Partial Year Assessments:** Establishes property tax equity by authorizing property appraisers to assess new construction on a partial year basis

**Public Access to the Waterways:** Support legislation that preserves and enhances public access to the state's waterways.

Support continued funding of derelict vessel removal. Oppose further dilution of county authority to regulate vessels and waterways

**Solid Waste Management:** Support state funding of Solid Waste Management Grant Program

Support maintaining the waste tire fee as a dedicated revenue source for funding mosquito control programs and waste tire recycling

**3-1-1:** Support legislation that provides funding for local governments to establish and implement 3-1-1 as a non-emergency telephone number

**Total Maximum Daily Load (TMDL):** Support legislation that reflects a practical balance between environmental restoration and protection; the realities of today's urban waterways and landscapes; and that is based on sound science

**Tourist Development Tax:** Support legislation ensuring equitable tax treatment for internet resellers

**Transportation:** Support adequate funding for the Tampa Bay Area Regional Transportation Authority (TBARTA).

Support regional efforts to establish long-term transit and transportation solutions.

Oppose redirecting any state program funds that currently benefit county transportation needs to the Strategic Intermodal System (SIS)

Support legislation authorizing counties to index the local option gas taxes to annual changes in the consumer price index (CPI)

Support the continuation of a coordinated Transportation Disadvantaged System with adequate and dedicated state funding.

**Unfunded Mandates/Cost Shifts:** Oppose any attempts to shift the costs of government services and programs from the State to the County

**Unified Personnel System** - Support an amendment to Section 215.425, Florida Statutes, to ensure consistency in the Unified Personnel System in the administration of lump-sum performance and gain-sharing award programs

**Water Policy** - Support legislative proposals that support the guiding principles and position statements adopted by the Board of County Commissioners in November 2002