

# LEGISLATIVE ACTION AGENDA

# Executive Board 2015-2016

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# **Committee Members**

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Iraida Mendez-Cartaya, Assistant Superintendent, MDCPS Robert Levy, MDCLC-Legislative Consultant Kevin Crowder, MDCLC Consultant

Richard Kuper, Esq., MDCLC Executive Director



# COMMUNITY AND ECONOMIC DEVELOPMENT

The Miami-Dade County League of Cities supports legislation that empowers municipalities to expand the economy through job creation and business development.

- Support reauthorization of the Florida Enterprise Zone Program, which has been effective at promoting economic development in low and moderate income communities. The MDCLC recognizes the importance of economic development tools, including the enterprise zone provisions. Nowhere in Florida has this tool been utilized more effectively from South Beach, to Wynwood to Homestead. The provisions that govern enterprise zones are up for sunset and bar positive action will end in 2015. The MDCLC urges the retention of some sort of economic development tool that accomplishes the same goals as the enterprise zones, whether it be a totally revamped program or portions of the current program. There must be ROI and accountability but there also must be tools to continue to permit underserved and underemployed areas utilize these incentives to develop new business.
- Support full funding of the Film Industry incentive and to extend additional tax credits to the film industry.
- Support legislation, which encourages use of public private partnerships with maximum local control.
- Support the current statutory language governing Community Redevelopment Areas.

# **INFRASTRUCTURE**

The Miami Dade League of Cities supports legislation to implement the terms of Amendment 1. The Florida Water and Land Conservation Amendment ("Amendment 1") dedicates funds to protect Florida's water, wildlife habitat, natural areas, and parks now and for future generations. It provides funding to acquire, restore, and manage conservation lands, including lands protecting water resources and drinking water, wetlands, forests, rivers and beaches, fish and wildlife habitat, recreation lands, parks, and urban open space. Amendment 1 calls for renewed state spending on water and land conservation that will help Florida's environmental and economic future by acquiring and managing conservation lands, restoring and protecting water resources, providing areas for recreation, and keeping working lands, farms, and forests as part of Florida's rural landscapes. The intent of the Amendment, as ratified by 75 percent of Florida voters, is to restore spending for the highly successful group of long-standing programs already authorized in Florida statutes. The voter-approved constitutional mandate can be met by restoring and enhancing funding to existing water and land conservation programs, including Florida Forever, the Comprehensive Everglades Restoration Plan, Florida Communities Trust, and the Rural and Family Lands Program.

## -"It's All About Our Cities"

The League further supports funding for programs that create and/or enhance cultural facilities, public parks and public space in cities; and energy efficiency programs.

# TAXES

The Miami-Dade County League of Cities opposes legislation that repeals the Local Business Tax, and urges caution on efforts to restructure the Local Business Tax. The League further opposes reduction or elimination of the Communications Services Tax. Changes to these taxes should be done fairly and reasonably and designed to make the tax sources more stable and spread the impact fairly and equitably and not on the backs of local government.

The Miami-Dade League of Cities supports the authorization of a constitutional amendment exempting municipally owned property from taxation.

# INSURANCE

Support efforts to address the significant increases that Floridians are experiencing by the National Flood Insurance Program, including creation of a Florida flood insurance marketplace.

Citizens Property Insurance Corporation. The Miami-Dade County League of Cities supports legislation that caps rate increases for new and existing policy holders and allows for a fair system for re-inspections and an accurate assessment for property owners.

# ENERGY

The Miami-Dade County League of Cities supports legislation that eliminates the Florida Public Service Commission's ability to approve any Early Cost Recovery measures and that repeals the Early Cost Recovery Statute. Furthermore, if the Early Cost Recovery Statute is not repealed, the League supports legislation that establishes a moratorium on Early Cost Recovery until final approval of a license is issued by the Nuclear Regulatory Commission. The League further supports legislation to end early cost recovery that does not meet the proposed 2015 deadline.

The Miami-Dade County League of Cities supports legislation repealing Florida's advanced nuclear cost recovery law as well as legislation that would require FPL to underground, at its own expense, 230kV (or greater) transmission lines installed in urban environments.



The Miami-Dade County League of Cities supports placement of an abatement of taxes on solar power on the 2016 ballot which expands the existing residential abatement to commercial property and to tangible property taxes on solar equipment.

