

Broward SLI

State Legislative Information

February 8, 2013

Number 5 – Volume XV

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Medicaid Long-Term Care Waiver Approved

On Monday, February 4th 2013, officials from the Centers for Medicare & Medicaid Services (CMS) approved a waiver allowing Florida to move Medicaid long-term care recipients into managed care plans. As a result, seniors will begin enrolling in HMO's and Provider Services Networks (PSN) for such services. The waiver is a key component of Florida's Medicaid reform efforts that will fully transition the majority of Medicaid beneficiaries into a managed care system, as opposed to a fee-for-service system. The waiver will allow many seniors to stay in home or community based care as opposed to nursing homes. By most accounts, home based care is more affordable and much more desirable. Florida is still waiting for a much larger waiver approval which would shift the bulk of the Medicaid population into a managed care system.

Secretary of State Gives Legislature Official Elections Reform Proposal

During the February 4th legislative committee week, Secretary of State Ken Detzner presented his official campaign reform proposals to committees in the Senate and House of Representatives. Elections reform has been a hot button topic in the Legislature since the widely reported issues with the 2012 General Election. The majority of Secretary Detzner's report focused on legislative fixes that would shorten voting wait lines. Secretary Detzner provided three recommendations: Extend Early Voting Schedule, Expand the Definition of an Early Voting Site and Limit Ballot Length. The proposal called for each Supervisor of Elections to offer at least 8 consecutive days of Early Voting with flexibility to offer up to 14 days. With respect to site definition, the Secretary recommended Florida law include Supervisor of Elections offices, city halls, county commission buildings, courthouses, public libraries, civic centers, convention centers, fairgrounds, and stadiums as eligible Early Voting locations. The Secretary also recommended shortening the ballot which would in turn reduce wait times. His recommendation would limit constitutional amendment ballot questions to 75 words or less. Each of these proposals received positive support from committee members.

In the same Senate committee, SB 80 –Elections by Sen. Joyner was discussed. Sen. Joyner's bill would extend the list of eligible early voting sites to include places of worship and community centers. That language would be beneficial to Broward County to alleviate some of the concerns with early voting site access.

Communications Services Tax (CST) and Local Business Tax (LBT) Reform Explored in House of Representatives

On Tuesday, February 5, 2013 the House Finance and Tax Committee discussed the issues surrounding the CST and LBT. This year, the committee is committed to exploring these issues with the goal of simplifying and updating their application.

CST is a tax on service where voice, data, audio, video, signals or any other information are transmitted. Supporters argue the tax structure needs to be updated as a result of the quickly evolving telecommunications industry. However, the tax revenue is also levied by local governments. This year, the Chair of the Finance and Tax Committee has publicly vowed to keep local governments at the bargaining table as the Committee tries to hold local governments harmless. The emphasis will be on modernizing and simplifying the tax to encourage remittance and streamlined collections.

Potential changes to the LBT should be expected as well. Changes could include streamlining the tax classifications by narrowing the classifications to one class for small, medium and large businesses. In exchange for the reduced number of classifications, local governments would have the flexibility to set tax rates for each class, including rates sufficient to hold each local government harmless from any loss of revenue.

Internet Sales Tax Legislation Moves in Senate

On February 5, 2013, the Senate Committee on Commerce and Tourism passed legislation which would require the collection and remittance of sales tax by internet vendors who transact sales with Florida residents. SB 316 by Sen. Nancy Detert passed 9 to 1 with the caveat that any revenues gained would be offset with tax breaks. The sales tax would apply to companies that don't have a physical presence in Florida but benefit from e-commerce generated in the state. It is estimated that about \$400 million in sales tax would be generated each year. The house companion bill has not received a hearing and similar efforts in previous years have failed.

Texting While Driving Legislation Clears First Committee of Reference

On Wednesday, February 6, 2013, SB 52 – Use of Wireless Communication Devices While Driving - by Sen. Nancy Detert passed the Senate Transportation Committee. The bill bans texting or using non-voice communication on a cell phone while driving. The legislation treats texting while driving as a secondary offense. A first time offense would result in a \$60 fine. The bill passed unanimously with supportive testimony provided by telecommunications companies, AARP, AAA, and law enforcement. It was stated that 39 other states have texting while driving bans. Similar bills have been filed in the past with little movement in the House of Representatives. The bill sponsor is optimistic the bill will gain more traction during the 2013 Legislative Session.

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Florida Retirement System (FRS) Bill

On Thursday, February 7, 2013, the House Government Operations Subcommittee approved an FRS reform bill. The legislation would place all new state employees in a 401(k)-style contribution investment plan instead of the traditional defined benefit pension plan. The proposal passed but with many members of the committee expressing concern about voting on legislation before a study by the Department of Management Services (DMS) was published. DMS is scheduled to release an assessment of the pension plan stability on February 15, 2013. Several members noted their support for the reform may change based on the DMS study. Similar legislation has not been heard in the Senate.

Ocean Outfall Meeting with Governor's Office

Staff and lobby team members for Broward County, Miami-Dade County and the City of Hollywood met with Governor Rick Scott's legislative staff to explain this year's ocean outfall legislation. While the outfall entities worked with the Florida Department of Environmental Protection (DEP) to develop this year's bill, this was the first opportunity to sit down with the governor's staff and share the bill's particulars. We expect to hear from the governor's office soon if they have any objections to the bill. Senator Diaz de la Portilla filed the bill (SB 444) in the Senate and the House bill by Rep. Manny Diaz, Jr., has been approved for filing, but no number has been designated yet.

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