

The Bradenton Times

FAC Adopts Legislative Priorities for 2012 Session

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by [Staff Report](#)

The membership of the **Florida Association of Counties** recently adopted its 2012 Legislative Platform. Using a committee process over three days, commissioners from across the state debated issues over a diverse policy area on any legislative issues that impact home rule or local governments.

“By working together commissioners from urban to rural and across party lines come together to support a legislative agenda that focuses on the preservation of home rule – the idea that government closest to the people governs best,” said FAC President & Martin County Commissioner Doug Smith.

Commissioners adopted five legislative priorities focusing on:

- Protecting the Florida Retirement System from any additional increases to the employee contribution rate;
- Preserving critical and tax saving pretrial safety programs;
- Protecting our county health departments that serve the most vulnerable in our communities;
- Support recommendations of the joint task force of the Association and the Florida Department of Juvenile Justice to make the necessary reforms to increase efficiencies and improve public safety, and finally,
- The Association adopted a position to ensure counties have the necessary tools to make necessary investments in transportation.

In addition to adopting five legislative priorities the commissioners also adopted legislative positions on finance, tax, administration, growth management, health care, transportation, administration and public safety issues. Priorities in each subject area were adopted as well as the five main priorities the Association will focus on during the 2012 Legislative Session.

“By preserving and protecting home rule,” Smith added, “Communities are empowered to make the necessary investments to improve their local economies.”

Below are the five priorities position statements adopted by the Florida Association of Counties. For a copy of the complete legislative package, please click here [164.6 KB](#).

Florida Retirement System (FRS): OPPOSE any FRS benefit changes that result in an increase in the FRS county and county employee contribution rates. **SUPPORT** requiring all legislation that potentially results in an increase in the FRS contribution rate to be analyzed and evaluated to determine the direct fiscal impact of proposed changes to all local and state government to be eligible for consideration.

Pretrial Service Agencies: SUPPORT maintaining county ability to provide non-monetary –and risk assessment pretrial release services that ensure the safety and welfare of local communities by preventing new offenses and ensuring those appear as obligated. **OPPOSE** legislation limiting the discretion of the first appearance judge, requiring written reports and eliminating the presumption of release on non-monetary conditions. **SUPPORT** changing pretrial program reporting requirements as provided in s. 907.043, F.S., from weekly to monthly updates. **OPPOSE** legislation that restricts pretrial services to only indigent defendants and **SUPPORT** legislation that requires bail bondsmen to report information as required of pretrial service agencies in F.S. 907.043.

County Health Departments (CHD): SUPPORT maintaining state general revenue funding for CHDs, and OPPOSE any state reductions to the County Health Department Trust Funds. SUPPORT legislative efforts to retain Cost Based Reimbursement for CHDs and to align reimbursement methodologies with Federally Qualified Health Center's reimbursement methodologies under managed care. SUPPORT efforts to enable CHDs to transition to managed care under the Statewide Medicaid Managed Care Program without impacting service capacity. SUPPORT reinstating the exemption from rate control for county health departments.

Juvenile Justice Reform: SUPPORT recommendations of the joint Department of Juvenile Justice and Florida Association of Counties Workgroup regarding juvenile detention; including but not limited to:

1. Align the DJJ Detention budget with the statutory split. The Department has submitted a Legislative Budget Request for \$2.7 million that would help satisfy this recommendation.
2. Clarify in statute that post-disposition detention stays, including those associated with post-disposition administrative handling, such as Violations of Probation and Pickup Orders, are not the responsibility of the county. Pre-disposition detention stays associated with violations of probation related to new charges will remain the responsibility of the county.
3. Progress with detention reform, including the implementation of a scientifically-validated Risk Assessment Instrument that can accurately predict the risk of reoffending and court appearance.
4. Require the Department to collaborate closely with the counties and achieve accountable and collaborative governance at the local level.

Proportionate Fair-Share Mitigation:

Recent legislative changes to the proportionate share funding process prevents counties, under certain circumstances, from charging a development its fair share of road improvements necessary to support that development. Accordingly, FAC SUPPORTS the following:

- Changes in law that gives counties the option of using the proportionate share process and modifying the proportionate share language to allow local governments to determine if the proportionate fair share payment is adequate to satisfy the requirements of the local government concurrency management system.
- Modifying the proportionate fair share language in statute to ensure local governments can charge each development its proportionate share of road improvements when the road is currently deficient or when development causes the road to operate below its adopted level of service. ; and
- Clarifying language in statute that requires local governments to apply a credit only to that portion of any transportation impact fee that would have been used to fund the same improvements on which a proportionate fair share contribution is calculated, while eliminating the requirement that counties give a dollar-for-dollar credit for impact fees paid or payable in the future.

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