The Miami-Dade County League of Cities will monitor legislation regarding the prohibition against third party sale of electricity as well as Public Service Commission reform legislation. The League further supports the recently launched ballot measure regarding the third party sale of electricity.

# LOCAL PRE-EMPTION

The Miami-Dade County League of Cities supports legislation that repeals the local government pre-emption on implementing reasonable gun-related local ordinances.

The Miami-Dade League of Cities supports legislation that defines and establishes statewide minimum regulatory standards for properties used for "sober home" purposes and allows for local regulation of such properties.

The Miami-Dade League of Cities supports legislation that restores the ability of local governments to limit the frequency and duration of vacation rentals of residential property.

The Miami-Dade County League of Cities supports legislation that repeals the local government pre-emption on implementing local ordinances related to the recreational use of firearms in residentially zoned areas.

# **PENSION REFORM**

The Miami-Dade County League of Cities supports legislation that protects municipalities' home rule powers to set up and fund employee benefit levels and specifically provides comprehensive pension reform and disability presumption reform. The League further supports legislation that provides flexibility in the use of insurance premium taxes as currently interpreted by the Department of Management Services.

# PARKING REVENUE

The Miami-Dade County League of Cities opposes legislation amending Section 337.408, Florida Statutes, authorizing the installation of parking meters in the right of way of a state road only by FDOT permit while requiring counties and municipalities to provide fifty (50%) of the revenue generated by said meters to FDOT.

# LAW ENFORCEMENT

The Miami-Dade County League of Cities supports legislation that expands the criteria and flexibility for the use of law enforcement trust fund dollars ton include non-recurring capital expenditures or increase law enforcement service programs and related initiatives.

The Miami-Dade County League of Cities urges the Legislature and Governor to provide additional funding for school resource officers in the public schools.

The Miami-Dade County League of Cities opposes legislation that repeals the authority for municipalities to establish red light camera programs.

The Miami-Dade County League of Cities supports changes to the Florida Statutes to prohibit the discharge of a firearm outdoors on any property used primarily as a dwelling.

The Miami-Dade County League of Cities supports amendments to Florida Statute 316.305, providing for enhanced penalties for violating the "texting while driving" law.

# PUBLIC RECORDS

The Miami-Dade County League of Cities supports language amending Chapter 119.12 attorney's fees to include that a public records request or civil action is filed in bad faith, filed primarily for the purpose of harassment of the agency or any of its officials or employees, or filed primarily for the purpose of exacting attorney's fees or other monetary relief from the public agency, the court shall assess and award against the person filing such request or civil action any appropriate sanction, including but not limited to, the reasonable cost of complying with the request or defending the civil action including reasonable attorney's fees and dismissal of an action. The court shall award such relief to the public agency and shall deny any monetary relief to the person filing such request or action notwithstanding a finding that the public agency has committed a technical violation of this statute.



# 2015 Miami-Dade County Public School State Legislative Priority Positions

## **GOAL STATEMENT**

The Florida Legislature should establish a five-year strategic plan to restore, stabilize, and increase funding through the Florida Education Finance Program (FEFP) to achieve at least the national average in per pupil expenditures to provide the highest quality education and to enable all of our students to be empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.

# 2015 LEGISLATIVE PRIORITY POSITIONS

## FUNDING:

Restore the state's investment in K-12 education by increasing the Base Student Allocation (BSA) to at least pre-recession levels of \$4,163.47 and the total per student funding of \$7,307.90.

Revise the Value Adjustment Board proceedings to include:

- Proof of the property owner consent/knowledge of an appeal;
- Limit appeal rescheduling to only one for good cause;
- Payment of interest at the market rate; and
- Require the property appraiser to finish all appeals by June 30th of each year.

Amend state statutes to allow school districts to levy the Prior Period Funding Adjustment Millage based on the property appraiser's estimate of the prior year gross taxable value.

Modify the penalty for non-compliance with the constitutional class size requirement to be based on the school-wide average for all public schools.

Conduct an impartial third-party study to develop a cost of education Index which focuses on cost differences integral to K-12 public school district operations reflecting such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE.

Increase funding for Safe Schools and revise allocation formula so that each district's allocation is equal to fifty percent of prior year eligible district expenditures.

Fully fund the infrastructure cost and the acquisition of computers for the mandated expansion of computer-based administration of statewide testing, and the digital content conversion required by 2015-2016.

