

TALLAHASSEE WEEKLY REPORT

August 29-September 2, 2011

State Budget

A new forecast released this week indicates that the state might have a small budget surplus for the upcoming fiscal year. The figures were part of a new long-range financial outlook that a legislative committee will vote on next week, as per a Constitutional requirement that the state draw up and approve a three year forecast on a yearly basis.

Economists have warned that a slow-down in the economy may cause changes to these projections, as tax collections are expected to drop over the next few months.

State economists project that the state will have approximately \$274 million left over, even after spending money on Medicaid, school funding, public safety, and setting aside \$1 billion in reserves. They went on to state that the deep cuts implemented by the legislature last session greatly improved the state's financial outlook going forward.

This forecast does not take into account any possible tax cuts, a priority of Governor Rick Scott's.

Juvenile Justice

The Senate Criminal Justice Committee issued a report this past week advocating that the Legislature require the state's Department of Juvenile Justice (DJJ) to examine shorter stays in residential facilities for juvenile offenders. The current length of stay is determined on a case-by-case basis, with the offenders required to remain in facilities until they have completed their individual treatment plan.

The committee is viewing this as cost-saving measure, as first proposed in a report of the Cost Savings Task Force issued by Florida TaxWatch prior to the start of the 2011 legislative session. Research has also shown that the shorter stays are much more advantageous for the kids than a longer stay.

DJJ Secretary Wansley Walters, former director of the Miami-Dade Juvenile Assessment Center has shown support for an increased use of community-based treatment over residential confinement.

Medicaid

Under a Medicaid waiver being negotiated between the state and federal government, managed care plans will be required to spend 85 percent of the premium it receives from the state on the care for Medicaid patients that are forced to enroll in them.

This week, Agency for Health Care Administration (AHCA) officials submitted their fourth request to temporarily extend the Medicaid waiver that allows for the five-county pilot program, as well as the \$1 billion pot of money for the Low Income Pool (LIP). A waiver was granted through September 15.

The Centers for Medicare and Medicaid Services (CMS) and the Office of Management and Budget (OMB) are considering eliminating all supplemental funding pools, including LIP, in December 2013, six months earlier than AHCA would prefer. This would come on the eve of expanding eligibility to Medicaid to people with incomes at 133 percent of the poverty level, which is equivalent to \$30,000 annually for a family of four.

Regional Transportation Authority

The South Florida Regional Transportation Authority (SFRTA) has sent public records requests on behalf of Commissioner Bruno Barreiro, an SFRTA board member, to the Florida Department of Transportation (FDOT).

The request ask for:

1. Records that can be used to determine the gross amount of money collected in Miami-Dade County on the Turnpike, and on the entire Turnpike for the current and past 5 fiscal years.
2. Records that can be used to determine the gross amount of money collected on the managed lanes constructed on I-95 since they were placed into service in Miami-Dade County.
3. Records which can be used to determine FDOT's annual cost for operating and maintaining the managed lanes in Miami-Dade County.
4. Records that can be used to determine FDOT's annual gas tax revenues collected in Miami-Dade County for the current and past 5 fiscal years.

Economy

A study released earlier this week by the University of Florida shows that consumer confidence among Floridians has dropped to near record lows based on fears that the state is heading back into a recession. The study found a decline in all five survey areas:

1. Overall consumer confidence
2. Personal financial situations, as opposed to a year ago

3. Financial expectation for a year from now
4. Expected economic condition over the next 1-5 years
5. Whether it is currently a good time to buy major household items.

If these projections hold up, it may cause lawmakers to make further cuts to the state budget, since a lack of spending would lead to lower sales tax revenues.

House Committees

Attached, please find a memo put out by House Speaker Dean Cannon naming Democratic ranking members to the various committees and subcommittees. Most of these appointments are holdovers from the previous session, and were done in consultation with Minority Leader Ron Saunders.

Republican Party of Florida

Republican Party of Florida Chairman Dave Bitner announced this week he would be stepping down on September 23, during the party's Presidency 5 straw poll. In a news conference with party leaders, Bitner, a former state representative, asked them to support Vice-Chair Lenny Curry during the special election to be held on that same day.

Bitner was diagnosed with ALS (Lou Gehrig's disease) in April, and has since been confined to a wheelchair.

Bitner was elected chairman of the party in January, taking over for Senator John Thrasher, who led the party on an interim basis on the heels of the forced resignation of Jim Greer in early 2010.

Bills of Interest

Please find a list of bills of interest filed this week:

- **SB 108, Senator Negron, Constitution Reform and Taxation and Budget Reform Commission:** Proposing amendments to the State Constitution to abolish the Constitution Revision Commission and Taxation and Budget Reform Commission, which are authorized to propose amendments to the State Constitution. <http://www.flsenate.gov/Session/Bill/2012/0108>
- **SB 114, Senator Evers, Onsite Sewage Treatment and Disposal Systems:** Deleting legislative intent relating to onsite sewage treatment and disposal systems; conforming a cross-reference; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; deleting an obsolete reporting requirement; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; relating to the

grant program for the repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform. <http://www.flsenate.gov/Session/Bill/2012/0114>

- **SB 146, Senator Flores, Offenses by Caregivers of Minor Children:** Cites this act as "Caylee's Law;" penalizing the failure of a caregiver, willfully or by culpable negligence, to make contact with a child under a specified age in his or her care for a certain period and to immediately report the child as missing to a law enforcement agency after that period expires without contact in certain circumstances; requiring the caregiver of a minor child to report the child's death to a law enforcement agency within a specified period in certain circumstances; requiring the caregiver of a minor child to report the location of a child's corpse to a law enforcement agency within a specified period in certain circumstances. <http://www.flsenate.gov/Session/Bill/2012/0146>
- **SB 148, Senator Bullard, Community Redevelopment:** Expanding the definition of the term "blighted area" to include land previously used as a military facility. <http://www.flsenate.gov/Session/Bill/2012/0148>
- **SB 178, Senator Lynn, Onsite Sewage Treatment and Disposal Systems:** Eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; repealing a provision to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule. <http://www.flsenate.gov/Session/Bill/2012/0178>
- **SB 182, Senator Garcia, Miami-Dade County Lake Belt Mitigation Plan:** Providing for the redirection of funds for seepage mitigation projects; requiring the proceeds of the water treatment plant upgrade fee to be transferred by the Department of Revenue to the South Florida Water Management District and to be deposited into the Lake Belt Mitigation Trust Fund; providing criterion when the transfer is not required; clarifying the uses for the proceeds from the water treatment plant upgrade fee. <http://www.flsenate.gov/Session/Bill/2012/0182>
- **HB 4025, Representative O'Toole, Local Business Tax:** Repeals ch. 205, F.S., "Local Business Tax Act." <http://www.flsenate.gov/Session/Bill/2012/4025>

Calendar

- Week of September 19 – Interim Committee Meetings
- Week of October 3 – Interim Committee Meetings
- Week of October 17 – Interim Committee Meetings
- Week of October 31 – Interim Committee Meetings
- Week of November 14 – Interim Committee Meetings
- Week of December 5 – Interim Committee Meetings
- January 10, 2012 – Opening Day of 2012 Session