Provide school districts funding to cover the full cost of offering dual enrollment courses through incentive funding to school districts/schools that offer such programs and have successful completion of dual enrollment courses by students.

Fully fund and allow school districts to determine locally how to ensure the lowest performing schools/ students receive additional instructional time by either extending the school day or extending the school year.

Amend F.S. 1011.61 to fully fund programs taken by students beyond the 1.0 FTE cap or 25 hours a week such as virtual classes outside the traditional school day and year.

Eliminate the statutory provision requiring the passage of end-of-course assessment for funding purposes.

## "It's All About Our Cities"

Amend F.S. 1008.36 related to Florida School Recognition Program requiring FLDOE to distribute funds to eligible schools only after all school letter grades are released.

Fully fund the development of end-of-course (EOC).

Oppose the imposition of unfunded, state-mandated expenditures.

# ACCOUNTABILITY REFORM:

Revise the current assessment system and accountability system to:

- Provide proper field testing in Florida of the entire new state assessment, not simply sample questions, ensuring the statistical requirements of validity and reliability;
- Provide a two-year transition of grading districts and schools to allow for field testing and setting appropriate baseline assessment data;
- Authorize alternate methods for assessing learning and achievement for special populations such as ESE and English Language Learners (ELL) students;
- Ensure two years of language acquisition for ELL students;
- Suspend accountability consequences for another year;
- Provide Florida's statewide assessments in multiple languages as allowed by federal regulations;
- Eliminate the practice of using student performance on a single standardized test as the sole basis of student and school performance; and
- Perform a comprehensive review of the entire assessment program.

Ensure charter and private schools receiving public monies adhere to the same teacher certification, student placement, and progression policies to ensure compliance with federal and state accountability requirements.

# CAPITAL FUNDING:

Establish a long-term, stable, and recurring revenue source sufficient to fulfill the state's educational facility needs.

Restore the allowable discretionary voted capital outlay millage by .10 mills annually until restoration of the full 2 mills.

Oppose any diversion of Local Discretionary Capital Outlay levy revenue from traditional public schools to charter schools.

Fully fund the Public Education Capital Outlay Program that involves construction and maintenance programs for public school districts and ensure that school districts receive their fair share.

# SCHOOL READINESS:

Support state funding for a high-quality, full-day Voluntary Pre-K (VPK) program.

# **CHARTER SCHOOLS:**

Repeal the requirement to use the standard charter contract.

Oppose any changes to current requirements regarding charter conversion of traditional public schools that dilute the role of parents, teachers, and community stakeholders.

Support capital funding for charter schools that:

- Creates neither a reduction of funding to traditional public schools in operating or capital funding nor a requirement for additional taxing mandate on the local school district;
- Requires public input; and
- Protects taxpayers' investment ensuring that capital funding be spent only on assets that can be returned to the public school district.



Establish a level playing field for traditional public schools by extending the current statutory flexibility such as the exemption from State Education Required Facilities (SREF), categorical funding, accountability, class size reduction compliance and related penalties assessed on charter schools.

Clarify that a charter school contract automatically terminates after a charter school has exhausted all of its administrative appeals after receiving two consecutive grades of F or upon voluntary closure.

Allow school districts with charter school enrollment exceeding 15 percent to limit approvals of charter school applications through a Request for Proposal (RFP) process to locate in areas of highest need or through the formulation of district/charter collaborations.

Allow charter schools to weight low-income and educationally disadvantaged applicants in admissions lotteries as recommended by the U.S. Department of Education guidance to create more integrated schools.

Improve safeguards of tax payer investments and transparency between traditional public schools and charter schools, including, but not limited to, implementing the following safeguards:

- Require charter school applications and lotteries be monitored by the local school board, or an appropriate independent entity, to ensure a fair, equitable, and transparent process for all students;
- Allow local school districts to negotiate an appropriate usage fee based on market comparables;
- Require funding to follow the student when transferring between charter and traditional public schools during the school year;
- Establish financial disclosure standards and requirements for charter school officers and related parties involved in financial decision making, similar to traditional public school standards;
- Require the state to create a pre-qualification process for charter school applicants; and
- Require the same standards of governance, conduct and ethics for public officials to apply to charter school governing board members, charter school corporate officers and employees.

## TEACHER PREPARATION/COMPENSATION:

Require teacher certification to meet the requirements of No Child Left Behind (NCLB) and align state standards to ensure that teachers are highly qualified in content areas as well as in pedagogy.

Educational program needs must include the ability for instructional staff to be qualified in order to certify students in vocational areas for industry-certified programs.

Amend state statutes related to the Student Success Act to clarify that:

- Only one annual evaluation is required for teachers; and
- Provide for annual supplements in lieu of base salary increases for highly effective teachers only.

Provide a three-year transition for student growth measures to become part of the teacher evaluation system as the Florida State Assessment (FSA) and local end-of-course exams are developed and implemented.

Allow districts to use FSA Reading/Math and/or school-wide data for instructional staff with no assessment until such time as local valid and reliable assessments have been developed.

## SAFETY:

Require that the Florida High School Athletic Association make literature available to parents on the importance of having a cardiovascular assessment such as an EKG performed on student athletes and pursue mandatory screening prior to participation in any organized sports.

## FACILITIES:

Provide local school districts the flexibility to use the Florida Building Code in lieu of the State Requirements for Educational Facilities.

#### WORKFORCE DEVELOPMENT:

Support legislation that attempts to strengthen the role of technical centers in the development of a skilled workforce.

Include representatives from the secondary schools' career and technical education programs in the state's Articulation Coordinating Committee.

#### VIRTUAL EDUCATION:

Modify the requirement to offer three different virtual offerings to students.

# **POLICY STATEMENTS:**

## Funding

Fully fund class size reduction requirement while providing increases to the Base Student Allocation (BSA) and other components of the FEFP.

Examine Florida's tax structure and phase out sales tax exemptions for non-essential goods and services; ensure that internet sales remit necessary sales tax to Florida.

Support maximum flexibility in the use of categorical funds.

Maintain the integrity of the FEFP and equity of funding among school districts.

Oppose any prescribed expenditure such as the "65 percent solution" as a mandate in the Florida Constitution and further oppose any such legislation, unless established as a spending goal with the definition of expenditures to include all instructional support expenditures.

Oppose compression of the Discretionary Millage.

Support equivalent supplemental funding for the participation and the attainment of a diploma for Advanced Placement, Cambridge (AICE) and International Baccalaureate programs.

Maintain the current required employers' contribution rate to the Florida Retirement System by absorbing any planned increase in local employer's contribution.

Oppose legislation that increases the sovereign immunity liability limits on governmental agencies.

Commit to long-term funding stability for teacher performance pay and teacher evaluation systems.

Provide maximum flexibility with the funds appropriated.

Allow school districts to locally establish contract provisions inclusive of cost structures with postsecondary institutions related to the delivery of dual enrollment.

Increase ESE per pupil funding to account for both student growth and inflationary cost particularly in level 254 and 255 to provide early identification and intervention services for students with autism.

Support grant funding to create new and innovative programs and academies.

#### **Capital Funding**

Provide adequate school construction funding to support new and existing facilities, technology, maintenance, land acquisition and class size reduction needs through the establishment of long-term, stable and recurring revenue sources to fulfill the state's educational facility needs.



Oppose any further reduction in capital millage available to school districts for the purpose of balancing the operating budget.

Oppose any attempt to equalize the capital outlay levy.

Oppose the deletion of impact fees unless replaced with another revenue source.

Expand the allowable use of a locally voted upon sales tax to include operating expenses that maintain, renovate, or repair existing school facilities or maintain, secure, or upgrade school technology equipment.

## Governance

Oppose legislation that subverts district governance of constitutionally elected local school boards and elected or appointed superintendents.

Oppose legislation that modifies the governance structure of The School Board of Miami-Dade County, Florida.

Oppose legislation that breaks up large school districts.

# Choice

Support increased accountability measures for all publicly funded school choice options.

Oppose all publicly funded programs that lack equitable and sufficient accountability measures.

Oppose implementation of additional or any increases in funding for voucher programs while requiring more accountability from schools receiving Florida Tax Credit Scholarship (FTCS) funding.

# Academics

Support legislation that will require high-quality training in reading and English language development for teachers responsible for instructing English Language Learners (ELL).

Support the development of high-quality English Language Proficiency (ELP) standards.

Oppose legislation that would limit offering gifted programs to eligible high school students.

Support legislation that delays Academic Scholarship Signing Day until May of each year.

Support legislation that ensures that Florida State Assessment (FSA) testing not be administered during religious holidays.

Require the state to provide a minimum of one-year lead time on new state requirements for school districts.

Maintain the current dual delivery system of post-secondary programs.

Support amending F.S. 1009.534 and 1009.535 adding the attainment of the Advanced Placement Capstone diploma as one of the eligibility requirements for Florida Bright Futures Scholarship Program.

Create a statewide taskforce for Hispanic Heritage Education modeled after the African-American History taskforce.

# Student Safety

Support legislation that proposes a "slowing down zone" within an area prior to entering a school zone.

Support funding to provide training for students, parents, teachers, school administrators, counseling staff, and volunteers to learn how to recognize behaviors that lead to bullying and harassment.

Ensure any casino authorized in Florida is at least 1,000 feet from a school or land designated for school purpose.

# "It's All About Our Cities"

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- Appropriations Subcommittee on General Government
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- Finance and Tax
- Fiscal Policy



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- Ethics and Elections
- Health Policy
- Regulated Industries
- Transportation
- Joint Legislative Budget Commission

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- Ethics and Elections
- Finance and Tax
- Health Policy
- Regulated Industries
- Transportation
- Joint Legislative Budget Commission

• Appropriations Subcommittee on Health and Human Services, *Chair* 

- Agriculture
- Appropriations
- Children, Families, and Elder Affairs
- Communications, Energy, and Public Utilities
- Education Pre-K 12
- Health Policy
- Joint Legislative Budget Commission
- Transportation, Vice Chair
- Agriculture
- Education Pre- K 12
- Appropriations Subcommittee on Education
- Governmental Oversight and
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- Joint Administrative Procedures
   Committee
- Joint Select Committee

#### • Judiciary, Chair

- Appropriations Subcommittee on Transportation, Tourism and Economic Development
- Community Affairs
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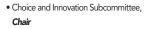
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Criminal Justice Approrpriations

Children, Families & Seniors

- Justice Appopriations Subcommittee
- Local & Federal Affairs Committee
- Rules, Calendar & Ethics Committee



- Education Appropriations Subcommittee
- Education Committee
- Health Innovation Subcommittee
- K-12 Subcommittee



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- Joint Select Committee on Collective
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- State Affairs Committee



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#### DELEGATION VICE CHAIRMAN

- Regulatory Affairs Committee, Chair
- Appropriations Committee
- Government Operations Appropriations
- K-12 Subcommittee
- Local Government Affairs Subcommittee



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- Civil Justice Subcommittee
- Justice Appropriations Subcommittee
- Local & Federal Affairs Committee
- Veteran & Military Affairs Subcommittee



18



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- Economic Development & Tourism Subcommittee, **Chair**
- Economic Affairs Committee
- Finance & Tax Committee
- Rules, Calendar & Ethics Committee
- Transportation & Economic Development Appropriations



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- Government Operations Appropriations; Subcommittee, *Chair*
- Appropriations Subcommittee
- Children, Families & Seniors Subcommittee
- Energy & Utilities Subcommittee
- Higher Education & Workforce
   Subcommittee
- Joint Select Committee on Collective Bargaining



**Rep. Holly Merrill Raschein** 

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- Highway & Waterway Safety Subcommittee,
   Vice-Chair
- Appropriations Committee
- Regulatory Affairs Committee
- Veteran & Military Affairs Subcommittee

#### **BOARD OF DIRECTORS**

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HON. LUIGI BORIA Mayor, City of Doral

HON. HAROLD MATHIS Councilman, Village of El Portal

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HON. JUDY LUSSKIN Councilwoman, Town of Golden Beach

HON. YIOSET DE LA CRUZ Mayor, City of Hialeah Gardens

HON. JEFF PORTER Mayor, City of Homestead

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HON. MAYRA PEÑA LINDSAY Mayor, Village of Key Biscayne

HON. ROBERTO MARTELL Mayor, Town of Medley

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HON. ESTEBAN BOVO, JR. Commissioner, Miami-Dade County

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HON. HERTA HOLLY Mayor, Village of Miami Shores

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HON. MARLEN MARTELL Councilwoman, City of North Miami Beach

HON. JOSEPH L. KELLEY Commissioner, City of Opa-Locka

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HON. GEORGE H. SCHOLL Mayor, City of Sunny Isles Beach

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HON. EDUARDO MUHIÑA Mayor, City of West Miami